TRAFFICKING IN PERSONS REPORT
JUNE 2019

TRAFFICKING IN PERSONS REPORT

JUNE 2019

MESSAGE FROM THE SECRETARY OF STATE

Dear Reader:

Human trafficking is one of the most heinous crimes on Earth. Right now traffickers are robbing a staggering 24.9 million people of their freedom and basic human dignity—that's roughly three times the population of New York City. We must band together and build momentum to defeat human trafficking. We must hold the perpetrators of this heinous crime accountable. We must achieve justice for survivors as they rebuild their lives. We must reinvigorate our shared commitment to extinguish human trafficking wherever it exists. There is no time to waste.

Achieving these objectives requires sound information and tried-and-true approaches. Through the annual Trafficking in Persons Report (TIP Report), we assess comprehensively what governments around the world are doing to combat this crime. The TIP Report is an invaluable tool to arm ourselves with the latest information and guide our action at home and abroad. It helps us go beyond preconceived notions of what we think human trafficking is and better understand the complexities of this crime.

Each one of us can be a champion for freedom and use our specific strengths to help eradicate human trafficking. Individuals can learn the common indicators for human trafficking and call in suspicious activities to the local or national hotline. Businesses can take meaningful steps to eliminate forced labor from their supply chains. First responders can enhance training and put in place screening to help identify trafficking victims. Government leaders can prioritize investigating and prosecuting labor and sex trafficking cases wherever they occur.

Alongside us in the battle are those who sadly know first-hand how depraved this assault on human dignity really is. We salute the brave survivors who have already become instrumental partners in the global fight to combat human trafficking. We encourage other governments to seek survivor input and apply trauma-informed approaches to hold traffickers accountable and care for survivors. And we honor the courageous TIP Report Heroes who have dedicated themselves to this most urgent cause of defending freedom.

The Department of State joins the Trump Administration, community leaders, global allies, and the survivors in our shared fight to end human trafficking. We must be resolute—we cannot leave anyone behind. Rather, we must harness innovation and ingenuity to prevent trafficking, identify and empower those who have survived it, and send the strongest message possible to traffickers that we will not tolerate their despicable and criminal acts.

Sincerely,

Mike Pompeo

"We take these stories to heart. We use them as fuel to motivate us to action as we work together to end human trafficking once and for all."

– U.S. Secretary of State Michael R. Pompeo

A child herder watches over a herd of cattle. In some areas of Africa, traffickers force children to work in agricultural sectors, including herding.

MESSAGE FROM THE AMBASSADOR-AT-LARGE

Dear Reader:

This is an important time for us to be engaged in the work of stopping traffickers, protecting victims, and tackling the systems that allow the crime to thrive. Traffickers continue to operate with impunity and only a small fraction of victims receive trauma-informed, victim-centered support services. Yet, by working together, governments, civil society organizations, survivor advocates, and faith communities can reverse this troubling pattern.

This year, the TIP Report introduction highlights human trafficking that takes place exclusively within the borders of one country, absent any transnational elements. Although acknowledging human trafficking in this form is not new or novel, it remains important. The ILO reports that, globally, traffickers exploit 77 percent of victims in their countries of residence. Far too often, individuals, organizations, and governments erroneously use definitions of trafficking in persons that require the movement of victims. Both the Trafficking Victims Protection Act and the United Nations' Palermo Protocol focus on compelling a person to work or engage in a commercial sex act; they do not require movement from one place to another. The Palermo Protocol requires each state party to establish in its domestic law the crime of human trafficking both within and between countries.

As we in the Office to Monitor and Combat Trafficking in Persons worked to prepare the 187 country narratives for this year's TIP Report, it became apparent that in many countries, governments are reluctant to address human trafficking when it happens at home. In effect, they are turning a blind eye to those traffickers who exploit their own citizens, neglecting to apply their own domestic laws regarding human trafficking, and sometimes even allowing harmful cultural norms and practices to thrive.

This year, the TIP Report serves as a call to action for governments around the world to embrace the full meaning of the Palermo Protocol and implement their domestic laws in a manner that protects all victims and punishes all traffickers.

I am honored to serve as the U.S. Ambassador-at-Large to Monitor and Combat Trafficking in Persons. Promoting justice and human rights around the world is essential because freedom and individual human dignity are core to American values and the foundation of international law. These are the very principles that traffickers work against when they commit these crimes. I am confident that we can make significant strides to hold accountable domestic, and transnational, traffickers and effectively implement laws so that all may enjoy freedom.

Sincerely,

A Bangladeshi survivor of sex trafficking stands in front of a window in a shelter. Governments and NGOs often work together to provide specialized, trauma-informed care for trafficking victims.

Victims of human trafficking show the state of their hands after being compelled to work mining coal to pay off their debt. Sometimes mine owners force whole families to work their entire lives to repay a debt or obligation.

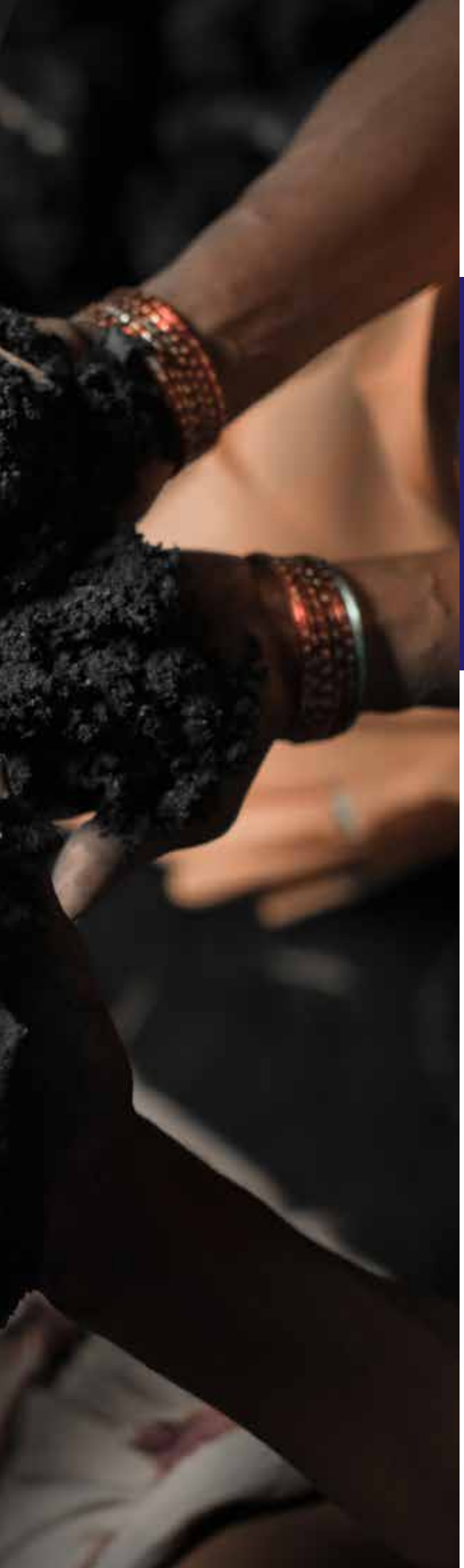


TABLE OF CONTENTS

THE NATIONAL NATURE OF HUMAN TRAFFICKING: STRENGTHENING GOVERNMENT RESPONSES AND DISPELLING MISPERCEPTIONS 2

TOPICS OF SPECIAL INTEREST

- Challenges and Advances in Data Collection and Management in Combating Human Trafficking 16
- Exploitative Sham Marriages and Human Trafficking in Europe 18
- Dedicated Prosecution Units 20
- Human Trafficking Hotlines 22
- Promoting Human Trafficking Survivor Leadership and Input 24
- Promising Practices in the Eradication of Trafficking in Persons: Increased Focus on Labor Recruitment 26
- U.S. Government's Federal Acquisition Regulation Definition of "Recruitment Fees" 28

CHILD SOLDIERS PREVENTION ACT LIST 30

METHODOLOGY 34

GLOBAL LAW ENFORCEMENT DATA 38

TVPA MINIMUM STANDARDS 40

2019 TIP REPORT HEROES 42

TIER PLACEMENTS AND REGIONAL MAPS 48

HOW TO READ A COUNTRY NARRATIVE 56

COUNTRY NARRATIVES 57

TVPA AMENDMENTS 514

RELEVANT INTERNATIONAL CONVENTIONS 520

STOPPING HUMAN TRAFFICKING AND SEXUAL EXPLOITATION AND ABUSE BY INTERNATIONAL PEACEKEEPERS & CIVILIAN PERSONNEL 521

INTERNATIONAL, REGIONAL, AND SUB-REGIONAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS 522

THIS REPORT IS AVAILABLE AT WWW.STATE.GOV/J/TIP

A Malian victim of forced child labor shovels cotton onto a conveyer belt. In agricultural sectors where automation is uncommon, children and adults are especially vulnerable to exploitation.

THE NATIONAL NATURE OF HUMAN TRAFFICKING: STRENGTHENING GOVERNMENT RESPONSES AND DISPELLING MISPERCEPTIONS

Each instance of human trafficking takes a common toll; each crime is an affront to the basic ideals of human dignity, inflicting grievous harm on individuals, as well as on their families and communities. Yet, if it were possible to hold human trafficking up to a light like a prism, each facet would reflect a different version of the crime, distinct in context but the same in essence. Together they would show the vast and varied array of methods traffickers use to compel adults and children of all genders, education levels, nationalities, and immigration statuses into service in both licit and illicit sectors. Traffickers may be family members, recruiters, employers, or strangers who exploit vulnerability and circumstance to coerce victims to engage in commercial sex or deceive them into forced labor. They commit these crimes through schemes that take victims hundreds of miles away from their homes or in the same neighborhoods where they were born.

This multifaceted crime can challenge policy makers. The foundational elements of human trafficking are difficult to grasp and the real world instances of this exploitation are even harder to identify. Importantly, how governments address human trafficking depends heavily on the way authorities perceive the crime. When officials view trafficking as a crime and have a precise understanding of its core elements, they are better equipped to identify and combat it, regardless of the particular scheme the trafficker uses.

Over the last two decades, the international community has benefited from an improved understanding of and response to human trafficking. Working together, governments, NGOs, international organizations, academics, communities, and survivors of human trafficking have built a more complete picture of human trafficking—a picture that rejects a narrow understanding of traffickers and victims, in favor of one that encompasses the full range of ways traffickers exploit their victims.

Despite major progress, a number of countries still struggle with gaps in their domestic legal responses, often because they do not recognize and address human trafficking using the wider view described above. In practice, this may mean that governments overlook certain forms of human trafficking when the conditions do not meet their narrower presumptions. For example, authorities may not consider men and boys as victims of sex trafficking due to a common misperception that sex traffickers only exploit women

and girls. This may also result in governments arresting and prosecuting trafficking victims for the unlawful acts their traffickers compelled them to engage in, instead of offering them the support of protective services. Where this happens, anti-trafficking interventions are inadequate and the potential for productive criminal justice, protection, and prevention efforts is threatened.

This year the TIP Report introduction takes a deeper dive into one such gap, common in many countries around the world, whereby governments concentrate on transnational human trafficking cases at the expense of cases taking place within their borders. This spotlight is not intended to suggest that transnational human trafficking is not also important, or that the many other forms of trafficking that may go unaddressed due to similar oversight are of lesser consequence, but rather to call on governments to ensure they are addressing all forms of human trafficking and finding a balanced approach. In that vein and in the interest of de-emphasizing movement, this year's report no longer refers to countries by the nomenclature "source, transit, and destination country."

THE NATIONAL NATURE OF HUMAN TRAFFICKING

Prevalence of human trafficking is difficult to measure; however, a number of international organizations have estimated that traffickers exploit a majority of human trafficking victims without moving them from one country to another. For example, the ILO estimated that traffickers exploit 77 percent of all victims in the victims' countries of residence. Likewise, UNODC reported in 2018 that, for the first time ever, a majority of victims had been identified in their countries of citizenship, stating: "While transnational trafficking networks are still prevalent and must be responded to through international cooperation, national justice measures, strategies and priorities should acknowledge the increasingly national nature of the trafficking problem." The same UNODC report also found that the clear majority of traffickers were citizens of the countries where they were convicted.

It should be noted that these numbers are not uniform across regions or even types of human trafficking. For example, UNODC found that the number of victims identified domestically was high compared to foreign victims in most areas of the world, except for Western and Central Europe, the Middle East, and some countries in East Asia. In addition, the ILO found that victims of sex trafficking more likely faced transnational human trafficking while victims of forced labor typically experienced exploitation in their country of residence.

Frequently, human trafficking within a country is found in sectors that are common nearly everywhere, such as the commercial sex industry and others like farming, construction, manufacturing, and mining. The latter are also often referred to as "dirty, dangerous, and difficult" and rely on low-skilled and vulnerable local labor forces. At the same time, instances of human trafficking within a country may be more characteristic of that specific country or region, such as child domestic work or exploitative sham marriages. Indeed, examples vary greatly:

- Traffickers in **Brazil**, under the guise of religious mandates, exploit Brazilian victims in forced labor, including on farms and in factories and restaurants, after the victims join certain churches or religious cults.
- In **Cambodia**, a lack of jobs leads some women and girls to leave their homes in rural areas to try to find work in tourist destination cities. In many cases, traffickers exploit them in sex trafficking, including in massage parlors, karaoke bars, and beer gardens.
- In **Ethiopia**, traffickers often deceive parents of children living in rural areas into sending their children to major cities to work as domestic workers. The traffickers promise families that the children will go to

The United States considers "trafficking in persons," "human trafficking," and "modern slavery" to be interchangeable umbrella terms that refer to both sex and labor trafficking. The Trafficking Victims Protection Act of 2000, as amended, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime describe this compelled service using a number of different terms, including involuntary servitude, slavery or practices similar to slavery, debt bondage, and forced labor.

"This is an urgent humanitarian issue. My Administration is committed to leveraging every resource we have to confront this threat, to support the victims and survivors, and to hold traffickers accountable for their heinous crimes."

– President Donald J. Trump

Under the Palermo Protocol, "trafficking in persons" is defined as:

"The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs."

"If we want to succeed in confronting human trafficking in all its manifestations, we must better understand its scope and structure."

– Yuri Fedotov
Executive Director, UNODC

school and receive wages for their work, thereby enabling them to send money home.

- In **India**, the government officially abolished bonded labor in 1976, but the system of forced labor still exists. For example, under one scheme prevalent in granite quarries in India, quarry owners offer wage advances or loans with exorbitant interest rates, trapping workers in debt bondage—in some cases for their entire lives.
- In the **United Kingdom (UK)**, gangs force British children to carry drugs. According to the UK National Crime Agency data in 2017, the largest group of potential victims referred to the National Referral Mechanism was UK nationals.
- In the **United States**, traffickers prey upon children in the foster care system. Recent reports have consistently indicated that a large number of victims of child sex trafficking were at one time in the foster care system.
- In **Yemen**, the ongoing conflict has led to many human rights violations, with many parties using child soldiers. According to a UN report, there have been 842 verified cases of the recruitment and use of boys as young as 11 years old.

Given the recent global estimates related to the national nature of human trafficking and the various forms it can take, all governments must acknowledge and take targeted steps to address human trafficking that takes place within one country without any movement across an international border.

There may be complicated reasons why a government would fail to address this form of human trafficking. It is easier to look outward and call on other governments to act; it takes much more resolution and political will for governments to look inward and stop traffickers, including their own citizens, from exploiting victims who have not crossed an international border. Governments should also examine the varying political and economic systems that make it easier for traffickers to commit the crime. What is clear is that governments have an obligation to address all forms of human trafficking, those both with and without a transnational element. When governments overlook this reality and ignore human trafficking at home, they risk being blinded to—and neglecting—an often significant crime within their own borders.

THE PALERMO PROTOCOL AND TRANSNATIONALITY

In 2000, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol), supplementing the UN Convention against Transnational Organized Crime (UNTOC), marked an important transition into the modern movement against human trafficking. Over the years, the Palermo Protocol has been the source of much clarification—but also some confusion—about human trafficking, particularly regarding the issue of transnationality.

It was the first international instrument to define "trafficking in persons" and provide insight into the many different ways traffickers commit this crime. The Palermo Protocol uses "trafficking in persons" as an umbrella term that covers a wide variety of offenses, such as maintaining someone in forced labor or recruiting someone for compelled commercial sexual exploitation. It also provided a much-needed foundation on which governments could build policies that criminalize human trafficking and stop traffickers, protect victims and prevent victimization, and promote cooperation among countries.

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.

Chinese men walk around the perimeter of a government detention center in China where the government forces many Muslim ethnic minority groups to work and undergo indoctrination.

Thus, three elements are needed to establish the crime of human trafficking under Palermo—the trafficker's **action**, the **means** of force, fraud or coercion, and the **purpose** of exploitation. As of March 31, 2019, 173 parties ratified the Palermo Protocol and 168 countries have passed domestic legislation criminalizing human trafficking according to this framework. In addition, a number of best practices in protection for victims have emerged including the importance of a victim-centered and trauma-informed approach in both law enforcement and service provision.

According to the UNODC's 2018 Global Report on Trafficking in Persons, there has been an upward trend in the last decade in the number of victims identified and traffickers convicted globally. These data are not uniform across regions and types of human trafficking, yet the report suggests an overall positive correlation between the implementation of anti-trafficking strategies and increased identification of victims and conviction of traffickers. Similarly, the TIP Report's data on prosecutions, convictions, and victim identification are significantly higher now than they were ten years ago, when the TIP Report first began to note an upward global trend. It is clear that government efforts stemming from the adoption of the Palermo Protocol are working.

Many governments deserve credit for their serious efforts to address modern slavery. Yet, much work remains. Persistent gaps in governments' understanding of the issue continue to impede global progress, as do stubborn misperceptions about human trafficking and inconsistencies in the implementation of domestic legislation.

One common misperception generates ongoing confusion—that human trafficking requires movement across borders and cannot occur solely within a country's borders. A possible explanation for this confusion may stem from the use of the word "trafficking" in the term "trafficking in persons," which connotes movement, and the fact that the Palermo Protocol and its parent convention the UNTOC are intended to foster international cooperation in combating organized crime networks, which typically operate transnationally. The Palermo Protocol also calls on parties to meet its objectives through interstate cooperation. This context could imply that human trafficking is exclusively transnational, requires movement, and necessarily is tied to organized crime. Yet the UNTOC itself and a number of UNODC publications interpreting the Palermo Protocol make it clear that, when drafting domestic legislation, governments should consider human trafficking independently of both transnationality and the involvement of an organized criminal group. Each state party must establish in its domestic law the crime of human trafficking both within and between countries.

> *It is important for drafters of legislation to note that the provisions relating to the involvement of transnationality and organized crime do not always apply… The Trafficking in Persons Protocol also applies to protection of victims regardless of transnationality or involvement of an organized group.*
>
> –The Legislative Guide for Implementation of the Palermo Protocol

Another related misunderstanding about human trafficking is that a trafficker must move or transport a victim. Even though the term "trafficking in persons" connotes movement, no language in the definition requires movement to constitute a trafficking crime. Indeed, the Palermo Protocol's definition specifically refers to **actions** by traffickers that do not entail or require any movement, such as recruitment, which quite often takes place locally. Harboring, in particular, has been frequently interpreted to mean the maintenance of an individual in compelled service, including by a United Nations and Council of Europe publication that defined harboring as "accommodating or housing persons," including at their place of exploitation. In such cases, the three elements clearly are met—by the **actions** of housing or keeping an individual by coercive **means** for the **purpose** of exploitation—without the trafficker ever moving the person.

As reflected in their laws, most governments recognize this view of human trafficking. This is a major success that, in just two decades, 168 governments have implemented domestic legislation criminalizing all forms of human trafficking whether the crime happens transnationally or nationally. That said, even upon the adoption of the Protocol, supporters emphasized that the true challenge would lie in the implementation of the laws in each country.

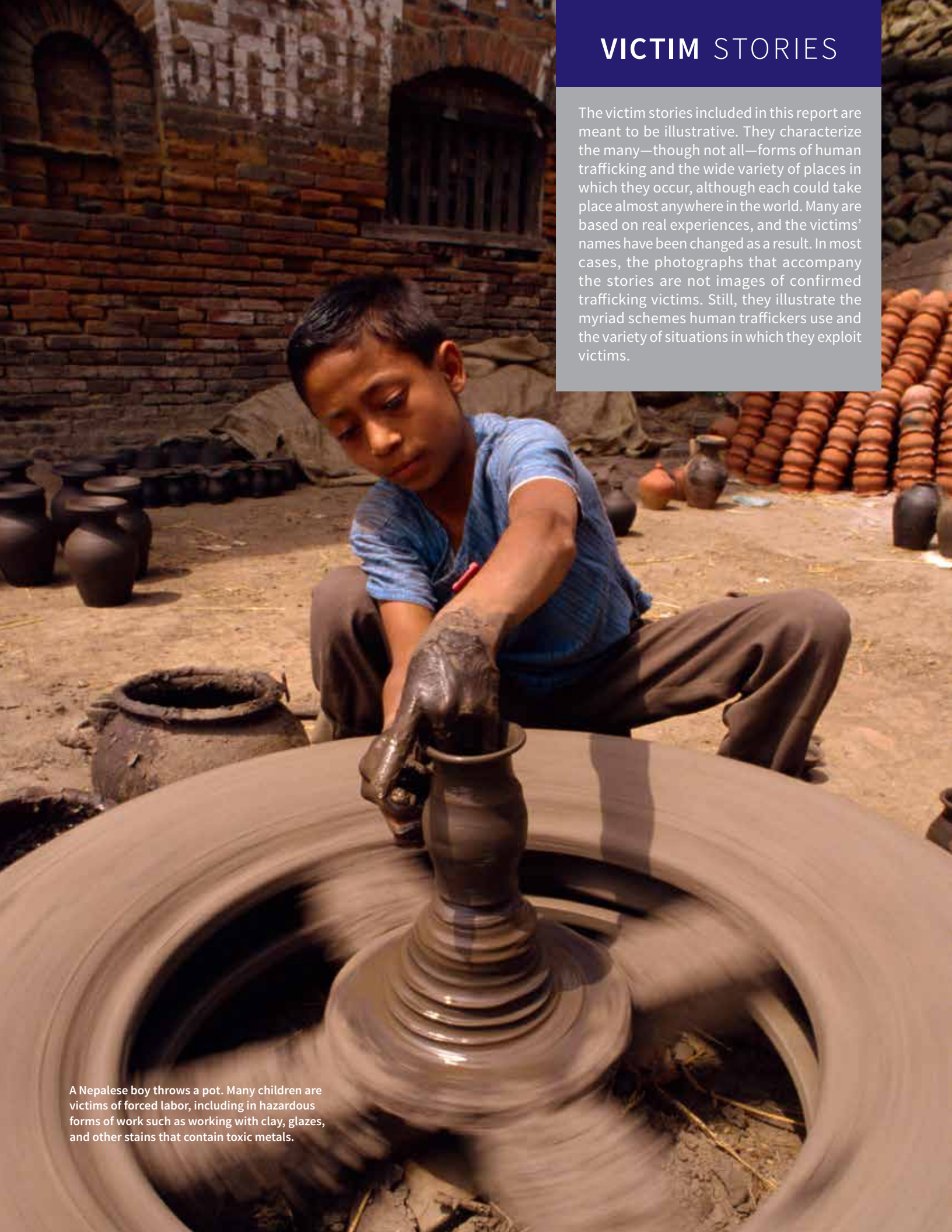
FUNDAMENTALS OF IMPLEMENTING THE PALERMO PROTOCOL

In creating and implementing legislation, governments have the power to shape reality. Legislation that protects all victims and criminalizes all forms of human trafficking, including those that take place exclusively within a country's borders, gives governments the platform and opportunity to embrace fully their responsibilities under the Palermo Protocol.

As noted above, the majority of governments around the world already have in place comprehensive laws to address trafficking in persons. Yet, law alone can do little to end human trafficking. Translating legislation into meaningful action demands dedication, focus, and resources and requires that those implementing it truly understand both the underlying letter and the spirit of the law.

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 schemes human traffickers use and the variety of situations in which they exploit victims.



A Nepalese boy throws a pot. Many children are victims of forced labor, including in hazardous forms of work such as working with clay, glazes, and other stains that contain toxic metals.

"Governments and businesses would dramatically improve their ability to identify and suppress human trafficking if they focused on the subtler 'invisible' abuses of power, discrimination, debt bondage, and financial coercion that actually keep workers enslaved, rather than on 'traditional' notions of slavery such as physical abuse."

– Lisa Rende Taylor
Founder and Executive Director of Issara Institute

A man harvests cotton in a field in Uzbekistan—one of the world's largest cotton exporters where the government relies on the forced labor of hundreds of thousands to harvest the cotton and meet yearly quotas.

Governments can and should adopt and implement the promising practices below. Their value lies in their power not only to help governments better address human trafficking within their borders, but also to help combat all manner of misconceptions, biases, and misunderstandings about what constitutes human trafficking.

Institutionalizing a clear understanding of human trafficking

A clear understanding of the underlying exploitative nature of human trafficking and the unique ways it affects a country is a critical foundation on which governments can build a truly comprehensive strategy.

As noted above, the Palermo Protocol defines human trafficking by its three elements—a trafficker's **action** taken through the **means** of force, fraud, or coercion for the **purpose** of exploitation. Understanding it as such leaves little room for interpretation based on the incidental attributes of the victim or the trafficker, such as gender, age, nationality, legal status, or occupation, or on other circumstances surrounding the crime, such as movement or connection to organized crime.

Messaging from the highest levels of government should be clear and consistent and preclude overly restrictive interpretations of human trafficking or perceptions of its victims. Governments should make every effort to ensure that those addressing human trafficking, both in policy and practice, frame the issue correctly to avoid limiting the applicability of anti-trafficking laws and protection efforts.

For example, governments should prosecute human trafficking crimes as such and not under other criminal provisions—or, worse, civil laws—that may come with weaker or no criminal penalties. Characterizing an offense as less severe, such as penalizing human traffickers for labor violations under employment law instead of charging them for labor trafficking, may mean that traffickers are given penalties substantially lower than those prescribed under anti-trafficking law, limiting their potential deterrent effects.

In addition, governments should encourage or mandate comprehensive training for victim identification, especially for those most likely to come into contact with trafficking victims. This includes law enforcement officers, prosecutors, and judicial officials, healthcare providers, educators, child welfare officials, labor inspectorates, and many others. Training should be designed to help such stakeholders identify all forms of human trafficking. Without such an education, those best positioned to spot the signs of human trafficking may not be able to identify victims when they encounter them or know the appropriate way to respond.

Institutionalizing a clear understanding of human trafficking may also require governments to invest in research and data collection. Over the years, data collection by national governments has improved substantially, but gaps still exist and evidence suggests that anti-trafficking efforts lag where less is known about trafficking. An evidence-driven and unbiased understanding of human trafficking in a country is imperative to the creation of a well-balanced and tailored anti-trafficking response.

For example, in the **Netherlands** in 2017, the Dutch National Rapporteur on Trafficking in Human Beings worked with UNODC to develop the "first reliable estimate of actual number of victims in the Netherlands." Using multiple systems estimation, a methodology that helped to find hidden populations of trafficking victims, the Netherlands found the estimated number of trafficking victims is four to five times higher than the average number of those identified. It also found that the most common form of human trafficking in the Netherlands (46%) is sex trafficking of Dutch nationals in the Netherlands, while the least visible victims in the Netherlands are Dutch girls. The National Rapporteur further acknowledged the findings exposed "gaps and blind spots" in the Dutch approach to combating human trafficking and the need to pursue evidence-driven policies.

Developing a robust anti-trafficking coordination process

Due to its complexity, combating human trafficking requires a multidisciplinary effort. For governments this means incorporating the expertise of stakeholders from a range of agencies or ministries that may have a nexus to human trafficking. To facilitate an approach that addresses human trafficking regardless of where or how it takes place, governments can take steps to ensure that all appropriate authorities understand human trafficking, the various ways they may come into contact with victims or perpetrators, and the appropriate response when they do.

Cambodia funds an interagency committee, the National Committee for Counter Trafficking, to coordinate anti-trafficking activities and implement its national action plan. Subsidiary provincial anti-trafficking committees coordinate efforts at the local level to mirror the activities of the national action plan with modest central government funds and assistance from NGOs. With the help of international donors, six out of nine of these committees created their own provincial-level action plans. A working group monitors the efforts of both the interagency committee and its provincial subsidiary committees.

Establishing ongoing coordination can also help to ensure that the appropriate agencies or ministries have the authority to investigate cases of human trafficking.

For example, **Serbia** is consolidating jurisdiction to investigate human trafficking under the Criminal Police Directorate—Serbia's domestic law enforcement agency. Previously, the Border Police and Foreigners Office Police split this responsibility, which complicated investigations and implied that a human trafficking crime needed a transnational element.

In addition, intra-governmental partnerships can be incredibly effective for information-sharing and helping governments to expand the number and types of trafficking schemes found in their country. For example, when considering trafficking crimes in-country, labor ministries must collaborate

ASIA
UNITED ARAB EMIRATES

When she was 14 years old, Lin went to Dubai with her uncle after he convinced Lin's parents to let her work in a massage parlor. He promised he would take care of her. Instead, Lin's uncle forged her passport and birth certificate to make her appear older. When she arrived in Dubai, her uncle and his partner forced her to engage in commercial sex. When she would try to refuse, her traffickers beat her until she complied. Finally, the Dubai police received a tip that a brothel was being run out of an apartment. The police raided the apartment and arrested Lin's uncle and took Lin to a local shelter for protection and support services.

A Nigerian child sex trafficking victim stands in the doorway of a shelter in Italy. Nigerians migrating to Italy through irregular channels are vulnerable to traffickers and criminal syndicates during their journey and once they have arrived in Europe.

In some cases, farmers or labor recruitment agencies in the United States use unscrupulous recruitment tactics, such as charging workers prohibited recruitment fees, which heighten workers' vulnerability to exploitation, including human trafficking.

and learn from law enforcement to be fully engaged in inspecting local economies and knowing how to alert the appropriate authorities when they identify instances of human trafficking.

In an effort to combat the commercial sexual exploitation of children in **Japan**, the Tokyo Metropolitan Assembly passed an ordinance in July 2017 prohibiting girls younger than 18 from working in compensated dating—or "JK"—services and requiring such businesses to register their employee rosters with the city. Authorities identified 114 of these operations nationwide in 2017, and 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 child sex trafficking.

In **Greece**, the Anti-Trafficking Unit of the Hellenic Police Unit maintains several teams of officers across Greece that investigate human trafficking and other crimes and also conduct joint inspections with labor inspectors and social workers.

Confronting harmful cultural norms and local practices

Cultural norms and practices play an important role in defining a country or society, but human traffickers have also used them to support, hide, or attempt to justify human trafficking. The Palermo Protocol specifically notes that exceptions cannot be made to the criminalization requirement based on cultural variations. It is important that governments examine how traffickers may exploit cultural practices to conduct criminal activity. In some cases, traffickers may take advantage of religious beliefs to coerce victims into servitude and it is important that governments seek help from and offer support to cultural and religious leaders taking strides to protect their communities from human traffickers.

For example, in **Nigeria**, traffickers use fraud to recruit women and girls for jobs in Europe and force them into commercial sex when they get there. Many traffickers force victims to take a *juju* oath to ensure compliance and threaten death resulting from the juju curse if they break their oath, disobey their traffickers, and try to leave their exploitative situations. In early 2018, the National Agency for the Prohibition of Trafficking in Persons and the governor of Edo State partnered with the Oba of Benin, the traditional religious leader of the Benin kingdom in Nigeria, to publicize a ceremony where the Oba performed a ritual dissolving all previous *juju* curses performed by traffickers.

In other cases, deeply ingrained practices may make it difficult for governments to see and address human trafficking in their own backyards. For example, many countries in South Asia face the practice of debt bondage, a form of human trafficking in which traffickers use debt to force an individual into forced labor.

A transgender woman, a victim of sex trafficking, sits in her cubicle in a red light district. Members of the LGBTI community face stigma around the world and are vulnerable to human trafficking.

PHILIPPINES
AUSTRALIA

Angelo had been boxing in the Philippines since he was 15 years old and decided to pursue a professional career after he finished high school. He met a man who promised he could make more than $150 per round in Australia. Even though he could not speak much English, Angelo flew to Sydney with four other boxers; however, once they arrived, the trafficker forced the boxers to hand over their passports. The trafficker then forced the boxers to sleep in his garage and to box during the day and clean up after the trafficker's family in the evening. Angelo was rarely paid and, when he was, travel and living expenses were deducted so he ended up with very little. He could not send any money home to care for his two-year-old son. Finally, Angelo and the other boxers were able to find a way to contact the police.

Pakistan's largest human trafficking problem is bonded labor—in which employers use an initial debt to force people to work and trap them and often their family members, sometimes for generations. Although Pakistani laws criminalize this form of forced labor, enforcement of these laws remains inadequate and many landowners continue to exploit bonded laborers with impunity.

In addition, officials across government should work to challenge stereotypes of a typical victim of human trafficking. For example, in many cases, traffickers force their victims to commit crimes. Forced criminality takes the form of begging, prostitution, cannabis cultivation, and theft, among others. An untrained law enforcement officer or benefits adjudicator may not realize an individual is a victim of human trafficking before making an arrest or a decision on available benefits. These assumptions can also make victims more reluctant to seek help. Proactive efforts to recognize and mitigate these assumptions are therefore critical.

For example, in **Finland** the non-discrimination ombudsman is the national rapporteur on human trafficking. She began a new research project assessing trafficking cases in Finland to evaluate how victims access the assistance system. The findings of this type of study could serve as an important barometer for how national assumptions and blind spots among law enforcement, service providers, and society shape a country's response to human trafficking.

"There was nothing to be ashamed of. I realized that I was not alone and it was the trafficker who was guilty."

– Nasima Gain
Survivor of Human Trafficking and Advocate

"I asked the girls to dream and imagine how they'd want to see themselves in the future. Most of them said they dreamed [of] having a family—a husband and kids, living in a warm and loving environment. That's when I realized that they need family as a priority too."

– Catherine Raja
Freedom Firm

An indigenous woman in the Amazon carries a vessel to protest sex trafficking and commemorate International Day for the Elimination of Violence Against Women. Many women and girls are victims of sex trafficking around the world.

Empowering communities to recognize and address human trafficking

When the public views trafficking crimes as common local or cultural practices that do not warrant criminal investigation or prosecution, it is critically important for governments to raise awareness and foster initiatives for communities to help address it.

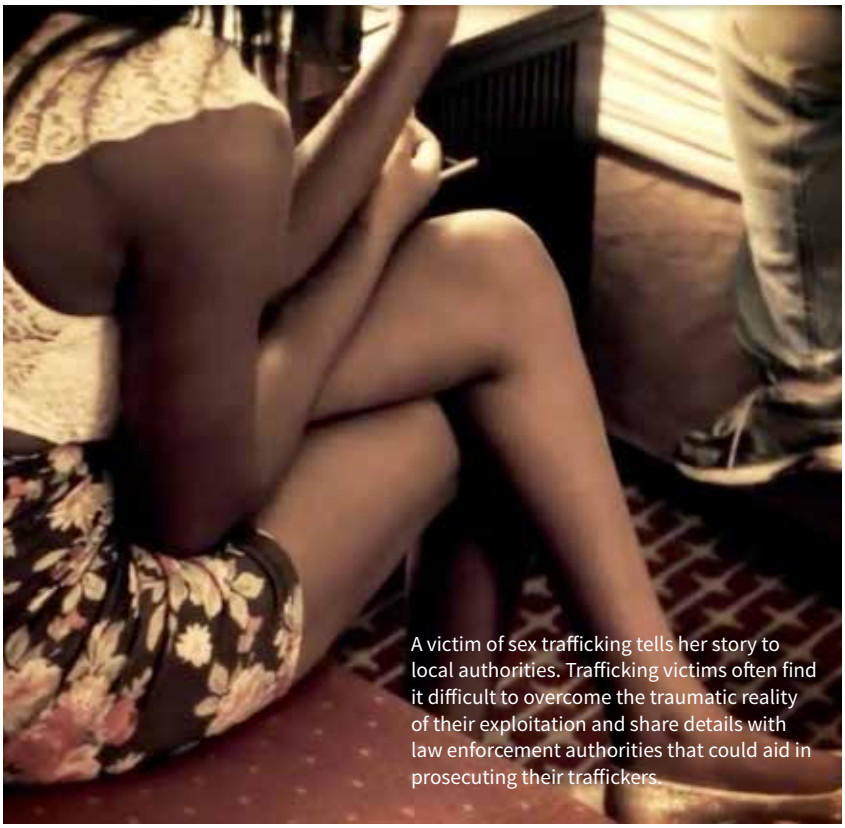
The 2018 TIP Report covered the issue of supporting community efforts to find local solutions. It is worth noting again the value in reinforcing and empowering communities as full partners in the fight against human trafficking. Public perceptions about human trafficking have a major impact on the way governments address it. If well informed about the various forms of human trafficking, the public can be the eyes and ears of their communities and can put pressure on law enforcement to make it a priority.

For example, in **Ghana**, where forced child labor is prevalent in the fishing industry on Lake Volta, NGOs have worked to change community perceptions so that many now view the use of children in fishing as an illegal activity. Many communities have formed local watchdog groups that know how to identify human trafficking, go door-to-door raising awareness about its harmful effects, and report cases to authorities. Community members are also essential in providing follow-on support and reintegration services.

In addition, governments can design public awareness campaigns to target a particular issue and motivate communities to get involved. In design, these types of campaigns should have clear objectives that promote sound anti-trafficking policies.

For example, in **Benin**, some traffickers subject children to forced labor in street and market vending. Recently, the Beninese government led a public awareness campaign focused on potential exploitation in Benin's large open-air markers in Cotonou, Porto-Novo, and Parakou. This community-oriented campaign also 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.

In addition, governments can design community-based approaches to enhance their law enforcement efforts. For example, across **Moldova**, teams of local officials and NGOs coordinate victim identification and assistance efforts resulting in an increased number of shelter referrals.



A victim of sex trafficking tells her story to local authorities. Trafficking victims often find it difficult to overcome the traumatic reality of their exploitation and share details with law enforcement authorities that could aid in prosecuting their traffickers.

HONDURAS
UNITED STATES

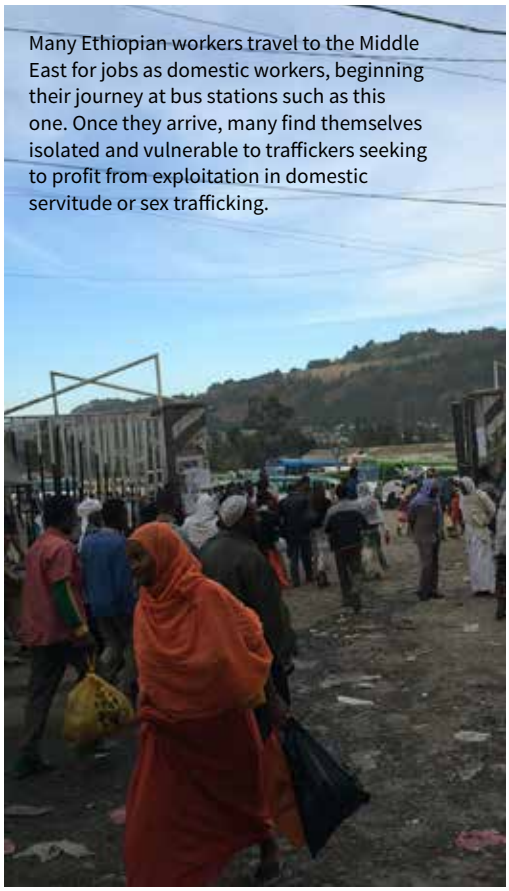
At 14, Miguel had already worked for years trying to support his family in Honduras. One night, after leaving his job at a local restaurant, two men abducted him, drugged him, and took him to the United States. Once there, they sold him to traffickers who plied him with more drugs and forced him into child sex trafficking where he endured daily sexual assault and threats of harm to his family back in Honduras. Federal law enforcement authorities eventually found Miguel during an operation; however, Miguel experienced further traumatization, bullying, and discrimination after he entered the state foster care system. Today, Miguel is a licensed behavioral psychologist in the United States.

CONCLUSION

Since the adoption of the Palermo Protocol, a growing number of stakeholders, including a majority of the world's governments, have enacted comprehensive laws to hold human traffickers criminally accountable and provide care to survivors. Over time, it has become clear that stopping traffickers and ensuring protections for all victims, including victims of internal trafficking in persons, requires governments to truly comprehend what constitutes human trafficking and to proactively use those laws.

At times, governments may need to go even further. In particular, addressing human trafficking at home also takes political courage—in inspecting local sectors and industries, investigating official power structures that may condone or facilitate such activities, and ending impunity for crimes that have long been seen as accepted local and cultural practices. Governments may find it easier to blame sex trafficking on those who come to their countries to engage in foreign sex tourism than to address local demand; or to blame foreign government and power structures for failing to protect their nationals working abroad from labor trafficking, than to address the exploitative activities of labor recruiters in their jurisdiction.

Acknowledging human trafficking within the borders of a country is not easy. Governments should be willing to admit its existence and rise to their responsibility to address it. In doing so, governments not only protect those within their borders, but also contribute to the greater global fight against human trafficking.



Many Ethiopian workers travel to the Middle East for jobs as domestic workers, beginning their journey at bus stations such as this one. Once they arrive, many find themselves isolated and vulnerable to traffickers seeking to profit from exploitation in domestic servitude or sex trafficking.

Children work in a glass production. When plant owners or managers compel children to work in such dirty and dangerous industries, they often face severe health consequences that last their entire lives.

VENEZUELA
SPAIN

Wanting to flee the humanitarian crisis in Venezuela, Melinda accepted a man's offer to pay for her to travel to Spain so she could pursue a better life. When they arrived in Spain, the man forced Melinda into sex trafficking to pay back her debt. Threatened by potential harm to her family back home and worried that her daughter and mother in Venezuela would have no money for food if she tried to leave, Melinda stayed. Melinda was finally identified as a victim of sex trafficking in a police raid on a brothel.

CHALLENGES AND ADVANCES IN DATA COLLECTION AND MANAGEMENT IN COMBATING HUMAN TRAFFICKING

The availability of reliable, high-quality data is critical for designing the most effective strategies and interventions in the global fight against human trafficking. Primary data is extremely difficult to gather, however, and much of the limited data that is collected remains inaccessible. While some governments and a few large, well-funded organizations manage sophisticated databases, the cost of building and maintaining such systems can be prohibitive. Instead, most organizations maintain case files that rely on basic databases, spreadsheets, and paper files, thus the form, quality, and type of data stored can vary widely. The lack of effective data collection and management results in:

1. **Poor data management practices and systems.** Organizations without the funding or capacity to develop well-designed, modern practices and systems cannot easily search and analyze their own data.
2. **Weak privacy protections.** The privacy of individual trafficking survivors may be compromised by inadequate data management practices and systems susceptible to intrusion or corruption.
3. **"Siloed" data.** Most data are accessible only to the collecting organization and, in some cases their funders, and not to other researchers, academics, practitioners, and policy-makers unless those organizations have developed effective strategies to share data while also ensuring privacy protections.
4. **Lack of standardization.** Data sets are often not standardized within or across organizations and may be incomplete and incompatible.

CHALLENGES TO BUILDING CENTRALIZED DATASETS

Gathering and centralizing reliable, high-quality data that can be shared appropriately with the anti-trafficking community and within and between governments presents several particular challenges.

Collection. Collecting data on human trafficking requires special care and attention. Data must be gathered sensitively and responsibly by experts trained in trauma-informed interviews, when it is collected directly from survivors. Collectors must also employ sound methodologies to ensure data integrity and confidentiality.

Standardization. Data standardization requires many different governments, agencies, and organizations—each with its own legacy record-keeping system and mandates—to agree upon data standards and a common data architecture.

Aggregation. Having several different datasets that are standardized and compatible means they can technically be combined into larger or cross-sectional datasets, but political, bureaucratic, and legal obstacles may nevertheless prevent their data aggregation. Real data sharing agreements must be reached to overcome these institutional barriers so that related and standardized datasets can be brought together into larger, more useful databases for analysis.

Data Integrity and Anonymity. Protecting the integrity of the data and the identity and privacy of survivors is of paramount importance once data has been collected, standardized, and aggregated. Special care must be taken to prevent database compromise or inadvertent releases of information that can identify vulnerable individuals. Mitigating these risks requires professional and often costly security measures.

BENCHMARK DATA MANAGEMENT AND COLLECTION INITIATIVES

Several anti-trafficking entities have found ways to overcome these challenges and are making great strides in creating centralized databases and anonymized datasets. Collectively, they are driving community efforts to consolidate, harmonize, and share human trafficking-related data, and paving the way for more data-driven decision making, improved policies and programs, and better research and analysis. Below are some highlights:

Chinese men, sometimes with the complicity of other family members, incur large debts to pay brokers to lure rural Cambodian women to China with false promises of marriage into wealthy families or high-paying employment. When the women arrive in China, these men often subject them to forced labor or sex trafficking to repay those debts.

- **IOM Counter Trafficking Data Collaborative (CTDC).** Launched in November 2017, the CTDC is the first global data hub on human trafficking. The CTDC brings together organizations from around the world, including IOM, Polaris, and Liberty Shared, to make harmonized human trafficking data publicly available in a central, accessible online platform. As of January 25, 2019, the CTDC database included 91,416 survivor cases from 172 countries in datasets downloadable from the CTDC website, which receives about 4,000 visitors per month. IOM is continuing to advance several research projects based on the database.
- **Victim Case Management System (VCMS).** Liberty Shared works to prevent human trafficking through legal advocacy, technology interventions, and strategic collaborations with NGOs and corporations in Asia and globally. It has developed the VCMS as a shared platform for survivor case management that addresses the challenges of data collection, standardization, aggregation, and protection. Currently, 54 NGOs share data on the platform, and VCMS has contributed more than 25,000 cases to IOM's CTDC.
- **Polaris**. Polaris works to eradicate modern slavery and restore freedom to survivors in the United States. Polaris collects data from its National Human Trafficking Hotline and Polaris BeFree Textline and also contributes case data to the CTDC. More than 49,000 cases of human trafficking have been reported to the Hotline in the last 10 years. Twenty-four percent of texting conversations on the Polaris BeFree Textline originated from survivors of human trafficking compared to 14 percent of phone calls to the Hotline.
- **UNODC Global Report on Human Trafficking.** The 2018 UNODC Global Report on Trafficking in Persons is the fourth of its kind mandated by the General Assembly through the 2010 United Nations Global Plan of Action to Combat Trafficking in Persons. The Report covers 142 countries and provides an overview of patterns and flows of trafficking in persons at global, regional, and national levels, based primarily on cases detected by governments between 2014 and 2016. As UNODC has been collecting data from governments systematically on trafficking in persons for more than a decade, the report is able to present trend information for a broad range of indicators.
- **Southern African Development Community (SADC) Anti-Trafficking in Persons Network.** Since 2014, UNODC has helped 12 countries (Angola, Botswana, Lesotho, Eswatini, Malawi, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia, and Zimbabwe) set up national data hubs linked to a regional data hub administered by UNODC. The SADC network collects data from governments on both victim and trafficker profiles, trafficking routes, traffickers' methods and types of exploitation, assessments of victim services, and the status of investigations and prosecutions. The data collection system also offers a repository of case law, legislation, and policy from southern Africa, which is accessible to the public.
- **UNODC Human Trafficking Knowledge Portal.** UNODC launched the Human Trafficking Case Law Database in October 2011 to provide immediate, public access to officially documented instances of this crime. Through this project, UNODC has documented 1,486 case briefs available from 103 jurisdictions, 102 countries, and two supranational courts. Housed on UNODC's Human Trafficking Knowledge Portal, the database contains information on the nationalities of trafficking victims and perpetrators, trafficking routes, verdicts, and other information related to prosecuted cases around the world.

EXPLOITATIVE SHAM MARRIAGES AND HUMAN TRAFFICKING IN EUROPE

ROMANIA
GERMANY

A trafficker, posing as a friend, offered a 23-year-old Romanian woman a lucrative job contingent on her moving to Germany and marrying an Indian man. With the hope of a better life and opportunities abroad, the woman agreed, moved across Europe, and married the man. Once in Germany, however, she learned that the job was no longer available. With no means to support herself, she turned to her "friend" for help but over time became dependent on him for money, eventually accumulating debt she could not afford to repay. The trafficker coerced her into sex trafficking through the use of debt bondage. The woman is now receiving care and services from an NGO in Romania.

"Sham marriages" typically involve the scenario where two individuals give their consent and agree to marry subject to conditions that include an exchange of benefits, financial or otherwise, in order for one party to obtain permanent residency in another country. This practice is distinct from forced marriage, which is a marriage that takes place without the full and free consent of one or both people to the union. Recently experts have highlighted human trafficking in the context of "sham marriages" as an increasingly prevalent trend in Europe.

A Syrian victim of sex trafficking sits in a safe house after she fled a brothel in Lebanon where she had been held captive. Some governments seize brothels and place victims in safe houses where they receive support services.

Various academic studies and projects of other institutions, NGOs, and international organizations have sought to understand and analyze the link between human trafficking and sham marriages in Europe. One notable EU project developed the expression "exploitative sham marriages" to describe sham marriages involving any form of exploitation, including human trafficking. The project found certain exploitative sham marriages exhibit all three elements of the crime of human trafficking. In recruiting victims via sham marriages, traffickers use personal contacts, including family members and friends, and social media such as Facebook, internet dating sites, and advertisements, to lure potential victims with false promises of money, misleading job offers, or other fraudulent opportunities. Traffickers typically, but not exclusively, target women as potential victims, often from impoverished backgrounds, with minimal education, or originating from vulnerable populations or destitute communities, such as the Roma. Forms of exploitation range from sex trafficking to domestic servitude to forced criminal activities. These studies further show that exploitative sham marriage schemes tend to be carried out by organized crime syndicates also engaged in other forms of exploitation. For example, recruiters—most often helping men from India, Pakistan, or Bangladesh to obtain EU residency benefits, work, and citizenship rights—convince women from the Baltics, Eastern Europe, Portugal, or France with promises of money or a lucrative job to move to the UK, Ireland, or Germany and marry men they have never met. Once married, the men are able to travel, live, and work anywhere within the 28 EU member states.

Although the victims understand from the beginning that the marriages are shams, they believe the arrangement will benefit them and provide economic opportunity. The reality, however, is very different from their expectations. Traffickers mislead victims with false information about financial remuneration, accommodations, job opportunities, and divorce procedures. Before the victims realize it, they are trapped in a situation based on lies, exploited, and living in fear in a foreign country.

Exploitative sham marriages are deliberate and coordinated crimes that crime syndicates facilitate, often by working across multiple continents and engaging in numerous different schemes. In Scotland, for example, investigators uncovered European and Asian crime networks working together with European traffickers who recruited and transported victims from Eastern Europe, and Asian traffickers who arranged the accommodations. In some cases, the "grooms" participate in recruiting the potential victims. In other cases, middlemen recruit potential victims. The middlemen tend to be either EU nationals from the same community or country as potential victims or men from the same country as the "groom." Traffickers pay recruiters to find victims to serve as brides. These exploitative practices are extremely profitable. For some crime networks, it can be a multi-million dollar enterprise where human trafficking is just one part of a larger operation involving other illegal activities, such as migrant smuggling and organ trafficking.

The trend of exploitative sham marriages has been a concern in Europe for several years. With international studies and organizations shedding more light on the issue, awareness has grown across the continent, resulting in increased training, capacity building, and enhanced cooperation, including joint investigative teams. Countries, such as Latvia, the UK, and Ireland, have financially invested in addressing the root causes and empowering vulnerable populations. Aiming to find ways to address poverty and social exclusion can help potential victims avoid agreeing to marry strangers in exchange for money or jobs in another country, and instead help them create and pursue their vision of a better life in other ways.

A survivor of sex trafficking struggles to cope with the trauma she experienced. Experts estimate sex traffickers exploit millions of people in commercial sex globally.

UNITED KINGDOM

At the age of 16, in her home country, Amy married a man she barely knew. Just days later he began forcing her to work, confiscating any pay she made. For more than 20 years, Amy's spouse subjected her to forced labor. Toward the end of this time, her husband sold her to traffickers who moved her to the United Kingdom and forced her to work 20-hour days as a janitor. The traffickers threatened to kill her children if she ever said anything about her situation. Amy suffered years of physical pain, abuse, and depression, even reaching a point where she was unable to walk. Finally, one of her friends helped her escape and contact officials in the Home Office who moved her into a safe house. Amy is gradually learning how to adjust to a new life. She hopes to be reunited with her children one day, but fears for their safety, as she believes her husband is back in her home country.

"They have been beaten, they have been threatened with deportation, their families may have been threatened with harm, and then they're forced to stay in that situation and they don't have means to escape."

– Evangeline Chan
Safe Horizon

DEDICATED PROSECUTION UNITS

Human trafficking schemes take many different forms and affect many different types of victims. The widely ratified Palermo Protocol requires governments to criminalize human trafficking and related offences. Trafficking is a hidden crime whose victims are often reluctant to cooperate with law enforcement. To effectively combat human trafficking, those responsible for identification, investigation, and prosecution efforts need a breadth and depth of expertise, including a familiarity with the spectrum of tactics used by human traffickers and the unique needs of victims. Successful identification, investigation, and prosecution of human trafficking crimes requires substantial specialized expertise in detecting trafficking indicators, stabilizing and protecting victims, and investigating conduct that may span both domestic jurisdictions and international borders.

Dedicated prosecution units in many countries play a critical role in comprehensive anti-trafficking efforts. These units provide subject matter expertise in often-complicated human trafficking prosecutions and play a key role coordinating the variety of stakeholders across government who are needed to prosecute successfully the full range of human trafficking crimes. Dedicated units that have been properly trained in victim-centered, trauma-informed anti-trafficking strategies are better able to build trust with victim-witnesses and partnerships with victim service providers and advocates, navigate the complexities that often arise in the process, and ensure that victims are afforded access to protection and services.

In addition, prosecution units dedicated specifically to anti-trafficking efforts are able to bring about challenging trafficking prosecutions that set precedents and continue to build expertise year after year.

Law enforcement officials raid a karaoke bar in Thailand where traffickers exploited women in sex trafficking. They often deceive and lure women to Thailand from surrounding countries such as Laos and Cambodia and force them into commercial sex.

WHAT ELEMENTS ARE NECESSARY FOR EFFECTIVE HUMAN TRAFFICKING PROSECUTION UNITS?

- Dedicated personnel with advanced expertise focused on identifying, investigating, and prosecuting both labor and sex trafficking cases.
- Leadership roles in building strong anti-trafficking partnerships, including partnerships:
  - within the criminal justice system (e.g., financial investigators, organized crime prosecutors);
  - with other governmental and intergovernmental authorities (e.g. immigration agencies, labor officials, local governments, foreign law enforcement counterparts);
  - with external stakeholders (e.g. nongovernmental victim service providers, victim and survivor advocacy groups, organizations serving vulnerable populations).
- Comprehensive training programs to deliver specialized training on identification, investigation and prosecution of trafficking cases, including for police, border patrols, prosecutors, judges, government agencies, and social workers.
- Commitment to advancing approaches to human trafficking that are comprehensive, victim-centered, and trauma-informed.
- Focus on internal as well as transnational human trafficking cases.
- Nationwide geographical coverage to ensure consistency in responses and victim-centered practices across regions (not limited to the capital).
- Prioritization of efficiency to reduce the time needed to complete cases.

An increasing number of governments are developing and applying promising practices to improve the prosecution of human trafficking cases. In an effort to strengthen the criminal justice response, many countries now have dedicated prosecution units and courts, and provide specialized training for judges, prosecutors, and law enforcement, among others.

- In **Guatemala**, the Attorney General's Office (Public Ministry or "MP") expanded its anti-trafficking prosecutor's office and inaugurated a new regional office in April in Quetzaltenango, Guatemala's second largest city. The new office will cover nine departments consisting of 38 percent of the country's population, including those closest to the Mexican border where traditionally there has been little MP coverage of human trafficking prosecutions. The new office will add 12 additional members to the anti-trafficking team. Shifting their focus to more complex cases, the MP's specialized office will carry out large-scale raids on human trafficking networks in conjunction with the National Police Force.
- **Thailand** established the Department of Anti-Human Trafficking at the Office of the Attorney General (OAG) in October 2015 to be operated alongside the anti-trafficking division of the Royal Thai Police, and the Special Human Trafficking Division within the Criminal Court in Bangkok (established in August 2015). The trafficking unit takes on all tasks conducted by the OAG related to trafficking cases and prosecutes them within the jurisdiction of the Bangkok Criminal Court, while local public prosecutors continue to handle cases in each province. Complex cases or those that may involve public officials can be transferred to the trafficking unit in Bangkok. The OAG trafficking unit conducts training for prosecutors in the provinces on techniques to prosecute effectively trafficking crimes, and as of December 2016, public prosecutors are required to file all trafficking cases to the unit for consideration.
- In the **United States**, the Department of Justice created a specialized Human Trafficking Prosecution Unit (HTPU) within its Civil Rights Division in 2007 to consolidate human trafficking prosecution experience. HTPU provides subject matter expertise on forced labor, transnational sex trafficking, and sex trafficking of adults. The Criminal Division's Child Exploitation and Obscenity Section (CEOS), created in 1987, provides subject matter expertise on the sexual exploitation of minors in any form, including foreign and domestic child sex trafficking, technology-facilitated child sex trafficking, and child sex tourism.

HUMAN TRAFFICKING HOTLINES

National human trafficking hotlines, or helplines, are critical components of a comprehensive anti-trafficking response and can be a powerful instrument in combating human trafficking. Hotlines are often one of the safest and most efficient tools for callers to access emergency assistance, connect to services, and learn about available resources. They also often serve as the first point of contact for the public on human trafficking concerns. However, insufficient funding and a lack of operational protocols, personnel training and retention, service and law enforcement referral networks, and engagement from government institutions can hinder a hotline's ability to assist callers effectively and could even place them in danger. As governments and communities explore starting a hotline, or improving one that already exists, it is important to evaluate capacity and resource levels to determine which structure would lend itself to the most effective, sustainable hotline.

Hotlines and the organizations that run them can enhance anti-trafficking efforts, but only work if the public is confident that they will lead callers to help. The quality of this help depends on the strength of the local government and nongovernmental response, as well as on the level of trust and relationships between the hotline and these partners. It also depends on how developed the service infrastructure is and whether it is reliable for caller referrals. If governments and service providers are not able to provide basic emergency assistance, longer-term care, and reintegration support, the effectiveness of the hotline may be limited.

A hotline's ability to serve its callers also hinges on its organizational stability. The amount of available, steady funding, trauma-informed responses, and trained personnel often determine a hotline's operational scope, such as hours of operation, live or recorded responses, forms of human trafficking it can address, and range of caller assistance it can provide. Effective hotlines adhere to a clear mission and well-established protocols for core staff functions, roles, and relationships to referral entities. In keeping with the practice of victim service providers, anti-trafficking hotlines should maintain strict procedures to safeguard victims' personal information to avoid placing them in danger and set clear expectations with callers regarding the hotline's role and next steps. One of the strongest indicators of caller volume for human trafficking hotlines has been whether a hotline offers anonymity. How a hotline adopts mandatory reporting requirements and clarity about caller confidentiality and reporting policies can help individuals decide if or when they feel safe contacting the hotline.

The structure and features of human trafficking hotlines often reflect the local profile of human trafficking cases and social norms. Having a strong sense of how traffickers operate, where cases typically occur, and which populations traffickers target can help a hotline to serve best the intended constituency. In addition, knowing the most common forms of communication within local communities and how reliable the telecom infrastructures are can help determine which platforms the hotline should invest in. National hotlines have included toll-free telephone lines with easy-to-remember numbers, email accounts, SMS textlines, mobile applications, online chat functions, website forms, and social media accounts. Identifying the most likely callers and their common critical needs can help a hotline determine if it should prioritize offering interpretation or translation services in multiple languages and which types of partnerships or referrals it should feature, such as shelter, legal aid, or counseling services.

A Mauritanian survivor of human trafficking stands in her shop where she sells her hand-crafted veils. After a very difficult journey, she has managed to successfully reintegrate into her community through the establishment of her own micro-business.

NATIONAL HUMAN TRAFFICKING HOTLINE STRUCTURAL MODEL EXAMPLES

Government Operated

- **Argentina:** The government's General Prosecutor's Office for Human Trafficking and Sex Exploitation (PROTEX) and the National Rescue Program, which coordinates emergency victim services, operate a national 24-hour human trafficking hotline, called Linea 145, which has helped facilitate investigations of trafficking allegations.

NGO-run and Government Supported

- **Norway:** The Ministry of Justice fully funds the 24-hour NGO-run hotline, which is included in the state budget, to connect trafficking victims who call the hotline at 22 33 11 60 with law enforcement and direct service providers, as appropriate.

NGO-run and Privately Funded

- **Greece:** An international NGO operates the national hotline and handles tips, makes service referrals, and responds to requests for information or training. While private donors provide funding and support to the hotline, the Greek government endorses the 1109 hotline and maintains close partnerships with local governments and municipalities for awareness campaigns, including free television and radio airtime for hotline advertisements, as well as police trainings.

NGO-run and funded by multiple channels

- **United States:** A national NGO runs the national human trafficking hotline, which receives funding from the U.S. government and nongovernmental sources. The NGO relies on its network of law enforcement and service provider partners to connect with and direct callers to the appropriate points of contact throughout the country. Callers reach the hotline by dialing 888-373-7888, texting 233733, and initiating online chats.

Equally important is identifying barriers that could potentially prevent people, especially victims, from calling a hotline. Organizations that run hotlines can shape their outreach strategy and build public trust by learning about local or cultural attitudes toward service providers and government-supported resources or reporting. Over time, national human trafficking hotlines have earned reputations for credibility through the help of partners in the field, previous callers sharing their experiences, independent evaluations, and statistics or reports the hotline publishes.

National human trafficking hotlines have evolved differently to reflect a country's unique trends or most common human trafficking cases, cultural and structural contexts, and availability of reliable resources. A number of governments have chosen to fund and operate hotlines that can offer a rapid and streamlined referral to government and community services and criminal justice remedies. Governments have operated hotlines out of different agencies depending on the intended role and audience. For example, some countries with large migrant worker populations have established hotlines within their labor ministries to receive forced labor complaints or distribute information about workers' rights and labor laws.

While government support for a hotline may increase credibility as the official reporting and referral mechanism for victims, it can also intimidate people from making contact. Especially in societies with a high rate of government mistrust, an independent hotline can provide callers a stronger sense of safety from reprisal or misuse of information. A number of governments have partnered with an NGO or international organization to develop hotlines, with the degree of government involvement ranging from providing promotional assistance, to material or personnel resources, to full funding. In most cases, hotlines run by an NGO or international organization have served primarily as conduits, relying on extensive referral networks to connect callers to services or resources.

Legislative or regulatory requirements to post information about human trafficking hotlines also can spread awareness among populations, industries, and venues at high risk for human trafficking. Proactive consultation with survivors, whether by hiring them to work as hotline staff or appointing them to participate on external advisory councils, will also facilitate the effectiveness and responsiveness of hotlines.

Where no dedicated national human trafficking hotlines exist, governments and NGOs often have incorporated anti-trafficking response mechanisms into existing hotlines for victims of related crimes, such as domestic violence, child abuse, and gender-based violence, as well as general crime hotlines. Worker rights hotlines have also fielded human trafficking calls. Even countries with a dedicated national hotline on human trafficking can establish referral protocols with local hotlines and other related issue hotlines that could potentially receive calls on human trafficking.

In addition to receiving tips, national hotlines can be a central repository of human trafficking data and can play a key role in advancing anti-trafficking efforts, assuming caller confidentiality is protected. Using its data to identify common trends, intersections with industries and government systems, and gaps in victim support can help the field develop targeted public awareness or advocacy campaigns, engagement strategies for current and potential stakeholders, and protocols for addressing weaknesses. With appropriate safeguards and protections, hotline data can also be a useful tool for spurring regional coordination on cross-border human trafficking trends and referrals. Regardless of the structural model a hotline uses—whether government-operated or completely NGO-run and funded—human trafficking hotlines have served as both the foundations of national anti-trafficking responses and drivers of progress within the field.

PROMOTING HUMAN TRAFFICKING SURVIVOR LEADERSHIP AND INPUT

The survivor voice is a vital part of establishing effective and comprehensive anti-trafficking strategies that advance prosecution, protection, and prevention efforts. Now more than ever, survivors are leaders in the anti-trafficking movement, whether they run organizations, advocate before legislatures, train law enforcement, engage with the public, or collaborate with governments to improve domestic and foreign programs. Survivors know firsthand what is needed to improve government anti-trafficking responses and their input is key to ensuring anti-trafficking policies reflect perspectives that only those with a lived experience can provide.

For any entity, whether a government, business, or civil society organization, adopting a survivor-informed approach means seeking meaningful input from a diverse community of survivors at each stage of a program or project. This includes a wide range of opportunities, from the initial program development and design stage throughout implementation of the project as well as during any evaluation activities. The United States Advisory Council on Human Trafficking—comprising survivor leaders presidentially appointed to advise the Executive Branch on anti-trafficking policies—defined "survivor-informed" in its 2019 annual report as the incorporation of survivor expertise from inception through development and completion of efforts relating to all forms of anti-trafficking work. In particular, governments and organizations should avoid making requests that involve final or close-to-final products, tight time constraints, or other factors that could impair the quality of input and be counter-productive to establishing a truly survivor-informed product.

Women participate in a support group in rural India to combat debt bondage in their communities. A form of forced labor, debt bondage is prevalent in agricultural sectors in rural areas of India.

Entities should take steps to become survivor-informed in all aspects of their anti-trafficking response. The first step is understanding whether and how well an entity seeks and incorporates survivor input, as well as identifying gaps and opportunities to do so effectively.

Knowing how to engage with survivors appropriately and responsibly is also critical to establishing a survivor-informed practice. Engagement should be trauma-informed, which means having an understanding of the physical, social, and emotional impact of trauma on the individual, as well on the professionals who work with them. Entities should also promote survivor empowerment and self-sufficiency, and consider ways to employ survivors in leadership positions as staff members, consultants, or trainers. Increasing leadership opportunities for survivors is not only an appropriate response to the survivor community, but also provides for greater effectiveness across all efforts to combat human trafficking. Survivors, like any other employee or consultant, should receive financial compensation for their time and expertise. Additionally, survivors should represent diverse perspectives, including experiences of both sex and labor trafficking, as well as across age, gender, race, national origin, and sexual orientation.

Organizations should also seek training on best practices in engaging with survivors and partner with survivor-led organizations and groups that have successful survivor leadership models, including knowledge in the field of professional and leadership development. For example, the Cameroonian NGO, Survivors' Network, has built a unique approach to survivor empowerment by focusing on economic independence and fostering entrepreneurship among women and girls. TIP Report Hero Francisca Awah Mbuli founded this organization and under her leadership, Survivors' Network 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.

Survivors have worked hard to secure a leadership voice in the anti-trafficking movement. Governments and civil society must prioritize partnerships with survivors that reflect not only positive, but also meaningful engagement that promotes leadership. Survivor voices should be at the core of any comprehensive response to combating human trafficking.

CHECKLIST FOR ESTABLISHING A SURVIVOR-INFORMED PRACTICE:

- Assess the degree to which your organization is survivor-informed
  - Identify gaps and opportunities
- Provide paid employment opportunities for survivors
  - Staff positions
  - Consultants
  - Trainers
- Seek input from a diverse community of survivors
  - Both sex and labor trafficking perspectives
  - Diversity in age, gender, race, national origin, sexual orientation, disability, etc.
- Create a plan for accessing survivor input throughout all stages of a project
  - Program development and design
  - Implementation
  - Evaluation

PROMISING PRACTICES IN THE ERADICATION OF TRAFFICKING IN PERSONS: INCREASED FOCUS ON LABOR RECRUITMENT

Combating human trafficking in global supply chains has been an issue of growing importance in the anti-trafficking movement over the last decade. Governments, the private sector, and civil society are increasingly examining human trafficking through this lens as a part of broader anti-trafficking strategies. As labor is a critical part of global supply chains, there has also been an increased focus on labor recruitment as one of the most important pressure points in the global economy for addressing this crime. The past five years have witnessed an exponential growth in initiatives focused on eradicating exploitative labor recruitment practices, developing models for fair recruitment, and changing industry standards in hiring practices.

As globalization increasingly drives markets toward temporary or seasonal contract workers who are mobile and flexible, the importance of the recruitment industry grows. Each year, millions of workers turn to or are approached by labor intermediaries—recruiters, agents, or brokers—who facilitate the movement of labor both within countries and across borders to satisfy global labor demands. A 2018 ILO report estimates there are 164 million migrant workers worldwide, an increase of nine percent since the last estimate in 2015.

Labor intermediaries function as a bridge between workers and employers and, at their best, can provide helpful guidance and assist in matching workers with jobs and in arranging visas and documentation, medical checkups, pre-departure orientation, training, and travel. At their worst, labor recruiters exploit the vulnerability inherent among those migrating for work, often engaging in fraudulent and misleading recruitment practices that can lead to human trafficking.

In particular, low-wage migrant laborers are extremely vulnerable to and at high risk of exploitative practices such as unsafe working conditions, unfair hiring practices, and debt bondage—a form of human trafficking. Some recruiters take advantage of the fact that migrant workers lack information on the hiring process, are unfamiliar with the legal protections they are owed and options for recourse, and often face language barriers. Certain unscrupulous recruitment practices known to facilitate human trafficking include worker-paid recruitment fees, misrepresentation of contract terms, contract switching, and destruction or confiscation of identity documents.

A forced labor victim works on an engine at an illegal gold mine in Peru. The remote nature of illegal gold mines leaves adults and children vulnerable to sex and labor traffickers.

RECRUITMENT INITIATIVES AND NEW RESOURCES

Promising new initiatives focused on recruitment have recently emerged. If governments and other stakeholders can sustain this momentum and work to connect and create areas of collaboration, there is huge potential for progress in improving recruitment practices and protecting workers from human trafficking. Some of the many initiatives can be found below.

International Labor Organization (ILO) General Principles and Operational Guidelines for Fair Recruitment

In 2016, the ILO published a set of non-binding principles and guidelines to "inform the current and future work of the ILO and of other organizations, national legislatures, and the social partners on promoting and ensuring fair recruitment." The principles cover the recruitment of all workers, both within a country and across borders, and in all sectors of the economy. They provide broad tenants for the protection of workers throughout the recruitment process and detail the specific operational responsibilities of governments, the private sector, and public employment services.

ILO Fair Recruitment Initiative

Launched in 2014, the Fair Recruitment Initiative is a multi-stakeholder collaboration aimed at protecting workers from abusive and fraudulent practices during the recruitment process. It focuses on enhancing knowledge of national and international recruitment practices; improving laws, policies, and enforcement mechanisms for fair recruitment; promoting fair business practices; and empowering and protecting workers.

International Recruitment Integrity System (IRIS)

In 2014, the IOM brought together a coalition of stakeholders to develop the IRIS initiative. IRIS is a "social compliance scheme" designed to promote fair labor recruitment. Its primary goal is to identify and support ethical labor recruiters through a variety of tools: establishing a benchmark for ethical recruiting—"the IRIS Standard," establishing a voluntary certification process for recruiters, creating a list of certified recruiters to help employers and workers make informed decisions, and establishing a monitoring and compliance mechanism to ensure standards are lasting. Central to the model is a prohibition on worker-paid recruitment fees or related expenses.

The Issara Institute Ethical Recruitment Program

Through the Ethical Recruitment Program, the Issara Institute brings employers and recruitment agencies together to analyze their current recruitment practices, identify strengths and weaknesses, receive worker voice feedback, and make improvements, so that jobseekers are more protected in the recruitment process. Over a 12-month period, the Issara Institute helps both businesses and recruiters improve their processes by providing an assessment and recommendations, using worker feedback throughout. The program helps participating businesses and recruitment agencies to examine and implement improvements in their contracts and service agreements, cost structures, grievance mechanisms, and capacity building trainings.

Responsible Labor Initiative (RLI)

In 2017, the Responsible Business Alliance or RBA (formerly the Electronic Industry Citizenship Coalition) launched a multi-industry, multi-stakeholder initiative to help companies address the root causes of forced labor. RLI's mission is for its members companies, suppliers, recruitment partners, and stakeholders to "use their collective influence and application of due diligence to drive the transformation of recruitment markets and reduce the risk of forced labor in global supply chains." RBA actively recruits new companies to join RLI and implement forced labor due diligence in their supply chains.

U.S. GOVERNMENT'S FEDERAL ACQUISITION REGULATION DEFINITION OF "RECRUITMENT FEES"

The U.S. government released in December 2018 an official definition of "recruitment fees" that applies to all federal contractors and their subcontractors and gives further meaning to the prohibition on charging workers recruitment fees. While this definition applies only in the context of public procurement by the U.S. government, it represents a model for global efforts to define the types of fees and costs that should no longer be borne by recruited workers to reduce the risk of exploitation and human trafficking.

With an effective date of January 22, 2019, the final rule entitled "Federal Acquisition Regulation: Combating Trafficking in Persons – Definition of "Recruitment Fees" provides the following definition:

Recruitment fees means fees of any type, including charges, costs, assessments, or other financial obligations, that are associated with the recruiting process, regardless of the time, manner, or location of imposition or collection of the fee.

(1) Recruitment fees include, but are not limited to, the following fees (when they are associated with the recruiting process) for—

(i) Soliciting, identifying, considering, interviewing, referring, retaining, transferring, selecting, training, providing orientation to, skills testing, recommending, or placing employees or potential employees;

(ii) Advertising;

(iii) Obtaining permanent or temporary labor certification, including any associated fees;

(iv) Processing applications and petitions;

(v) Acquiring visas, including any associated fees;

(vi) Acquiring photographs and identity or immigration documents, such as passports, including any associated fees;

(vii) Accessing the job opportunity, including required medical examinations and immunizations; background, reference, and security clearance checks and examinations; and additional certifications;

(viii) An employer's recruiters, agents or attorneys, or other notary or legal fees;

(ix) Language interpretation or translation, arranging for or accompanying on travel, or providing other advice to employees or potential employees;

(x) Government-mandated fees, such as border crossing fees, levies, or worker welfare funds;

(xi) Transportation and subsistence costs—

(A) While in transit, including, but not limited to, airfare or costs of other modes of transportation, terminal fees, and travel taxes associated with travel from the country of origin to the country of performance and the return journey upon the end of employment; and

(B) From the airport or disembarkation point to the worksite;

(xii) Security deposits, bonds, and insurance; and

(xiii) Equipment charges.

(2) A recruitment fee, as described in the introductory text of this definition, is a recruitment fee, regardless of whether the payment is—

(i) Paid in property or money;

(ii) Deducted from wages;

(iii) Paid back in wage or benefit concessions;

(iv) Paid back as a kickback, bribe, in-kind payment, free labor, tip, or tribute; or

(v) Collected by an employer or a third party, whether licensed or unlicensed, including, but not limited to—

(A) Agents;

(B) Labor brokers;

(C) Recruiters;

(D) Staffing firms (including private employment and placement firms);

(E) Subsidiaries/affiliates of the employer;

(F) Any agent or employee of such entities; and

(G) Subcontractors at all tie

A sex trafficking victim sits alone in a brothel. In addition to traditional red light districts, traffickers exploit women and children in sex trafficking in small hotels, vehicles, huts, and private residences.

A former child soldier holds a gun as he participates in a child soldier release ceremony in South Sudan.

CHILD SOLDIERS PREVENTION ACT LIST[1]

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, 2018, and ending March 31, 2019.

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.

1. This section reproduces relevant portions of section 402(2) of the Child Soldiers Prevention Act of 2008 (Title IV of Pub. L. 110-457), as of April 1, 2018, the beginning of the reporting period for this report. On January 8, 2019, prior to the end of the reporting period on March 31, 2019, Congress passed the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425), which among other changes amended section 402 of the CSPA relating to the definition of child soldier. For reference, this section as amended appears on page 514 of this report.

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, 2019, and effective throughout Fiscal Year 2020, 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.

"I knew no one else and thought they were my family. I did not sleep with them in the same house. I was afraid of them, they struck me… raped me. I wanted to be like children my age, going to school, and studying. I was alone."

– Survivor of Human Trafficking

The 2019 CSPA List includes governments in the following countries:

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

Child soldiers in South Sudan lay down their weapons during a release ceremony. Some governments and government-supported armed groups force children to serve as front-line soldiers.

In South Asia, traffickers exploit men, women, and children in forced labor in factories, and the work sometimes involves dangerous chemicals.

METHODOLOGY[2]

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, 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 2019 Trafficking in Persons Report covers government efforts undertaken from April 1, 2018 through March 31, 2019.

2. This section describes portions of sections 108 and 110 of the Trafficking Victims Protection Act of 2000 (Div. A, Pub. L. No. 106-386), as of April 1, 2018, the beginning of the reporting period for this report. On January 8 and 9, 2019, prior to the end of the reporting period on March 31, 2019, Congress passed the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425) and the Trafficking Victims Protection Reauthorization Act of 2017 (Pub. L. 115-427), respectively. Among other changes, these acts amended the TVPA, including sections 108 and 110 relating to the minimum standards for the elimination of trafficking and the annual TIP Report's tier rankings. For reference, these sections as amended by these acts appear on page 514 of this report.

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 40-41), 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 2019 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 fees to prospective migrants; and
- governmental efforts to reduce the demand for commercial sex acts and international sex tourism.

BOTSWANA
UNITED STATES

Keeya's neighbors in Botswana knew her family was struggling to pay for her education and offered her a scholarship to a good college and free accommodations in the United States in exchange for working at their daycare center. When she arrived in the United States, she called the family she was supposed to work for and they gave her another number to call, telling her never to call them again. When Keeya eventually arrived at her new family's home, the woman there confiscated her identity documents, forced her to work as her nanny, and physically and verbally abused her for more than a year. The trafficker eventually kicked Keeya out of her home after she sought medical attention at a hospital. Eventually, Keeya was able to find help, connect with law enforcement, and secure a job and safe place to live. She is now a survivor advocate who speaks out publicly about human trafficking to raise awareness in an effort to help others.

"We strongly believe that the work we do as survivors matters. Our work on the Council is grounded in hope and integrity and a shared mission that meaningfully calls upon each of its members and the agencies with which we collaborate."

– Tanya Street
Survivor Advocate and Member of the U.S. Advisory Council on Human Trafficking

"These are poor regions with high illiteracy rates. If a relative or friend turns up offering someone a job, it is often the girls' parents themselves who encourage them to go, without realizing what is really happening. It is the perfect breeding ground for traffickers."

– Anuradha Koirala
founder of Maiti Nepal

A Uighur woman cries for her husband who was detained in a Chinese internment camp. Many Uighurs, ethnic Kazakhs, and ethnic Kyrgyz detained in these camps have experienced forced labor.

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

Countries whose governments fully meet the TVPA's minimum standards for the elimination of trafficking.

Tier 2

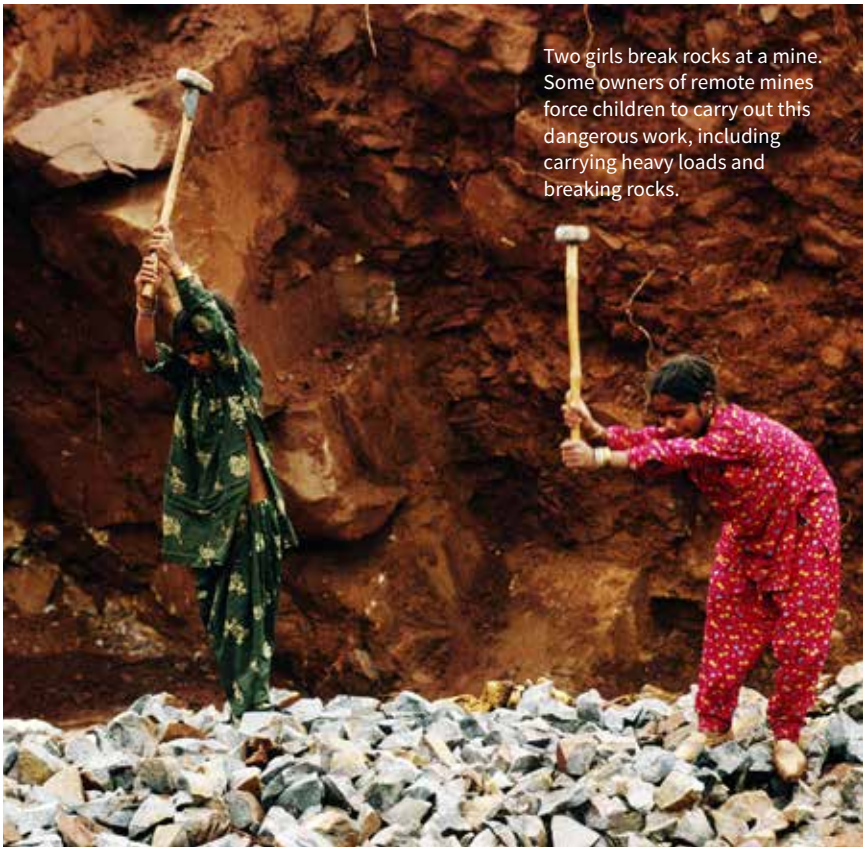
Countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

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 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



Two girls break rocks at a mine. Some owners of remote mines force children to carry out this dangerous work, including carrying heavy loads and breaking rocks.

INDIA

When Fateh, Hassan, and Emir's father died, they inherited the debt he owed to the owner of the brick kiln where he worked. Through manipulation and deceit, the debt had ballooned in the ten years since its origination and continued to do so after the three brothers assumed it. The brick kiln owner forced Fateh, Hassan, and Emir to work for 13 years as bonded laborers, during which they endured 14-hour days molding and hauling heavy bricks, constant harassment, and physical abuse. The brothers were able to escape and sought assistance from a local NGO. With the help of a local government official, they received release certificates freeing them from the false debts and local law enforcement filed charges against their trafficker.

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

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

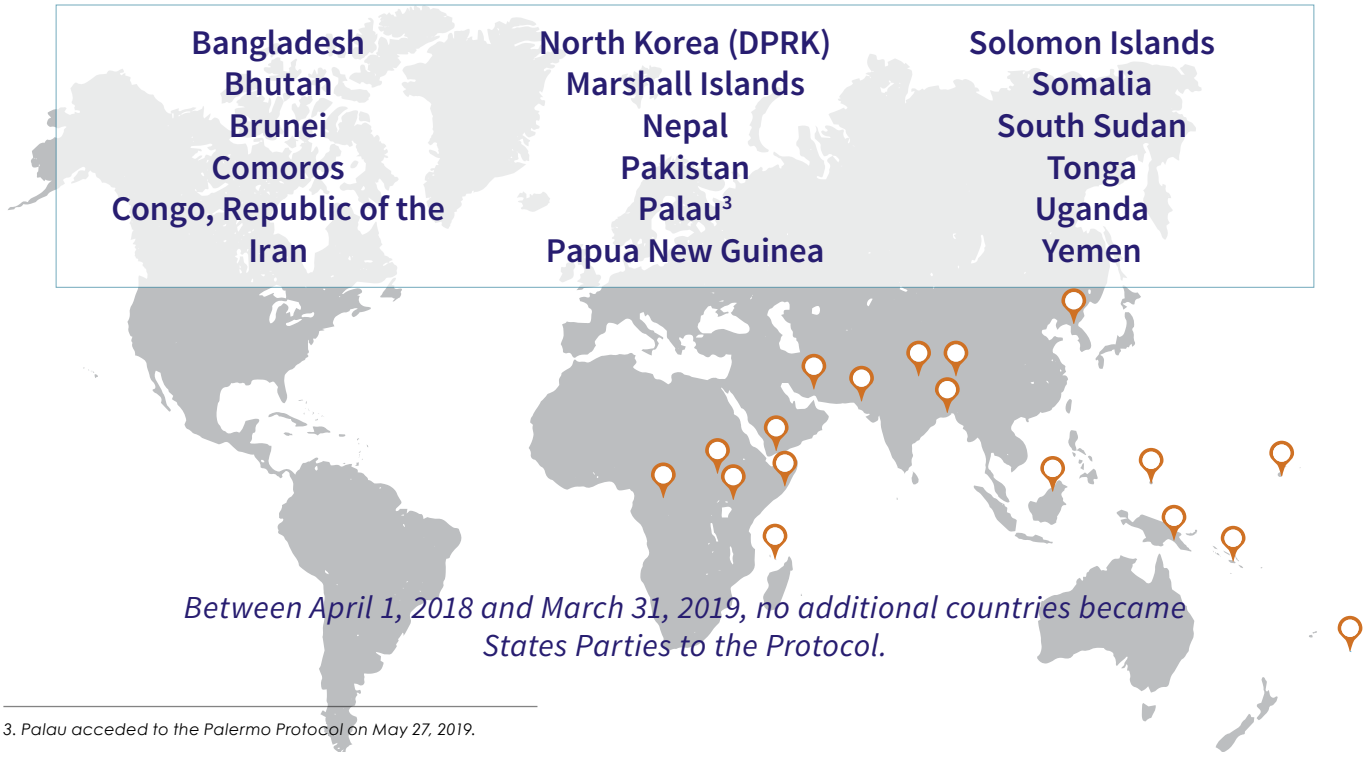
No tier ranking is permanent. Every country, including the United States, can do more. All countries must maintain and continually increase efforts to combat trafficking.

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 nonhumanitarian, nontrade-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, 2019.

Countries in the *2019 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



Between April 1, 2018 and March 31, 2019, no additional countries became States Parties to the Protocol.

3. *Palau acceded to the Palermo Protocol on May 27, 2019.*

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
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	17,471 (869)	7,135 (332)	96,960 (23,906)	5
2018	11,096 (457)	7,481 (259)	85,613 (11,009)	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.

A man sits on a pile of cotton at a harvesting plant in Uzbekistan. Government-compelled forced labor of adults, including public sector employees, remained during the 2018 cotton harvest.

SECTION 108 OF THE TRAFFICKING VICTIMS PROTECTION ACT[4]

Minimum Standards for the Elimination of Trafficking in Persons

(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.

4. This section reproduces relevant portions of section 108 of the TVPA, as of April 1, 2018, the beginning of the reporting period for this report. On January 8 and 9, 2019, prior to the end of the reporting period on March 31, 2019, Congress passed the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425) and the Trafficking Victims Protection Reauthorization Act of 2017 (Pub. L. 115-427), respectively. Among other changes, these acts amended section 108. For reference, this section as amended by these acts appears on page 514 of this report.

(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.

In parts of South America, recruiters and agents of charcoal camps deceive laborers and use coercive debts to force them to work in charcoal production. This dirty and often dangerous work also exposes them to serious health risks.

2019 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 include 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 educate stakeholders about human trafficking trends in their countries and abroad. For more information about current and past Trafficking in Persons Report Heroes, please visit the Trafficking in Persons Report Heroes Global Network at www.tipheroes.org.

ADÉLAÏDE SAWADOGO
BURKINO FASO

Adélaïde Sawadogo is a proven, unwavering force against human trafficking in Burkina Faso. For the past 26 years, she has worked unrelentingly to protect vulnerable populations. Sawadogo is a social worker at Keoogo, an NGO specializing in child protection and advocacy. At the helm of Keoogo's human trafficking efforts, Sawadogo has directly assisted more than 1,500 human trafficking victims, including those whom the government does not have the resources to support. Serving on more than a dozen national and international committees, she has represented Keoogo's rights-based model for victims and influenced government policy on human trafficking and child protection. She has accompanied human trafficking victims back to their country of origin to ensure safe passage through insecure regions and across borders, liaising with border officials and police along the journey. She has worked together with human trafficking survivors to design reintegration programs focused on income-generating skills that foster economic stability. Sawadogo not only secured pro-bono legal counsel for survivors wishing to press charges against their traffickers, she also followed up with the Burkinabe government to ensure these cases progressed.

Undaunted by discrimination and threats of violence, Sawadogo has challenged traditional norms and religious precepts to combat forced begging of children by corrupt Quranic teachers and worked to increase access to health care for children in some of Ouagadougou's most dangerous neighborhoods.

AGNES DE COLL
HUNGARY

For the past decade, Agnes De Coll has dedicated her life to the fight against human trafficking. She has become a leading voice on the issue in Hungary and currently serves as senior expert and head of the trafficking in persons unit at Hungarian Baptist Aid (HBA). Through HBA, serves as the country's main victim witness advocate, providing survivors with support and guidance throughout their cases. Under her leadership, HBA has opened shelters and crisis intervention centers that provide critical assistance and programs to support human trafficking victims and their ability to transition successfully to a new life in Hungary.

De Coll regularly identifies challenges within the Government of Hungary's anti-trafficking response and advocates for and implements both immediate and long-term solutions. As an example, De Coll spearheaded a practice now codified into Hungary's criminal procedural rules that allows a civil society representative to accompany a human trafficking survivor to law enforcement hearings and interviews to support the survivor through an often difficult and emotional process.

The Hungarian government, law enforcement officials, service providers, and communities around the country rely on De Coll's expertise, strong network of personal contacts, and trusted relationships with human trafficking victims. Her efforts have significantly elevated the importance of combating human trafficking in Hungary.

DANIEL RUEDA
ECUADOR

VERONICA SUPLIGUICHA
ECUADOR

As tireless advocates and experts on human trafficking, Daniel Rueda and Veronica Supliguicha have earned widespread recognition and respect in Ecuador for strengthening the Ecuadorian government's protection framework. They are true pioneers, having co-founded Alas de Colibrí, one of only two human trafficking shelters in Ecuador. Since 2012, Rueda and Supliguicha have served more than 300 Ecuadorian, Colombian, Venezuelan, and Peruvian survivors of both sex and labor trafficking. Under their leadership, Alas de Colibrí has developed a highly personalized and holistic approach to victim protection that empowers and uplifts human trafficking survivors, primarily adolescent girls, by providing them with essential psychological, legal, education, and health services. Alas de Colibrí delivers livelihood trainings that cover topics such as entrepreneurship, business management, banking, and finance, and offers artistic, cultural, and environmentally focused activities.

In addition to managing the shelter, Rueda and Supliguicha have led human trafficking prevention campaigns focused on reaching marginalized populations throughout Ecuador. The two lead a network of anti-trafficking NGOs in Ecuador and were instrumental in organizing civil society input into the government's national action plan to combat human trafficking.

The Ecuadorian government, local organizations, and multilateral bodies routinely seek their advice on human trafficking-related legislation and social programs for refugees, migrants, at-risk children and adolescents, and other vulnerable populations. Rueda and Supliguicha are a formidable team and strong advocates for victims of human trafficking.

SISTER GABRIELLA BOTTANI
ITALY

Sister Gabriella Bottani is one of the most prominent and influential anti-trafficking advocates within the Catholic diaspora. Bottani's fierce resolve to support human trafficking victims around the world developed after she met a victim of sex trafficking in Rome. She has since dedicated her ministry in Italy to combating the crime.

In 2015, Bottani was appointed as the international coordinator to lead Talitha Kum, a global network across 77 countries of more than 2,000 Catholic nuns working on the front lines to end human trafficking. Established by the International Union of Superiors General in 2009, Talitha Kum has reached thousands of people through anti-trafficking awareness campaigns, education programs, international conferences, training manuals, vocational training, and hands-on services. Bottani and other members of this dedicated network have served 10,000 survivors, accompanying them to shelters and residential communities, collaborating nationally and internationally on cases, and assisting with voluntary repatriation. In addition, Bottani has organized and served as a consultant for numerous training courses and seminars to help service providers identify and respond to potential human trafficking cases.

Before leading Talitha Kum, Bottani played an essential role in advancing anti-trafficking efforts in Brazil by serving vulnerable children and women in favelas and leading a national campaign against human trafficking before and during the 2014 FIFA World Cup. Throughout her career, her work has inspired generations of anti-trafficking advocates within the Catholic faith.

ROSELINE EGUABOR
ITALY

Roseline Eguabor is a stalwart supporter for Nigerian and West African human trafficking victims and survivors, helping them leave their trafficking situations and integrate into Italian society. She is currently working with the IOM to promote victim-centered human trafficking screening, identification, and protection protocols on a global scale. In Italy, she serves as a cultural mediator and social entrepreneur.

Eguabor understands first-hand the importance of building stable relationships with victims of human trafficking and tenaciously works to earn and keep their long-term trust. Eguabor draws from her experience as a trafficking survivor and from her familiarity with the psychological manipulation trafficking victims endure.

She often starts building relationships by meeting victims upon their arrival at migrant reception centers and disembarkation points. Fluent in six languages, Eguabor fills a critical need for interpretation services for trafficking victims seeking help with local governments, law enforcement, and hospitals.

For the past decade, Eguabor has also volunteered with the Pellegrine Della Terra Association, helping survivors apply for work permits, legal residency, and jobs. In 2012, she co-founded the social cooperative, Al Reve, which helps survivors participate in the formal labor market. One of Al Reve's projects supports a workshop in which trafficking survivors repurpose textiles to create bags, armchairs, and clothing for sale locally and online.

RAOUDHA LAABIDI
TUNISIA

As President of the National Authority to Combat Trafficking in Persons, Raoudha Laabidi has been the driving force behind the government's efforts to implement a new law to combat trafficking in persons. She demonstrated exceptional leadership and an uncanny ability to marshal scarce resources to ensure the Government of Tunisia continues to improve its ability to deliver a comprehensive anti-trafficking strategy.

Civil society organizations and government officials have credited Laabidi for turning the National Authority into an effective interagency anti-trafficking body in just two years as president. Laabidi's unwavering dedication to the issue and her remarkable understanding of legal nuances and bureaucratic processes has enabled the National Authority to establish a headquarters as well as a temporary shelter for human trafficking victims.

A judge by training, Laabidi served as the first female president of the Tunisian Magistrates Union prior to her appointment and chaired it for two terms during the critical period of democratic transition from 2012 to 2015. Throughout her career, Laabidi has forged strong, sustainable partnerships with civil society and international organizations to leverage their resources and expertise.

Through a concerted civic education campaign, Laabidi has shed light on a previously unknown crime within Tunisian society, greatly increasing public understanding about human trafficking.

CAMILIOUS MACHINGURA
ZIMBABWE

Camilious Machingura is an inspiring anti-trafficking advocate within Zimbabwe and the broader southern Africa region. As the Team Leader for the Zimbabwe Community Development Association (ZCDA), Machingura plays a pivotal role in raising national awareness about trafficking in persons by dedicating countless hours engaging with national, regional, and international media outlets to ensure all Zimbabweans can identify potential trafficking indicators. His meticulous efforts to socialize Zimbabwe's 2014 anti-trafficking law with community leaders and law enforcement officials and organize trainings and intragovernmental dialogues have elevated human trafficking as a policy priority for the government. Machingura also helped the government develop standard operating procedures to increase the effectiveness of its national referral mechanism for human trafficking victims.

Machingura is generous with his time and personal resources, helping trafficking survivors rebuild their lives and empowering vulnerable populations in rural communities throughout Zimbabwe to recognize traffickers' fraudulent recruitment tactics. ZCDA is a grassroots organization specializing in protecting vulnerable populations, promoting human rights, and advocating for the Government of Zimbabwe to prioritize providing the fundamental humanitarian and social services to its communities. Through ZCDA, Machingura has provided reintegration and counseling services to more than 150 Zimbabwean survivors whom traffickers fraudulently recruited to work in Kuwait in 2017, and designed livelihood programs aimed at providing them with the skills and abilities critical for supporting themselves and their families.

Young children work in a garment factory. In many countries, child labor is illegal, but factory owners force children to work in garment factories like these, often under dangerous conditions.

TIER PLACEMENTS

TIER 1

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

TIER 2

ALBANIA
ANTIGUA & BARBUDA
ARMENIA
ARUBA
BENIN
BOTSWANA
BRAZIL
BULGARIA
BURKINA FASO
CABO VERDE
CAMEROON
CHAD
COSTA RICA
COTE D'IVOIRE
CROATIA
DENMARK
DJIBOUTI
DOMINICAN REPUBLIC
ECUADOR
EGYPT
EL SALVADOR
ESWATINI
ETHIOPIA
GERMANY
GHANA
GREECE
GUATEMALA
GUINEA
HAITI
HONDURAS
HONG KONG
ICELAND
INDIA
INDONESIA
IRELAND
ITALY
JAMAICA
JORDAN
KENYA
KOSOVO
KUWAIT
LATVIA
LEBANON
MACAU
MACEDONIA
MADAGASCAR
MALI
MALTA
MAURITIUS
MEXICO
MICRONESIA
MOLDOVA
MONGOLIA
MOROCCO
MOZAMBIQUE
NAMIBIA
NEPAL
NIGER
NIGERIA
OMAN
PAKISTAN
PALAU
PANAMA
PARAGUAY
PERU
POLAND
QATAR
RWANDA
ST. LUCIA
ST. MAARTEN
ST. VINCENT & THE GRENADINES
SENEGAL
SERBIA
SEYCHELLES
SINGAPORE
SLOVAKIA
SOLOMON ISLANDS
SURINAME
TAJIKISTAN
THAILAND
TIMOR-LESTE
TOGO
TONGA
TRINIDAD & TOBAGO
TUNISIA
TURKEY
UGANDA
UKRAINE
UNITED ARAB EMIRATES
URUGUAY
ZAMBIA
ZIMBABWE

TIER 2 WATCH LIST

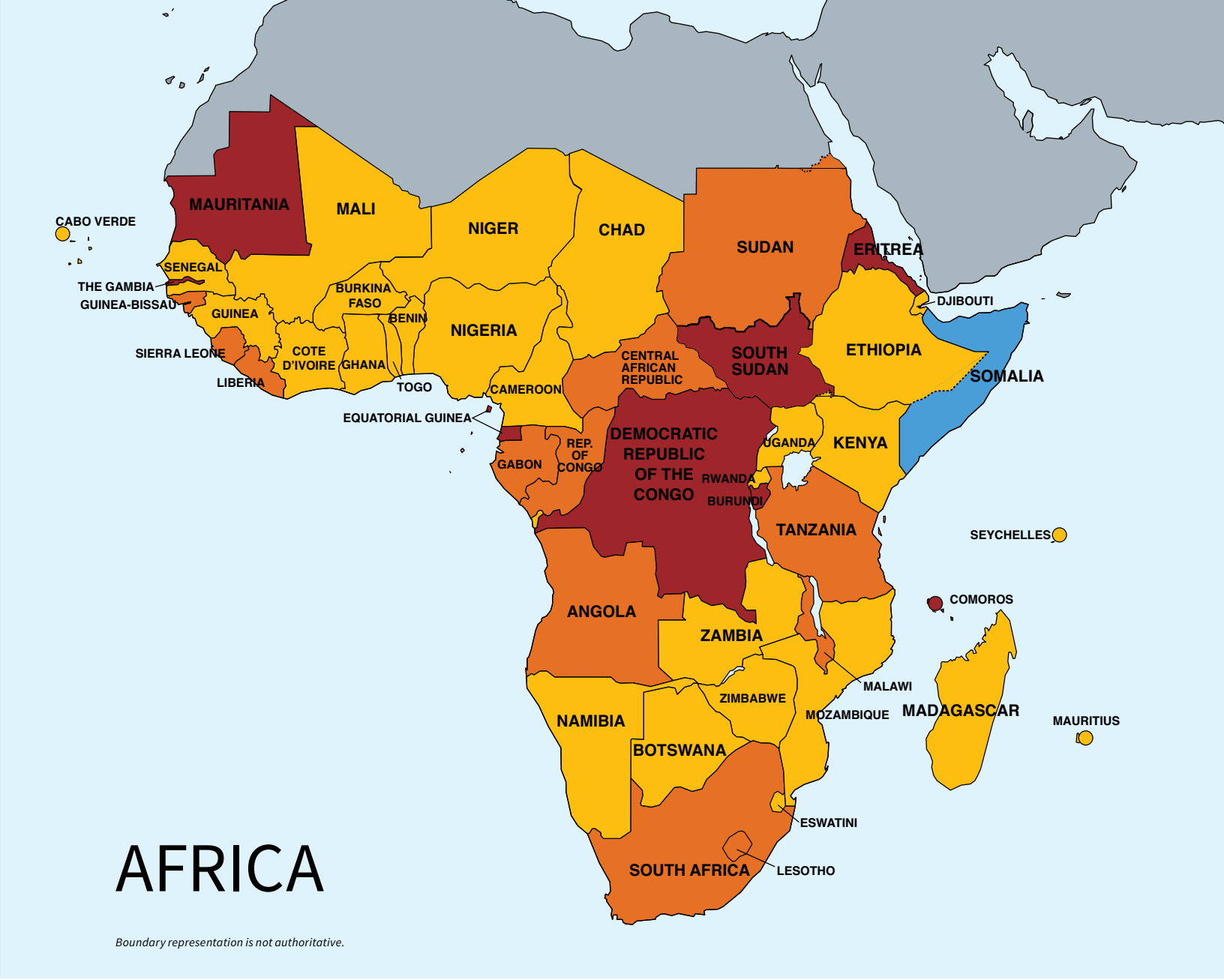
AFGHANISTAN
ALGERIA
ANGOLA
AZERBAIJAN
BANGLADESH
BARBADOS
BELIZE
BRUNEI
BOLIVIA
BOSNIA & HERZEGOVINA
CAMBODIA
CENTRAL AFRICAN REPUBLIC
CONGO, REPUBLIC OF THE
CURAÇAO
FIJI
GABON
GUINEA-BISSAU
HUNGARY
IRAQ
KAZAKHSTAN
KYRGYZ REPUBLIC
LAOS
LESOTHO
LIBERIA
MALAWI
MALAYSIA
MALDIVES
MARSHALL ISLANDS
MONTENEGRO
NICARAGUA
ROMANIA
SIERRA LEONE
SOUTH AFRICA
SRI LANKA
SUDAN
TANZANIA
UZBEKISTAN
VIETNAM

TIER 3

BELARUS
BHUTAN
BURMA
BURUNDI
CHINA (PRC)
COMOROS
CONGO, DEMOCRATIC REP. OF THE
CUBA
EQUATORIAL GUINEA
ERITREA
THE GAMBIA
IRAN
KOREA, NORTH
MAURITANIA
PAPUA NEW GUINEA
RUSSIA
SAUDI ARABIA
SOUTH SUDAN
SYRIA
TURKMENISTAN
VENEZUELA

SPECIAL CASE

LIBYA
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
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	1,325 (98)	515 (34)	26,517 (5,902)	2
2018	1,253 (37)	1,190 (29)	24,407(3,749)	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
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)	3,227 (72)	4,915 (669)	0
2018	2,351 (63)	1,275 (16)	5,466 (291)	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.

* 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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2018	2,394 (234)	1,379 (80)	16,838 (2,675)	1

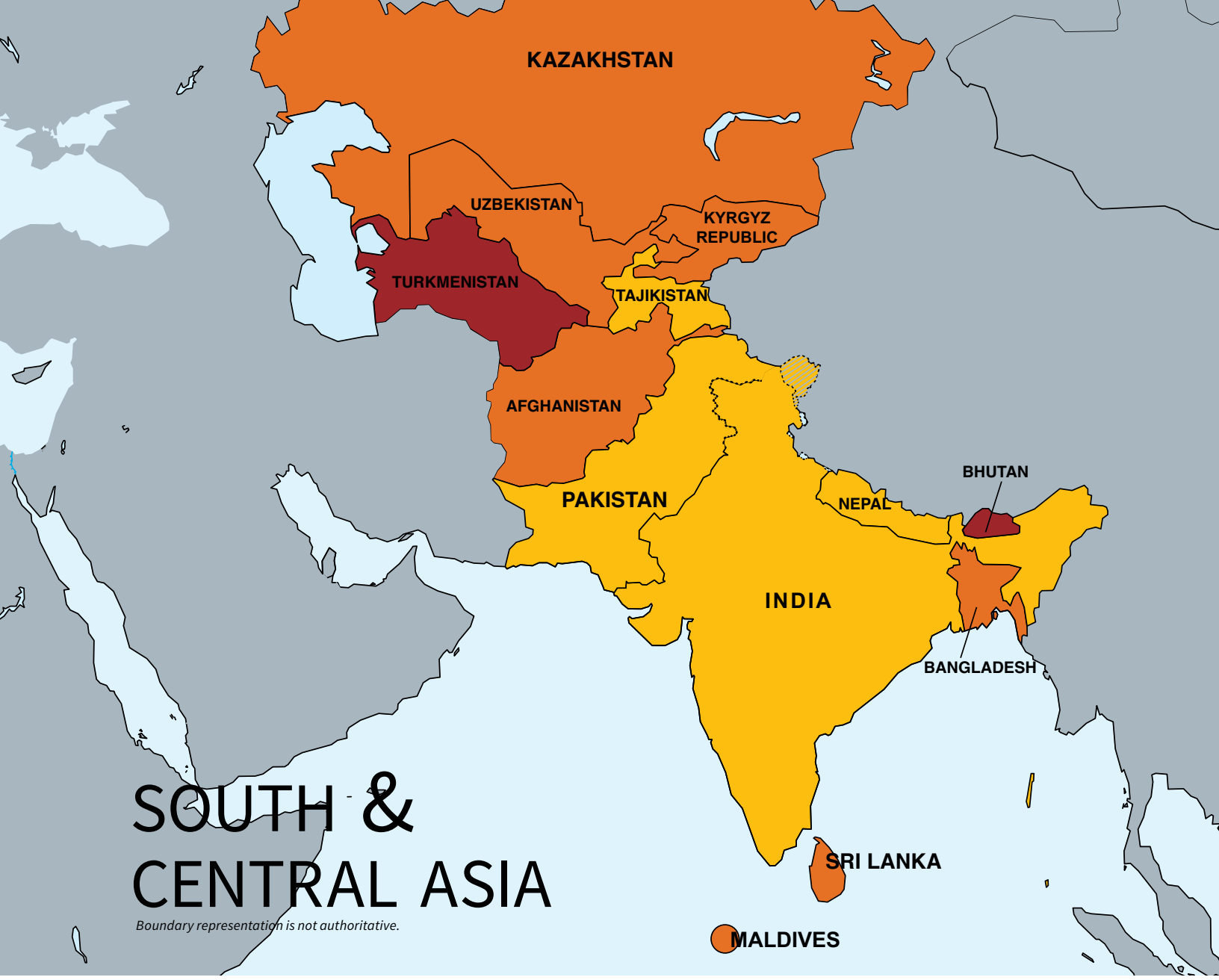
The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and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

TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2018	738 (10)	155 (7)	2,675 (83)	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

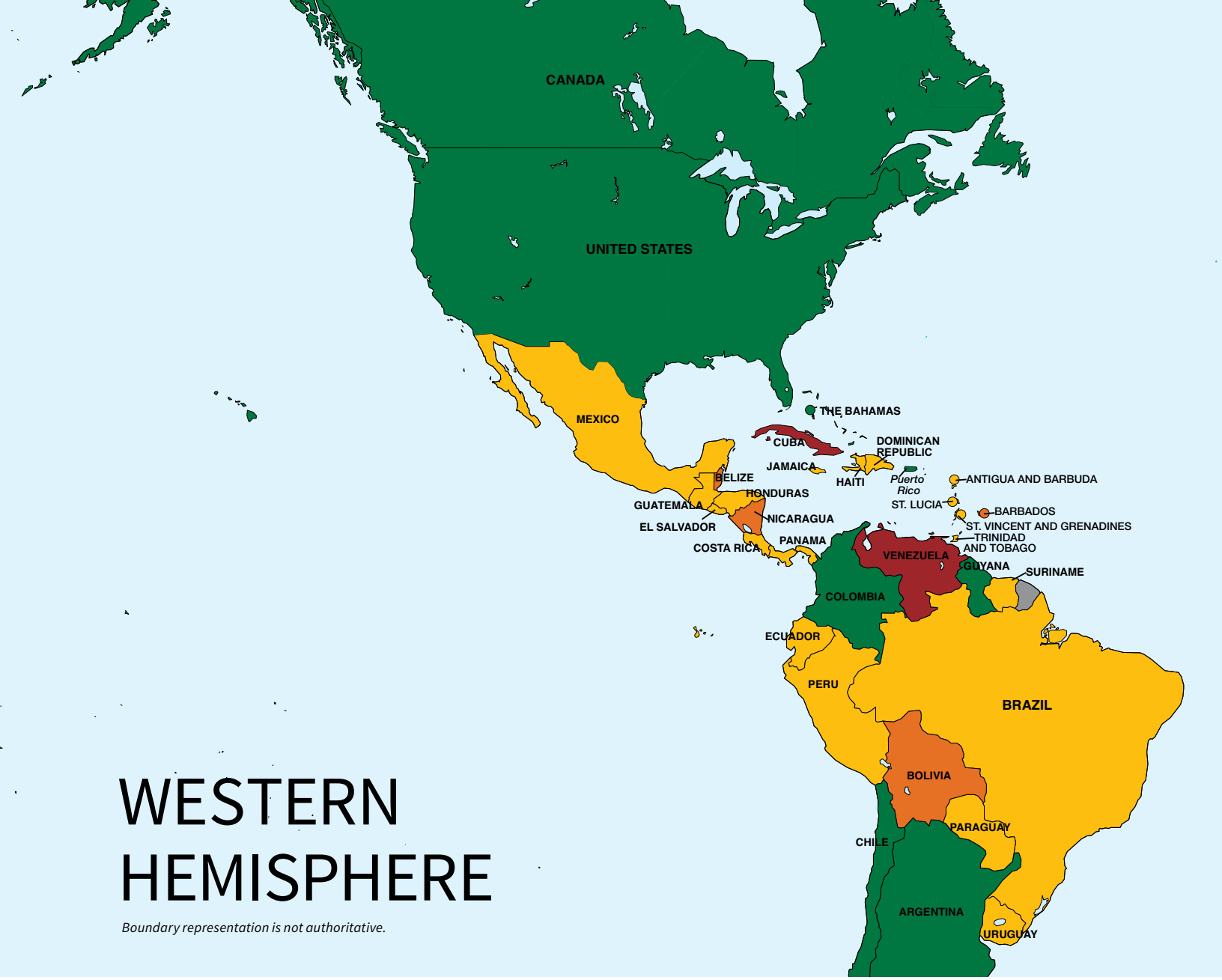
Boundary representation is not authoritative.

TIER PLACEMENTS

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

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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
2018	3,102 (41)	2,465 (9)	24,544 (1,841)	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.



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
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
2018	1,252 (72)	1,017 (177)	11,683 (2,370)	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.

Rohingya children walk in a monsoon in a refugee camp in Bangladesh. Some traffickers exploit the vulnerability of Rohingya men, women, and children from refugee camps to subject them to both sex and labor trafficking, including domestic servitude.

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 40), 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.

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.

PRIORITIZED RECOMMENDATIONS:
Enact the draft comprehensive anti-trafficking l[illegible] significantly increase efforts to investigate and prosecu[illegible] and convict and punish trafficking offender[illegible] apply formal procedures to identify [illegible] vulnerable groups, such as those arre[illegible] or prostitution: and collect, disaggreg[illegible] counter-trafficking law enforcement d[illegible]

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.

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

TVPA Minimum Standard 4(2) – whether the government ensures victims are not penalized for the unlawful acts their traffickers forced them to commit and encourages victim participation in investigations and prosecutions, including by providing legal alternatives to their removal from the country.

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.

PREVENTION
Country X increased efforts to prevent trafficking in persons during the reporting period. While the government made no apparent effort to amend provisions of Country X's sponsorship law to help prevent the forced labor of migrant workers, the government did start to 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.

TVPA Minimum Standard 4(3) – whether the government is making adequate efforts to prevent human trafficking.

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 [illegible] Southeast Asia, East Africa, and the Middle East volun[illegible] X as laborers and domestic servants, but s[illegible] as indicative of involuntary servitude. [illegible] of serious harm, including threats [illegible] withholding of pay; restrictions [illegible] the confiscation of passports [illegible], mental, and sexual abuse. In [illegible] kers have found that the terms [illegible] wholly different from those they agr[illegible] es. Individuals employed as domestic servants [illegible] vulnerable 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.

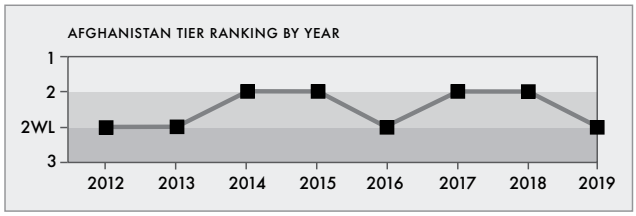
Overview of human trafficking in the country and factors affecting vulnerability to trafficking of the country's nationals abroad.

COUNTRY NARRATIVES

Migrants collect asparagus in Italy. Some farmers and labor recruiters use threats, intimidation, and violence to control and exploit such workers, especially in the harvesting of agricultural products.

AFGHANISTAN: TIER 2 WATCH LIST

The Government of Afghanistan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating some allegations of official complicity in trafficking, establishing five new Child Protection Units (CPUs) to prevent the recruitment of children into the Afghan National Police (ANP), and partnering with an international organization to finalize and publish standard operating procedures (SOPs) for victim identification and referral to care. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Afghan security forces continued to unlawfully recruit and use child soldiers and exploit boys in *bacha bazi* with impunity. Members of the Afghan National Army (ANA) and Afghan Local Police (ALP) reportedly recruited boys specifically for *bacha bazi* by enticing them and by promising food and money. Authorities continued to refer the majority of trafficking cases to mediation in lieu of criminal prosecution and penalized sex trafficking victims for "moral crimes." Sex trafficking victims reported prosecutors and judges solicited sexual favors from them while investigating their cases. Officials conflated trafficking and smuggling, could not confidently identify trafficking victims, and relied on NGOs and foreign donors for nearly all victim assistance. Therefore Afghanistan was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Cease the unlawful recruitment and use of children by Afghan security forces and demobilize children from all armed groups with adequate protection and reintegration support. • Issue a directive to law enforcement to pursue criminal investigations in cases of human trafficking, including *bacha bazi*. • Increase criminal investigations and prosecutions of trafficking—especially of law enforcement and military officials allegedly complicit in trafficking—and convict and adequately sentence perpetrators. • Cease support to non-state armed groups that recruit and use child soldiers. • Cease penalization of victims for unlawful acts their traffickers forced them to commit, including "moral crimes." • Significantly increase training for judicial officials on the anti-trafficking provisions in the new penal code, the prohibition on mediation to settle sex trafficking cases per the 2009 Elimination of Violence Against Women Act, and ensure judges have sufficient copies of the penal code. • Disseminate, and conduct widespread training on, the SOPs for victim identification and referral to services. • Strengthen law enforcement's capacity to address trafficking, including increased training and resources for the Ministry of Interior (MOI)'s provincial anti-trafficking/smuggling units. • Dedicate resources for trafficking victim shelters and services, including for male victims. • Amend Chapter 5 of the penal code to increase the penalties for *bacha bazi* in line with penalties prescribed for other forms of trafficking. • Raise awareness of trafficking at the local level, including its definition, law enforcement and social service resources available, and community prevention efforts. • Ensure all ministries support the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling (high commission) and its sub-committee and contribute to data collection efforts.

PROSECUTION

The government maintained minimal law enforcement efforts and overall efforts—especially prosecution of allegedly complicit officials—remained negligible, allowing traffickers to operate with impunity. The 2017 Law to Combat Crimes of Trafficking in Persons and Smuggling of Migrants criminalized sex trafficking and labor trafficking, including *bacha bazi*. The law prescribed penalties between five and eight years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes. 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. Article 510 of the new 2018 criminal code criminalized sex trafficking and labor trafficking, including *bacha bazi*. Article 511 prescribed 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*. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. 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. While the 2018 penal code also specifically criminalized more crimes related to *bacha bazi*, some of which would constitute trafficking offenses, 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 (EVAW) to prosecute and convict sex traffickers. NGOs continued to express concern over the limited enforcement of anti-trafficking laws, citing both lack of resources and lack of political will to hold perpetrators accountable. The absence of a strong judiciary disproportionately affected female trafficking victims' access to justice; in rural areas outside of the formal legal system, male community leaders often settled both criminal and civil disputes, which often penalized female sex trafficking victims for "moral crimes." In urban areas, if judges or prosecutors assessed that no clearly defined legal statute applied or they were unaware of the statutory law, then they enforced customary law, which often resulted in outcomes that discriminated against women. While the EVAW law expressly prohibited the use of mediation and other Afghan laws neither permit nor prescribe mediation in criminal cases, police and judges often referred trafficking victims to mediation.

The government did not provide comprehensive data on anti-trafficking law enforcement efforts. While some ministries provided data, the statistics appeared to contradict one another in some areas, making it difficult to draw conclusions and compare to previous years. Data demonstrated investigation of 138 alleged traffickers, prosecution of 64 suspects, and conviction of 34 traffickers under the anti-trafficking and EVAW laws, including six convictions for attempted human trafficking. This is compared to investigation of 132 alleged traffickers, prosecution of 73, and conviction of 33, including four for attempted trafficking, in the previous reporting period.

The 138 investigations included investigations initiated by the ANA into 13 officers for *bacha bazi*, including witnessing and failure to report *bacha bazi*. Military authorities sentenced one perpetrator of *bacha bazi* to four months' imprisonment; the government did not report the status of the other 12 *bacha bazi* investigations.

Law enforcement and judicial officials continued to have a limited understanding of trafficking. While the 2017 law used separate terms and definitions for trafficking and smuggling, Dari, the most widely spoken language in Afghanistan, historically used the same word for human trafficking and migrant smuggling. Training to ensure officials understood the distinction was limited, especially at the local and provincial levels. MOI continued to operate dedicated trafficking/smuggling units in each of the 34 provinces and in Kabul, with two officers in each province. The National Directorate of Security (NDS) and the Afghan Border Police (ABP) also had mandates to address human trafficking. While ABP's anti-trafficking unit had the lead for transnational trafficking cases, the unit did not receive training on trafficking. During the reporting period, the government and INTERPOL established an additional anti-trafficking unit within MOI, funded by international donors, with nationwide jurisdiction. Officials acknowledged personnel, resources, and knowledge of trafficking remained inadequate in all units. NGOs and international organizations, with in-kind assistance from the government, conducted 91 capacity-building workshops in 2018 for more than 1,850 members of the public, government officials, and civil society, including religious leaders and lawyers.

Widespread disregard for the rule of law and official impunity for trafficking remained serious concerns. While the government reportedly initiated some investigations into *bacha bazi* and sentenced one perpetrator, the government did not consistently or effectively prosecute officials for this crime and acknowledged the pervasive lack of accountability. Afghan security forces, in particular the ANP and ALP, reportedly exploited boys in *bacha bazi* in every province of the country, and NGOs reported Afghan security forces and pro-government militias—some of whom may have received direct financial support from the government—recruited boys specifically for use in *bacha bazi*. In some instances, ANA officials reportedly used promises of food and money to entice boys into *bacha bazi*. Despite these credible reports, the government did not take action to investigate the alleged perpetrators or execute arrest warrants in the vast majority of cases. Observers noted perpetrators of *bacha bazi* often paid bribes to, or had relationships with, law enforcement, prosecutors, or judges that protected them from prosecution. During the reporting period, an international organization verified three cases of *bacha bazi* by the ANP and ALP and reported three additional credible allegations, involving a total of 10 suspected perpetrators from ANP and ALP. Police did not arrest any of the 10 alleged sex traffickers by the close of the reporting period. In February 2017, police arrested a district chief of police and six members of the security forces for allegedly participating in a *bacha bazi* gathering; the district chief of police was fired from his position in early 2018, and the investigation remained pending at the close of the reporting period. A public health official who conducted forensic exams for criminal cases reported state prosecutors pressured him not to report confirmed evidence of abuse, including in cases of *bacha bazi*.

The UN verified the continued use of children in combat and non-combat roles by the Afghan security forces, including at least two verified cases of recruitment by the ANP, five by the ALP, and credible allegations of one by the NDS. ANA soldiers as young as thirteen were killed, wounded, and captured by Taliban insurgents. Pro-government militias that may have received direct financial support from the Afghan government reportedly recruited and used child soldiers, primarily in non-combat roles. Some officials accepted bribes to produce identity documents for boys stating they were at least 18 years old. Many female sex trafficking victims detained during the judicial process alleged prosecutors and judicial officials sought sexual favors while investigating their cases. During the reporting period, a religious official allegedly coerced into sex trafficking women who sought his spiritual advice; one police officer allegedly facilitated the sex trafficking and a second officer allegedly obtained sexual services from the victim. Authorities arrested both officers.

PROTECTION

The government decreased victim identification and protection efforts and continued to penalize sex trafficking victims. The government did not compile comprehensive victim identification, referral, and assistance statistics. The high commission reported identifying 434 potential trafficking victims in 2018, compared to 476 identified in 2017; NGOs expressed concern about the accuracy of those figures. The government did not use systematic victim identification procedures during the reporting period. District and provincial-level officials continued to conflate trafficking and smuggling, and the vast majority of officials could not confidently identify or protect trafficking victims. In partnership with an international organization, the high commission published a training manual for law enforcement, NGOs, and community leaders on trafficking victim identification. With international assistance, the high commission also finalized and published a national referral mechanism for victim care and began to implement an online database to register trafficking victims for assistance. The organization began training officials and NGO staff on the manual, referral mechanism, and database.

NGOs operated, and international donors funded, approximately 27 women's shelters in 20 provinces that provided protection, legal, medical, and social services to female victims of violence, including trafficking. A few women's shelters closed during the reporting period due primarily to security challenges and a lack of donor funds. The shelters did not report how many trafficking victims they assisted during the reporting period. The Ministry of Women's Affairs monitored all women's shelters for compliance with national regulations. Family guidance centers in 19 provinces provided non-residential legal and social services for women and children, including trafficking victims. The government acknowledged the dearth of shelters and government resources impeded victim protection. Police referred trafficking victims to shelters on an ad hoc basis. The Child Protection Action Network (CPAN), a conglomerate of NGOs, civil society, and government entities overseen by the Ministry of Labor and Social Affairs (MoLSA), remained active in 151 districts and could provide shelter and some services to child victims of crime; in the previous reporting period, CPAN operated in all 185 districts. CPAN was the only entity that addressed child protection issues, including child trafficking, outside of Kabul. NGOs operated two shelters for boy victims of crime that could assist boy trafficking victims younger than 18. No government or NGO shelter could accommodate adult male trafficking victims. At times, the government placed child trafficking victims in orphanages, and some orphanages subjected children to trafficking. Afghans continued to both voluntarily return and be deported from Iran and Pakistan,

and traffickers had exploited some of the returnees in Iran and Pakistan. While international organizations noted that traffickers specifically targeted these returnees for forced labor upon return to Afghanistan, the government did not screen returnees for trafficking or refer them to services. In cases of parental complicity in child trafficking, authorities often returned children to their parents without sufficient efforts to ensure parents would not subject their children to trafficking again. The government did not encourage victims to participate in investigations; it did not provide adequate support or security for victims to safely do so. Afghan law allows trafficking victims to seek restitution; there were no reports any victims did so. Afghan law allows foreign victims to remain in Afghanistan for at least six months. Authorities reportedly identified some foreign victims in Afghanistan but did not report if they received this benefit.

The penal code provides that authorities shall not prosecute trafficking victims for unlawful acts their traffickers compelled them to commit, including "moral crimes" and the possession or use of fraudulent travel documents. Nonetheless, officials continued to arrest, imprison, or otherwise punish sex trafficking victims for prostitution or sex outside of marriage. Authorities referred some male sex trafficking victims to juvenile rehabilitation centers on criminal charges. Officials sometimes prosecuted victims for possessing forged identity documents. The government did not demobilize child soldiers associated with governmental or nongovernmental armed groups or refer such children to reintegration support. It arrested, detained, and prosecuted for terrorism-related crimes some children younger than 12 years old that non-state armed groups had forcibly recruited. Authorities sometimes placed male and female victims in prison if they could not accommodate them in shelters. NGOs reported authorities housed some child trafficking victims in juvenile detention centers, sometimes for several years. NGOs reported authorities within the MOI, MoLSA, and the Ministry of Justice (MOJ) demonstrated reluctance to pursue justice and provide care for victims of *bacha bazi*. In some cases, police sexually abused *bacha bazi* victims who tried to report their exploitation and then treated them as criminals. Fear of law enforcement, threats of retaliation from traffickers and one's community, and the stigma associated with trafficking prevented many victims from bringing cases forward to law enforcement or seeking care, especially those involving *bacha bazi*.

PREVENTION

The government maintained modest efforts to prevent trafficking. The high commission, an autonomous government office under MOJ scheduled to meet quarterly, only met once in 2018 with limited attendance, compared to three meetings in 2017. The commission's working-level technical committee, held 11 meetings in 2018, compared to eight meetings in 2017. NGOs reported the high commission did not devote significant attention or political will to anti-trafficking efforts, especially data collection; members continued to conflate trafficking with smuggling; and activities relied on individual members' commitment. The sub-committee lacked resources and influence over member ministries and relied heavily on NGOs for funding and technical assistance to implement the commission's policies. The high commission had 33 provincial commissions to implement national anti-trafficking policy at the local level, although the majority of commissions did not meet or conduct activities. The government's anti-trafficking national action plan expired in April 2018, and the high commission reportedly extended the action plan to cover 2018-2021. During the previous reporting period, the high commission, in partnership with an international organization, published its first annual national report on human trafficking. The government disputed the report's findings, however, and did not produce a second iteration during the reporting period. The high commission, in partnership with international organizations and NGOs, continued public awareness programs. The government attended a regional forum that promoted the use of a common trafficking victim referral mechanism and signed a memorandum of understanding with three countries to address transnational trafficking.

MOI opened five new CPUs throughout the country, for a total of 27, to prevent the recruitment of children into the ANP. According to an international organization, the CPUs prevented the recruitment of 30 children from October through December 2018. In addition, some of the high commission's awareness raising events addressed child recruitment by armed groups. Nevertheless, recruitment of children continued, and contacts noted the CPUs did not oversee ALP recruitment centers, which also recruited children. The government did not have a sufficient referral pathway for children identified by CPUs and prevented from joining the security forces to provide shelter, services, and family reintegration; thus, the children remained highly vulnerable to other forms of forced labor. The government utilized a policy and action plan for the reintegration of Afghan returnees and internally displaced persons (IDPs), in partnership with the UN; however, the government's ability to assist vulnerable persons, including more than 820,000 new returnees from Iran and Pakistan in 2018, remained limited, and it relied on the international community for assistance. The government made efforts to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training for diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Afghanistan, and traffickers exploit victims from Afghanistan abroad. Internal trafficking is more prevalent than transnational trafficking. NGOs report an increase in human trafficking within Afghanistan. Traffickers exploit men, women, and children in bonded labor—a form of forced labor by which the traffickers offer loans to vulnerable people and manipulate the debts to coerce the workers into continued employment. At times, traffickers exploit one worker's initial debt to entrap other family members, sometimes for multiple generations. There are entire Afghan families trapped in bonded labor in the brick-making industry, predominately in eastern Afghanistan and in carpet weaving countrywide. Most Afghan trafficking victims are children exploited in carpet making, brick kilns, domestic servitude, commercial sex, begging, poppy cultivation and harvesting, salt mining, transnational drug smuggling, and assistant truck driving. NGOs assessed significant internal displacement exacerbated organized criminal groups' exploitation of children in forced begging. Some members of the *Shia Hazara* minority group are victims of forced labor. Some Afghan families force their children into labor with physical violence or knowingly sell their children into sex trafficking, including *bacha bazi*. Opium-farming families sometimes sell their children to settle debts with opium traffickers, and some drug-addicted parents subject their children to sex trafficking or force them into labor, including begging. There were allegations some orphanages run by NGOs and overseen by the government subjected children to trafficking. Police and education officials acknowledged some teachers coerce male students to perform commercial sex acts to pass exams. During the reporting period, authorities reported

a religious official and two police officers coerced women seeking spiritual advice into sex trafficking. Members of the Afghan national women's soccer team reported Afghan Football Federation officials forced them to have sex in exchange for a spot on the team.

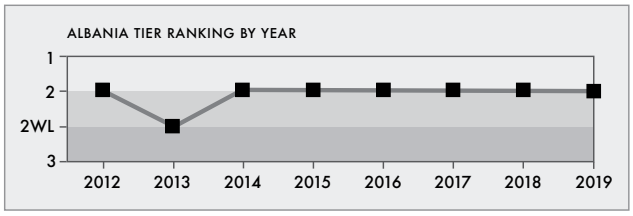
Afghan security forces and non-state armed groups continue to unlawfully recruit and use children in combat and non-combat roles with impunity. Non-state armed groups, primarily the Taliban and the Islamic State in Khorasan Province (ISIL-KP) account for most child recruitment and use and used children younger than age 12 during the reporting period. Insurgent groups increasingly use children as suicide bombers. Some families receive cash payments or protection in exchange for sending their children to the Taliban-run schools for military and religious indoctrination. Children from impoverished and rural areas, particularly those under Taliban control, are particularly vulnerable to recruitment. ANP and ALP use children in combat and non-combat roles, including as personal servants, support staff, and bodyguards. ANA, NDS, and ABP also recruit and use children in both combat and non-combat roles, although to a lesser extent. ANA soldiers as young as thirteen were killed, wounded, and captured by Taliban insurgents. Pro-government militias that may receive direct financial support from the government reportedly recruited and used child soldiers, primarily in support roles. Traffickers, including government and military officials, continued to exploit children in sex trafficking through *bacha bazi* in every province of the country. An NGO interviewed many survivors of *bacha bazi* whose testimonies noted an "overwhelming understanding that *bacha bazi* is committed by the powerful," including military commanders and community leaders. International organizations reported cases of *bacha bazi*, by nearly all groups, including the ANA, ANP, ALP, pro-government militias, and the Taliban, and stated cases are widely underreported. ALP officials and pro-government militias reportedly recruited children specifically for *bacha bazi*, and ANA officials reportedly lured boys into *bacha bazi* with promises of food and money. Some traffickers, including military officials, abduct children or promise fake jobs to lure them into *bacha bazi*. While the vast majority of *bacha bazi* cases involve boys and young men, government officials have exploited children as young as 12 years old in *bacha bazi* and at least one girl. Perpetrators of *bacha bazi* sometimes offer bribes or use their relationships with law enforcement officials, prosecutors, and judges to evade punishment.

Afghan returnees from Pakistan and Iran and internally displaced Afghans are vulnerable to labor and sex trafficking. During the reporting period, Afghanistan received more than 805,850 undocumented returnees from Iran and Pakistan, many of them unaccompanied minors. An international organization estimated it assisted only four percent of the more than 773,000 of the Afghans undocumented or deported from Iran, and traffickers specifically targeted the unassisted returnees in Herat, Nangarhar, Badakhshan, and Nimroz provinces for forced labor in agriculture, brick kilns, and carpet weaving. Afghans residing in Pakistan—including 1.4 million Afghan Proof of Registration card holders, 878,000 Afghan Citizen Card holders, and an unknown number of undocumented Afghans—continued, to varying degrees, to lack access to education, social services, and basic assistance, and be vulnerable to deportation, all of which increased vulnerability to trafficking. A severe drought and the continued internal conflict created more than 600,000 new IDPs within Afghanistan during the reporting period. International organizations documented an increase in IDPs selling their children to local shopkeepers in servitude to repay debts; between July and September 2018, one organization reported 161 cases of IDPs selling children into either marriage or servitude. NGOs reported some corrupt shopkeepers exploit IDPs' debts by increasing their prices. Some traffickers targeted indebted IDPs and sold them into forced labor and sex trafficking.

Afghan men, women, and children pay intermediaries to assist them in finding employment, primarily in Iran, Pakistan, India, Europe, or North America; some intermediaries force Afghans into labor or sex trafficking. Afghan women and girls are subjected to sex trafficking and domestic servitude primarily in Afghanistan, Pakistan, Iran, and India, including through forced marriage. 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. Traffickers in Iran, including Iranian criminal groups, exploit Afghan children in forced labor as beggars and street vendors and forced criminality, including drug trafficking and smuggling of fuel and tobacco. The Iranian government and the Islamic Revolutionary Guards Corps continue to force and coerce Afghan migrants, including children as young as 12 years old, to fight in Iranian-led and -funded Shia militias deployed to Syria by threatening them with arrest and deportation to Afghanistan. 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. Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. Some Afghan traffickers subjected Afghan boys to *bacha bazi* in Germany, Hungary, Macedonia, and Serbia. Traffickers have subjected women and girls from China, Iran, Pakistan, Philippines, Sri Lanka, and Tajikistan 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 and subject them to forced labor after arrival.

ALBANIA: TIER 2

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Albania remained on Tier 2. These efforts included updating standard operating procedures (SOPs) for victim identification and referral, allocating funding for victim coordinators in every prosecution office starting in 2019, and institutionalizing training on trafficking within the Border and Migration Police (BMP). The government also doubled the budget for the Office of the National Anti-Trafficking Coordinator (ONAC) and adopted the 2018-2020 national action plan. However, the government did not meet the minimum standards in several key areas. The government continued to investigate, prosecute, and convict fewer cases, leading to the lowest level of reported law enforcement actions in four years. Additionally, the government lacked proactive identification efforts and law enforcement, in particular, did not consistently participate in mobile victim identification units or consistently screen vulnerable populations. The government continued to delay funding for NGO-run shelters and did not consistently apply victim-centered approaches to investigations and prosecutions.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers—including complicit officials—under Articles 110(a) and 128(b) of the criminal code. • Institutionalize and provide training for 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. • Increase efforts to screen vulnerable populations and train police, labor inspectors, and other front-line officials on proactive identification of victims. • Create funding mechanisms that allocate adequate funding and resources on a consistent and regular basis to the government-run and NGO-run shelters for trafficking victims. • Expand the jurisdiction of labor inspectors to inspect businesses that are not legally registered. • Improve the sustainability of, and law enforcement participation in, mobile trafficking victim identification units. • Increase reintegration services, including access to education for child victims. • Implement victim-centered approaches and victim-witness protection measures during court proceedings.

PROSECUTION

The government decreased law enforcement efforts. Articles 110(a) and 128(b) of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 15 years' imprisonment for a trafficking offense involving an adult victim, and ten to 20 years' imprisonment for an offense involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Albanian State Police (ASP) investigated 38 trafficking cases with 51 suspects (69 cases with 80 suspects in 2017); nine of these suspects were investigated for child trafficking (22 in 2017) and 42 for adult trafficking (58 in 2017). The ASP also investigated three suspects for knowingly soliciting or patronizing a sex trafficking victim to perform a commercial sex act (none in 2017). The Serious Crimes Prosecutor's Office (SCPO) prosecuted two cases with six defendants (five cases with five defendants in 2017); three of these defendants were prosecuted for child trafficking (two in 2017) and three for adult trafficking (three in 2017). Courts convicted five traffickers (seven in 2017); four for child trafficking (one in 2018) and one for adult trafficking (six in 2017). All convicted traffickers received prison sentences; one trafficker received two years and eight months for adult trafficking and four traffickers received sentences between six years and eight months to eighteen years for child trafficking. The appeals court reviewed and confirmed decisions on five traffickers.

ASP maintained an Anti-Trafficking Unit, which investigated trafficking in persons in addition to drug and contraband trafficking. The government continued judicial reforms that will eventually change court jurisdiction for trafficking cases, including transferring cases not related to organized crime from the Serious Crimes Court to district courts. However, SCPO reported district prosecutors did not have the experience and capacity to prosecute adequately trafficking cases. Authorities reported 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. Limited resources and constant turnover within law enforcement created additional obstacles in maintaining capacity to investigate trafficking. NGOs reported improved cooperation with law enforcement and prosecutors. The BMP institutionalized anti-trafficking training and the government, at times in cooperation with civil society, trained 59 police officers, 53 judges, 119 district prosecutors, and three Supreme Court inspectors. 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. ASP arrested 20 suspected sex traffickers on behalf of Italian and Greek authorities. The government signed a memorandum of understanding with Bulgarian prosecutors and extradited three suspects, one each to Greece, Kosovo, and Hungary.

PROTECTION

The government maintained victim protection efforts. The government and NGOs identified 95 official and potential victims (105 in 2017). Of these, 28 were adults and 67 were minors (49 adults and 56 children in 2017), 60 were female and 35 male (80 female and 25 male in 2017), and one was foreign (nine foreign victims in 2017). Authorities identified 93 as potential victims and two as official victims (79 potential victims and 26 official victims in 2017). The government could not provide details about the type of exploitation for all official and potential victims but at least 36 were subjected to sex trafficking, 25 to forced labor, and 27 to forced begging. The government maintained a multi-disciplinary national referral mechanism (NRM) and updated SOPs for identifying and referring victims to services. First responders referred potential victims to law enforcement and state social services who conducted joint interviews to determine official victim status. The law provided equal services for both potential and officially recognized victims. NGOs identified the majority of victims; the government identified only 33 of the 95 official and potential victims (60 in 2017), including only five identified by law enforcement (11 in 2017). NGOs, with the support of the government, maintained mobile victim identification units consisting of social workers and police in three regions, but the units' sustainability was uncertain due to the lack of permanent staff, formalization, and resources. Mobile victim identification units identified 51 potential victims (26 in 2017). Experts reported police did not participate consistently in the mobile victim identification units despite signing a memorandum of understanding that formalized their participation. Law enforcement rarely initiated cases when civil society identified a potential victim, but ASP noted definitional differences with civil society on what constituted trafficking caused obstacles in identification. BMP updated internal SOPs on identification and developed daily reporting requirements on trafficking victims; however, BMP could not consistently screen migrants due to increased migrant flows and a lack of BMP officers and interpreters. Observers continued to report police did not consistently screen individuals for potential involvement in prostitution during raids and investigations on commercial sex establishments 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 crossing borders for begging.

The government operated one specialized shelter and supported three specialized NGO-run shelters. The government allocated 21.6 million *leks* ($201,770) to NGO-run shelters to support 29 staff salaries, compared to 20.2 million *leks* ($188,700) to support 29 staff salaries in 2017. The government provided an additional 5.2 million *leks* ($48,580) for food support to NGO-run shelters, compared to 5.5 million *leks* ($51,380) in 2017. The government allocated 22.5 million *leks* ($210,180) to the government-run shelter, compared to 22.2 million *leks* ($207,380) in 2017. The government did not transfer resources to a fund of seized criminal assets for support services, compared to 4.7 million *leks* ($43,900) in 2017. Funding for NGO-run shelters steadily increased over the past four years; however, continued funding delays hindered shelter operations and the government decentralized funding mechanisms for all social programs to municipal governments starting in 2019. Municipality grants prioritized NGOs providing local assistance rather than the national scope needed for trafficking shelters, and experts alleged solicitation and bidding procedures at the municipal level were rife with nepotism and corruption. NGO-run shelters operated under financial constraints and relied on outside sources for operating costs. The four shelters constituted 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. NCATS and the government provided assistance to 78 official and potential victims (101 in 2017), including food, mental health 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. Local Employment Offices collaborated with private businesses and NGOs to provide access to training and employment for trafficking victims. The government provided free health care but access to education for child victims was inadequate. For example, the Ministry of Health and Social Protection did not approve funds for the government-run shelter to hire a part-time teacher for victims unable to attend school. Similarly, the government provided free textbooks to children in "social economic difficulties," which did not explicitly include trafficking victims, and some regional directorates of the Ministry of Education used that omission to exclude child victims from receiving free textbooks. NGO-run shelters allowed adult victims to leave the shelter voluntarily; the state-run shelter required victims to notify the shelter director of their whereabouts in order to assist in their protection. One NGO-run shelter provided specialized services for victims younger than the age of 18 and rented apartments for male victims, where they received assistance from NGOs. Observers reported professional staff and good quality of care at the shelters in the NCATS. Experts reported first responders referred some individuals who were not trafficking victims to the government-run shelter, including individuals with mental health issues, migrants, and victims of other crimes. 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 or renewed residency to seven foreign victims (six in 2017).

Unlike some previous years, the government did not knowingly penalize victims, but may have penalized some trafficking victims due to inadequate identification efforts. Five victims cooperated with law enforcement in investigations and prosecutions (23 in 2017); however, the government did not consistently apply a victim-centered approach to investigations and prosecutions. Law enforcement did not consistently offer sufficient security and support, and victims and their families received threats during court proceedings. SCPO possessed equipment that allowed testimony via video conferences, which was used in one case. Victims who testified against traffickers had access to the witness protection program; none participated in the program (one in 2017). Local police improved implementation of child-specific procedures, including consistently involving social workers and psychologists when taking official statements from children. The government issued implementing legislation on providing free legal aid and funded victim coordinators in every prosecution office starting in 2019; prosecution offices hired five victim coordinators. Victims could obtain restitution from the government or file civil suits against traffickers; no victims have received restitution. The law provided repatriation assistance to Albanian citizen victims identified abroad; authorities assisted in the voluntary repatriation of three Albanian victims from Germany, Portugal, and the UK (four in 2017). The government also repatriated foreign victims, including one from Kosovo and one from North Macedonia.

PREVENTION

The government increased efforts to prevent trafficking. The government adopted the 2018-2020 national action plan and committed 488.9 million *leks* ($4.57 million) for its implementation. The government allocated 11.9 million *leks* ($111,160) to ONAC, compared to 5.7 million *leks* ($53,250) in both 2016 and 2017. Observers reported ONAC coordinated anti-trafficking efforts but faced internal and external challenges. The government maintained a multi-disciplinary working group and a separate task force to develop and monitor anti-trafficking policies. Twelve regional anti-trafficking committees comprising local officials and NGOs worked on prevention and victim assistance. ONAC had not published regular activity reports on its website since 2017 but held four meetings with stakeholders involved in the NRM. Observers reported prosecutors rarely attended NRM meetings. ONAC, in cooperation with civil society, conducted awareness campaigns for students, teachers, and the general public. ONAC also conducted informational meetings with representatives from the Romani and Balkan Egyptian communities. 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 State Police Directorate's hotline received three trafficking-related calls, which were referred to the appropriate authorities. The government did not take steps to reduce demand for commercial sex or forced labor.

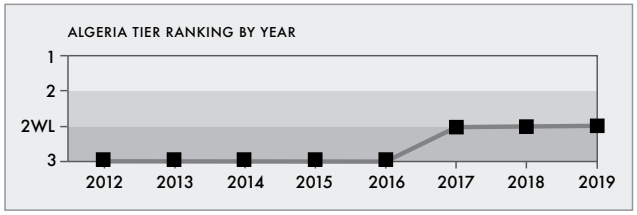
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Albania, and traffickers exploit victims from Albania abroad. 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. Children are commonly forced to beg or perform other types of compelled labor such as selling small items. Albanian children, mainly from the Romani and Balkan-Egyptian communities, are exploited regionally for seasonal work and forced begging. There are also instances of forced child labor 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, North Macedonia, Norway, the Netherlands, and the UK. NGOs report

an increase in the number of Albanian children subjected to forced labor in Kosovo and the UK. Albanian migrants who seek employment in Western Europe face forced labor and forced criminality. 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 and 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 but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by continuing to investigate, prosecute, and convict forced labor perpetrators. It also identified 34 victims of trafficking and referred some of them to care. The government dedicated resources for its national anti-trafficking committee, and the Prime Minister officially approved the government's 2019-2021 national anti-trafficking action plan for implementation. The government also raised awareness of trafficking issues among law enforcement and other government officials. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not systematically identify trafficking victims, leaving potential victims—especially among the African migrant population—at risk of penalization for unlawful acts traffickers compelled them to commit, such as immigration violations and prostitution. It did not have a standardized mechanism in place to refer potential victims to protection services and also did not consistently make these services available to all trafficking victims. The government did not report investigating, prosecuting, or convicting sex trafficking offenders. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Algeria was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Algeria remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Amend the trafficking provision of the penal code to specifically categorize all child sex crimes as trafficking as is stipulated by the Palermo protocol. • Vigorously investigate, prosecute, and convict sex and labor trafficking offenders and punish them with adequate to adequate penalties, which should involve significant prison terms. • Establish formal procedures for proactive victim identification and referral to care, and train law enforcement, judicial, labor inspectorate, health care officials, and social workers on these procedures. • Develop formal mechanisms to provide appropriate protection services, including the provision of designated shelters, adequate medical and psycho-social care, legal aid, and repatriation assistance to all trafficking victims. • Ensure victims of trafficking—especially among vulnerable populations—do not face arrest, prosecution, deportation, or other punishment for unlawful acts traffickers compelled them to commit. • 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 may face retribution or hardship. • Continue efforts to raise public awareness on the indicators and risks of trafficking. • Continue to dedicate sufficient resources to and carry out implementation of the national anti-trafficking action plan.

PROSECUTION

The government maintained efforts to prosecute and convict suspected labor traffickers, but it did not report investigating or prosecuting alleged sex traffickers. Algeria criminalized most forms of sex trafficking and all forms of labor trafficking under Section 5 of its penal code and prescribed penalties of three to 10 years' imprisonment and fines of 300,000 to 1 million Algerian *dinar* ($2,540-$8,480). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Section 5 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. Article 143 of Law 12-15 stated that crimes committed against children, including those involving sexual exploitation, would be vigorously penalized; it generally referenced other penal code provisions which could potentially be applied to child sex trafficking offenses that did not involve force, fraud, or coercion. 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.

In 2018, the government investigated and prosecuted 16 alleged perpetrators and convicted nine traffickers, in comparison to 26 trafficking investigations, 22 prosecutions, and convicted 14 traffickers in 2017. Of these 16 prosecutions, the government prosecuted nine perpetrators under anti-trafficking statutes and sentenced two convicted traffickers to a five-year ban on entering Algeria and fines; the government did not report additional details for the other cases. Of the cases prosecuted in 2018, three involved forced labor crimes; the rest of the cases involved forced labor and kidnapping for ransom crimes, but it did not disaggregate this data. The government did not investigate, prosecute, or convict any perpetrators for sex trafficking crimes in 2018, despite reports that sex trafficking occurred in Algeria, especially among the migrant population. In comparison to 2017, the government investigated and prosecuted alleged perpetrators of both forced labor and child sex trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses during this reporting period.

The General Directorate of National Security (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. The government also continued to contribute to INTERPOL's databases on human trafficking and migrant smuggling. The government provided multiple trainings for law enforcement, gendarmerie, and judicial officials during the reporting period. Government officials also participated in several international and multilateral training sessions and meetings on human trafficking in the region.

PROTECTION

The government maintained efforts to identify and refer some trafficking victims to protection; however, unidentified victims, especially among the sub-Saharan African migrant population, remained vulnerable to penalization. The government identified 34 trafficking victims during the reporting period, which included 31 men and three children; this compared to 33 male, female, and child victims identified in the prior reporting period. Of the 34 identified trafficking victims, the National Gendarmerie referred eight victims to an NGO for care and referred one child victim to a judge advocate within the Ministry of Justice responsible for ensuring vulnerable children receive appropriate social services. The DGSN also referred two child trafficking victims to a youth and sports center in Tamanrasset, but it did not report what types of protection services the victims received at this center. The government did not report what type of protection services it provided to the remaining 23 identified victims. The government reported ongoing efforts to disrupt the operations of begging rings involving many women and children; however, it did not report screening for, or identifying, potential trafficking victims among this vulnerable population. The government did not have standard operating procedures or a formal mechanism to identify and refer victims to protection services, especially victims among vulnerable groups such as migrants and persons in prostitution. During the reporting period, however, the government—in cooperation with international organizations and civil society—trained law enforcement, judicial, and social services personnel, and labor inspectors on ad hoc approaches to identifying trafficking victims among high-risk populations. The DGSN also continued to provide its officers with an INTERPOL-produced manual on the trafficking and sexual exploitation of women, and the National Gendarmerie continued to provide investigators with a guide outlining human trafficking indicators. Nevertheless, government officials had difficulty distinguishing trafficking victims from irregular migrants and identifying trafficking victims among ethnically cohesive migrant communities.

Observers reported that victim protection services were an area of needed improvement for the government. The government did not have shelter or other protection services specifically tailored to the needs of trafficking victims, nor could it quantify the amount of resources it dedicated to victim protection services during the reporting period. However, the government reported the Ministries of Health and Solidarity could provide trafficking victims with services as needed, to include safe shelter, food, medical services, interpretation services, legal consultations, psychological counseling, and repatriation assistance.

The government did not report screening migrants for trafficking indicators before arresting, detaining, and deporting them. Thus, potential trafficking victims among African migrant populations continued to face punishment—such as arrest, detention, prosecution, and deportation—for illegal migration, prostitution, and other crimes traffickers compelled them to commit. 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. Many undocumented migrants in Algeria, fearing deportation, avoided public services, and the government acknowledged that foreign victims sometimes did not come forward to bring trafficking cases to the attention of police. The government's operations to deport irregular migrants—without authorities' efforts to screen for trafficking during these operations—may have further discouraged foreign trafficking victims from making their presence known to authorities. Since January 2018 and into the current reporting period, international NGOs and the media reported the government deported thousands of migrants primarily from sub-Saharan Africa, including children and pregnant women, to the desert border or neighboring countries.

The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. The government reported it allowed relief from deportation for identified trafficking victims for an indefinite period of time and allowed all foreign victims to stay in Algeria temporarily; however, it did not grant work permits to trafficking victims while under temporary residency status. The government did not report if it encouraged victims to participate in the investigation and prosecution of traffickers. 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.

PREVENTION

The government maintained efforts to prevent human trafficking. At the end of the reporting period, the government finalized and implemented a new national anti-trafficking action plan for 2019-2021 and dedicated sufficient resources to implement the plan. The national inter-ministerial anti-trafficking committee met regularly and held six public events to raise awareness about human trafficking throughout the reporting period. In the last five months of 2018, the Prime Minister's office allocated sufficient financial resources to the national anti-trafficking committee. The presidential decree that formally institutionalized the committee required the committee to submit a report to the President on the situation of trafficking in Algeria; however, it did not produce a report in 2018. The National Council on Human Rights (CNDH), which monitored and evaluated human rights issues in Algeria, continued to lead a sub-committee dedicated to human trafficking issues. In January 2019, the Ministry of Solidarity, Family Affairs, and Status of Women initiated an awareness campaign to stop the use of children in begging networks. The government continued to operate three hotlines, which were operational 24 hours a day, and a public website to report abuse and other crimes, including potential human trafficking crimes. The government did not make efforts to reduce the demand for commercial sex or forced labor.

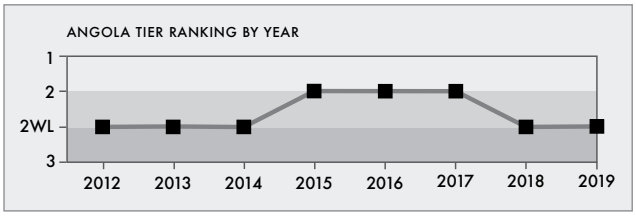
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Algeria. 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 nationwide, including in cities such as Tamanrasset and Algiers. In 2019, civil society organizations reported anecdotal reports that criminal networks exploit young adult women from sub-Saharan Africa, aged 18-19, in sex trafficking in Algeria. Criminal begging rings are common and reportedly increasing in Algeria. Media sources suggest leaders of begging networks coerce or force Sub-Saharan African migrant children to beg through the use of punishment. Local leaders suggest migrant children may also be coerced into work by their parents as a result of extreme economic pressures. 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 four- to eight-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.

ANGOLA: TIER 2 WATCH LIST

The government of Angola does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating more potential trafficking cases, convicting more traffickers, training front-line responders, conducting some awareness-raising activities, and improving data collection on trafficking crimes, including by deploying the Southern African Development Community (SADC) regional data collection tool. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government prosecuted fewer suspected traffickers and identified fewer victims. Victim protection services remained limited, especially shelters and provision of basic aftercare services. Law enforcement and social services officials did not implement the standardized mechanism for identifying trafficking victims and screening vulnerable populations. The government did not screen for trafficking indicators among vulnerable groups, including migrants, and, thus potentially penalized victims. The government did not finalize a national action plan to combat trafficking for the fourth consecutive year. Therefore Angola remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Implement standardized nationwide procedures for identifying trafficking victims, and train officials on such procedures. • Increase efforts to provide shelter, counseling, and medical care for adult and child trafficking victims either directly or in partnership with NGOs. • Increase efforts to investigate and prosecute sex trafficking cases. • Develop nationwide standards for data collection, synthesis, and analysis of anti trafficking law enforcement and victim protection data. • Train law enforcement officials on the 2014 money laundering law's anti trafficking provisions. • Investigate labor trafficking in the construction sector and in animal herding. • Increase proactive engagement of the inter-ministerial committee to engage on anti-trafficking efforts. • Launch a nationwide anti-trafficking public awareness campaign.

PROSECUTION

The government increased law enforcement efforts. The 2014 Law about the Criminalization of Infractions Surrounding Money Laundering criminalized sex trafficking and labor trafficking. 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 and prescribed penalties of eight to 12 years' imprisonment. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with the penalties for other serious crimes, such as rape. Additional provisions in the law also criminalized forms of sex trafficking. Article 20 criminalized enticing or forcing a person to practice prostitution in a foreign country, with a penalty of two to 10 years' imprisonment. Article 21 criminalized pimping using force, fraud, or coercion of adults and prescribed penalties of one to 6 years' imprisonment. Article 22 criminalized "pimping of minors" under the age of 18 and prescribed penalties of

two to 10 years' imprisonment; if force, fraud or coercion was used or the child was less than 14 years old, the penalties were increased to five to 12 years' imprisonment. Article 23 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 increased to three to 15 years' imprisonment.

The government investigated 23 potential trafficking cases, primarily involving forced labor, compared with three potential sex trafficking cases in the previous reporting period. Nineteen of the cases originated in Cunene Province, which borders Namibia, one case was in neighboring Huila Province, and the provinces of Huambo, Kwanza Norte, and Luanda each had one case. The investigations involved at least 40 potential child and adult victims, primarily Angolan, and at least 15 perpetrators, primarily of Angolan or Namibian nationality. The government prosecuted four potential trafficking cases, three in Cunene Province involving four defendants and one in Lunda Norte involving a single defendant, compared with six prosecutions in the previous reporting period. The government convicted nine traffickers compared with no convictions during the previous reporting period. Eight of the nine convictions were for forced labor involving children and adults forced to work in animal herding along the border with Namibia, in Cunene Province; sentences ranged from one to five years' imprisonment. One conviction occurred in Zaire Province and the government sentenced the trafficker to eight years' imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

In coordination with international organizations, the government trained front-line responders on trafficking vulnerabilities among unaccompanied children and migrants, protection of victims, child forced labor, and conducted two trainings on the SADC data collection tool. In conjunction with an international organization, the government held a technical seminar on child trafficking in Angola to raise awareness about the vulnerability of children to trafficking, the legal framework for prosecuting traffickers, and protection services for victims. National police academy training continued to include human trafficking provisions. The government cooperated with Portuguese authorities in the case of three children exploited by two Angolan traffickers in Portugal. A Portuguese court convicted the traffickers and deported them to Angola, per Angola and Portugal's judicial cooperation agreement; it was unclear if the men served out their sentences in Angola.

PROTECTION

The government decreased protection efforts. Although the government did not report official victim identification or referral data, it identified and referred to care or directly assisted at least 35 potential victims, compared to 79 victims during the previous year. The government provided some protective services for 19 children and 10 adults in Cunene Province, including foster care and family tracing services. The government also assisted two child victims in Lunde Norte Province, but did not provide any additional details. In a case of three Angolan children exploited in Portugal, Portuguese authorities transported the children to Angola, where Angolan authorities placed them in a Luanda shelter and initiated family reunification, which remained ongoing at the close of the reporting period. The government referred one male Congolese child trafficking victim to a shelter, notified the Congolese authorities, and initiated family reunification, which was ongoing at the close of the reporting period. The government did not adequately fund victim protection mechanisms, including shelters and legal, medical, and psychological services. Law enforcement and social services officials lacked a standardized mechanism for screening vulnerable populations, including foreign workers and persons in prostitution. The government reported it had formal guidelines in six of Angola's 18 provinces to refer trafficking victims to care; however, it did not adequately implement any such guidelines during the reporting period.

In an initiative to eliminate irregular diamond mining operations in several Angolan provinces, border security forces forcibly expelled more than 400,000 migrants, primarily from the DRC, without screening to identify potential trafficking victims. Security forces detained 8,000 migrants from primarily West Africa and Asia, who largely constituted the work force that ran the unofficial mining operations without screening to identify potential trafficking victims. While security forces successfully shut down illegal mining cooperatives, human rights observers operating along the Angola-DRC border reported numerous cases of abuse and the UN reported at least 1,500 refugees were among those forcibly expelled.

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. 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. The government did not report on whether foreign victims were afforded the same protective services as Angolan trafficking victims. In the absence of screening for indicators of trafficking, authorities may have penalized victims for unlawful acts traffickers compelled them to commit. The government did not encourage victim cooperation in the investigation and prosecution of trafficking cases, but in coordination with an international organization, did draft legislation to increase protections for victims through all stages of an investigation and prosecution, which remained pending at the close of the reporting period. Angolan law did not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

PREVENTION

While the government increased 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 fourth consecutive year. The Inter-Ministerial Commission to Combat Trafficking in Persons met internally. In conjunction with an international organization, the Inter-Ministerial Commission held a training workshop on combatting trafficking in persons in Luanda. The Inter-ministerial Commission also held a training workshop to raise awareness of trafficking in persons in Bengo province. In coordination with an international organization, the government deployed the SADC regional data collection tool. In coordination with international organizations, the government launched the Blue Heart Campaign to raise awareness about trafficking among the general public. The Ministry of Public Administration, Labor, and Social Security conducted awareness raising campaigns on forced labor with businesses operating in Soyo, particularly civil construction companies, due to reports that companies, primarily Chinese-owned and operated, engage

in forced labor. The government did not have procedures in place to oversee and regulate labor recruitment beyond periodic labor inspections. The provincial government in Cunene and the Namibian province of Oshikango created a cross-border commission comprised of law enforcement, prosecutors, and child protection officials to combat trafficking in persons and child labor. The Ministry of Justice and Human Rights previously operated a hotline for potential victims and for the public to report suspected trafficking cases; it was unclear whether the government continued to operate the hotline during the reporting period. 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.

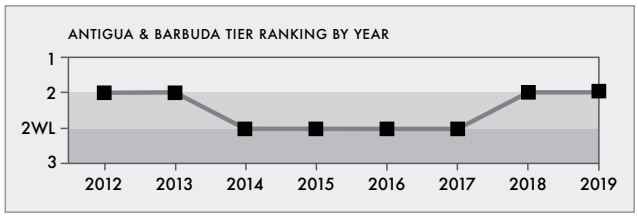
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Angola, and traffickers exploit victims from Angola abroad. Traffickers exploited Angolans, including minors, in 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, Lunda Norte, Namibe, Uige, and Zaire are the most high-threat areas for trafficking activities. Traffickers take some Angolan boys to Namibia for forced labor in cattle herding, while they force others to serve as couriers to transport illicit goods, as part of a scheme to skirt import fees in cross-border trade with Namibia. Traffickers exploit Angolan women and children in domestic servitude and sex trafficking in South Africa, Namibia, and European countries, including the Netherlands and Portugal.

Women from Brazil, Cuba, Democratic Republic of the Congo (DRC), Namibia, and Vietnam engaged in prostitution in Angola may be victims of sex trafficking. Traffickers exploit Brazilian, Chinese, Kenyan, Namibian, Southeast Asian, and possibly Congolese migrants in forced labor in Angola's construction industry; traffickers may withhold passports, threaten violence, deny food, and confine victims. At times, traffickers coerced workers to continue work in unsafe conditions, which at times reportedly resulted in death. Chinese companies that have large construction or mining contracts bring Chinese workers to Angola; 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 traffickers exploit some in 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Antigua and Barbuda remained on Tier 2. These efforts included amending the trafficking law so that penalties are commensurate with penalties of other serious crimes, passing a national action plan for 2019 to 2021, drafting formal standard operating procedures on victim referral specific to each agency, increasing training on indicators of trafficking, and liaising with another government on trafficking investigations. However, the government did not meet the minimum standards in several key areas. The government did not initiate any prosecutions and identified fewer victims. To date, the government has failed to convict a trafficker, and did not report the decision on penalties for complicit police officers in a 2015 case during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, 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. • Provide adequate funding to implement the national action plan across all agencies. • Fully implement government-wide standard operating procedures to guide front line agencies on proactive identification and referral of local and foreign victims of forced labor and sex trafficking. • Develop formal agreements with international organizations and countries for cooperation and information sharing, including on evidence and data collection, and conducting joint investigations on trafficking cases. • Conduct and publish reports on government anti-trafficking efforts and accomplishments.

PROSECUTION

The government maintained prosecution efforts. The 2010 Trafficking in Persons (Prevention) Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to 20 years' imprisonment and a fine of up to 400,000 Eastern Caribbean dollars ($148,150) for offenses involving an adult victim, and up to 25 years' imprisonment and a fine of up to 600,000 Eastern Caribbean dollars ($222,220) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. During the reporting period, the government adopted amendments to the trafficking law, notably removing penalty provisions that previously allowed for fines in lieu of imprisonment for trafficking offenses. Authorities investigated seven cases of potential trafficking, compared to eight in 2017. One of the investigations arose out of a joint, multi-country operation involving the national Trafficking in Persons Prevention Committee (TPPC), police, immigration and other agencies, and Interpol in a raid on two nightclubs. Five of the investigations arose from referrals from immigration officials to the TPPC under an inter-departmental memorandum of understanding. Upon review of the seven new investigations, prosecutors determined only three were trafficking-related. In two cases, the victims chose not to assist the investigation and returned home and the government did not prosecute those cases. Authorities determined the third case was not trafficking. Four of eight investigations begun in 2017 were still pending at the end of the reporting period. Prosecutors did not initiate any new prosecutions during the

past two reporting periods. The government has never reported any trafficking convictions, due in part to judicial delays.

The police standards committee completed a hearing on a pending 2015 case of three police officers suspected of indirect involvement in trafficking crimes, but it did not publish the penalties for the officers. Over the past three years, the police force typically chose administrative sanctions for officers suspected or implicated in trafficking, rather than charging them with a crime under the country's trafficking laws. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The Trafficking in Persons (Prevention) Secretariat and the Education Task Force trained a total of 108 police officers, labor inspectors, labor union officials, immigration officers, airline employees, and TPPC members in using trafficking indicators. The TPPC, together with an international organization, also trained 19 police officers to be trainers, enabling them to conduct future trainings in-house. The government liaised with Jamaican and Trinidadian government authorities on trafficking cases.

PROTECTION

The government increased protection efforts. The government had formal written procedures to guide law enforcement, immigration, and social services officials in screening and identification of potential victims. The government identified five victims (all adult females from Jamaica), compared to nine victims in 2017. The TPPC, police, immigration, and Interpol identified the victims in a joint operation in which they screened 47 vulnerable individuals for trafficking. All five identified victims received medical care, lodging, clothing, and repatriation assistance and had the option of participating in an international agency reintegration program. The TPPC provided an on-call consultant physician to provide medical care to victims for the first time. The gender affairs unit provided shelter for one labor trafficking victim during the reporting period. TPPC, together with an international organization, drafted agency-specific standard operating procedures for immigration, labor, law enforcement, and healthcare personnel to refer victims to care. The gender affairs department, which worked with its network of providers, was responsible for supplying care to the victims and obtained in-kind contributions for victim care donated from businesses. The government operated a crisis center for trafficking victims and victims of gender-based violence.

The government trained 36 doctors and nurses, 14 aviation managers, seven business owners, and 50 police recruits in victim screening and identification. All five identified victims cooperated with law enforcement investigations, which led to charges against a suspected trafficker. 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 or written statement, although they had not used these methods in court to date. The government provided victim identification training for 107 participants from the police, medical professions, aviation management, and business.

PREVENTION

The government maintained prevention efforts. The government approved the new 2019 to 2021 national action plan; however, it decreased the budget for anti-trafficking efforts to 53,242 Eastern Caribbean dollars ($19,720), compared to 330,430 Eastern Caribbean dollars ($122,380) in 2017 and 109,410 Eastern Caribbean dollars ($40,520) in 2016. The government received in-kind donations from businesses for awareness print material and public service announcements. The regular budget of the gender affairs department funded social services for victims. Government agencies, however, cited lack of human resources as a key deficiency in increasing anti-trafficking efforts. The Permanent Secretary of the Ministry of National Security and Labor chaired the TPPC, the coordinating body for anti-trafficking efforts. The TPPC, which included representatives from various government agencies and one NGO, oversaw implementation of the 2019-2021 national action plan. While government agencies cited lack of funding as a key deficiency in increasing anti-trafficking efforts, the TPPC noted that they had adequate funding during the reporting period.

The working-level anti-trafficking unit within the Ministry of National Security worked under the TPPC on the coordination of anti-trafficking training and hosted a variety of anti-trafficking activities around the country. The TPPC made awareness presentations to schools, community groups, NGOs, churches, and college students. The TPPC jointly trained medical professionals including 21 doctors, 100 nurses, and 15 emergency room staff on trafficking indicators with international partners. The government held an anti-trafficking week of prevention activities in collaboration with NGOs and social partners for a second year. The TPPC hosted online chats, produced public service announcements, placed billboards around the country, and designed and presented plays at 10 primary, secondary, and tertiary schools. The gender affairs department provided awareness training in its gender-based violence awareness sessions. The government had completed, but not published, its 2018 annual report on anti-trafficking efforts by the end of the reporting period. The government did not report any trafficking calls to a 24-hour gender-based violence hotline that also served trafficking victims. 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.

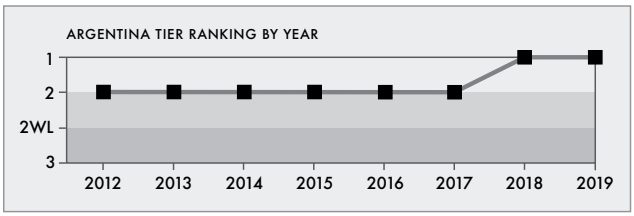
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Antigua and Barbuda, and traffickers exploit victims from Antigua and Barbuda abroad. Documented and undocumented immigrants from the Caribbean region, notably Jamaica, Guyana, and the Dominican Republic, are vulnerable to sex trafficking and forced labor. Authorities reported an increased number of trafficking victims in multiple-destination trafficking, arriving in Antigua and Barbuda for a few months before their traffickers exploited them in other Caribbean countries such as St. Kitts and Nevis and Barbados. Sex trafficking occurs in bars, taverns, and brothels, including with minor girls. There are anecdotal reports of parents and caregivers subjecting children to sex trafficking. Forced labor occurs in domestic service and the retail sector, particularly in family-owned businesses. There have been reports of trafficking-related complicity by police officers who tend to receive administrative sanctions instead of being tried under the trafficking law.

ARGENTINA: TIER 1

The Government of Argentina fully meets the minimum standards for the elimination of trafficking. The government

continued to demonstrate serious and sustained efforts during the reporting period; therefore Argentina remained on Tier 1. These efforts included increasing investigations, prosecutions, and convictions, including those of complicit officials, and identifying and assisting more victims. Although the government meets the minimum standards, it did not provide a dedicated budget to its national action plan; or provide integrated, specialized, and comprehensive mid- to long-term victim assistance, including housing for male victims. Official complicity in trafficking crimes remained a significant concern and its anti-trafficking law continued to be inconsistent with the 2000 UN TIP Protocol by including force, fraud, or coercion as aggravating factors rather than essential elements of the crime.



PRIORITIZED RECOMMENDATIONS:

Strengthen efforts to investigate, prosecute, convict, and punish officials complicit in trafficking crimes. • Provide adequate funding to fully implement the national action plan. • Improve victim assistance to include more specialized shelters, including dedicated shelters for male victims. • Increase availability of mid- to long-term assistance for victims, including legal, medical, and employment services. • Increase the number of labor inspections and ensure that inspections are conducted in rural areas. • Strengthen coordination among the federal and provincial governments and NGOs. • Improve victim restitution procedures. • Improve efforts to collect and integrate data on victim protection efforts and assistance. • 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 trafficking and sex trafficking and prescribed punishments of four to eight years' imprisonment for offenses involving an adult victim, and 10 to 15 years for those involving a child victim. 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; penalties were increased to five to 10 years' imprisonment if such factors were involved. 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.

The Ministry of Security (MOS) reported it cooperated with judicial authorities in 3,254 preliminary trafficking investigations during the reporting period, compared to 3,310 trafficking investigations in the previous period. The anti-trafficking prosecutor's office (PROTEX) opened 332 preliminary investigations, compared with 237 investigations in 2017. MOS identified and referred for prosecution 49 human trafficking cases (33 labor trafficking and 16 sex trafficking). The government prosecuted 106 suspected traffickers (71 for sex trafficking, 19 for labor trafficking, eight for both sexual and labor trafficking, and eight for forced marriage) under the trafficking law, compared with 63 in 2017 (35 for sex trafficking and 24 for labor trafficking). The government convicted 71 traffickers in 48 cases (30 cases for sex trafficking, 18 cases for labor trafficking), compared with 38 traffickers in 32 cases in 2017. The average prison sentence was 5.5 years, and the majority of mandatory prison terms exceeded six years. Under Argentine law, defendants sentenced to less than three years for any crime were eligible to have their sentences suspended; eight percent of all trafficking convictions were less than three years and suspended.

Corruption and official complicity in trafficking crimes remained significant concerns, although the government made progress on two previously reported cases and three new cases. In one case, the appellate court overturned the acquittal of labor inspectors in a trafficking case. In a second case that involved two members of the security forces and the judiciary, the federal appeals court upheld the indictments and the case was set for trial. In a third case, the federal court indicted a misdemeanor court judge of complicity in sex trafficking. The fourth case involved a federal court indictment of a mayor for sex trafficking. In a fifth case, currently under investigation, prosecutors pursued a labor trafficking case involving city and provincial government officials. However, there were additional cases of complicity reported. Prosecutors initiated investigations of a sex trafficking ring in Santa Fe province that involved the complicity of a mayor; the local court acquitted the mayor. A second case under investigation involved prison officials in a suspected sex trafficking at the Melchor Romero Penitentiary; however, law enforcement failed to find evidence to support the case. Another case involved the complicity of a federal judge in facilitating sex trafficking crimes of a retired police commissioner. A court dismissed the commissioner's charges, although PROTEX appealed the dismissal, and the judge only received a fine as punishment. The government provided numerous anti-trafficking trainings to law enforcement, prosecutors, and judicial officials, among others. The security minister and attorney general signed an agreement to endorse general guidelines when conducting raids that involve trafficking crimes. The National Supreme Court of Justice worked on the implementation of a national database of human trafficking cases brought to the courts since 2015. PROTEX cooperated in 26 international trafficking investigations during the year.

PROTECTION

The government increased protection efforts. The Rescue Program was the government office responsible for coordinating emergency victim services; in 2018, it reported assisting 1,501 victims (972 labor, 522 sex trafficking and 7 for other types of exploitation), compared with 1,107 victims in 2017 and 666 in 2016. The Ministry of Production and Labor reported identifying 215 victims, all adults, mostly in rural businesses, that had evidence of labor trafficking. The MOS reported law enforcement operations during the year resulted in the identification of 786 victims (173 sex trafficking victims, 542 labor trafficking victims, and the remainder unspecified). The majority of victims were foreigners (492). The Ministry of Social Development (SENAF) was responsible for identifying and assisting foreign victims; SENAF reported identifying and assisting 47 foreign victims, compared to 80 in 2017. SENAF assisted and funded the repatriation of 33 victims during 2018. In absence of a unified database for trafficking victims, the government did not report if the MOS, Ministry of Production

and Labor, and SENAF numbers were included in the total number of victims that the Rescue Program identified. The new national action plan aimed to develop a unified database to track victims.

Law 27.362, enacted in July 2017, provided a legal framework and more public defenders to secure rights and guarantees for victims of crimes. Victims and prosecutors did not utilize this law in any trafficking cases in the reporting period. 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. SENAF and each provincial government were responsible for both mid- and long-term assistance for foreign and domestic victims; however, experts noted the need for more integrated and comprehensive victim assistance. Regional governments in 10 provinces operated anti-trafficking centers which provided psychological, social, medical, and judicial assistance to trafficking victims. The government reportedly had 10 shelters spread across various provinces that trafficking victims could access; however, only two were specialized shelters. SENAF 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 specialized shelters, long-term housing, skills training and employment, childcare, legal assistance, and financial assistance for victims after testifying in court cases. NGOs also stressed the need for the government to improve the implementation of a witness protection program that provided adequate security and safety for victims during trials. Foreign victims had the same access to care as Argentine nationals; however, foreign victims were sometimes unaware of available services. The government did not report its funding allocations to support victim assistance.

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. Victims could file for compensation by bringing civil suits against traffickers; there were limited examples of success under this procedure. Observers noted lower courts might disregard the issue of restitution for various reasons, including that they do not know how to calculate appropriate restitution or that they believe prison sentences to be an adequate resolution. A 2017 draft bill regarding compensation for trafficking victims lost parliamentary status in 2018. However, in October 2018, the Federal Council for Human Trafficking drafted a bill that was introduced in Congress to establish an assistance trust fund for trafficking victims; the fund would include the seized assets of traffickers and would serve as restitution for all victims.

PREVENTION

The government increased prevention efforts. The Federal Council for Human Trafficking held four meetings, each in a different province, compared to one meeting in 2017. The government launched the 2018-2020 biennial anti-trafficking action plan in July 2019. However, the government did not allocate a special budget for the plan. Observers remained concerned about the government's ability to fund its anti-trafficking programs. Observers noted some NGOs were frustrated with the level of NGO participation in the government's anti-trafficking efforts. In March 2018, the government established a new secretariat under the Ministry of Production and Labor that provided guidance, conducted labor inspections, and developed plans for the promotion of safe and ethical work conditions. In June 2018, the new secretariat established an ethics code for workers performing official duties in an effort to increase accountability regarding official complicity with trafficking. In addition, the Secretariat of Labor issued new guidance and standardized electronic forms for national labor inspections to facilitate the identification of indicators for trafficking during inspections; the forms also provided a documentary record for use in criminal investigations and victim assistance efforts. The immigration department developed better accounting and controls for migrant workers to prevent labor trafficking. Authorities penalized foreign labor recruiters for fraudulent recruiting.

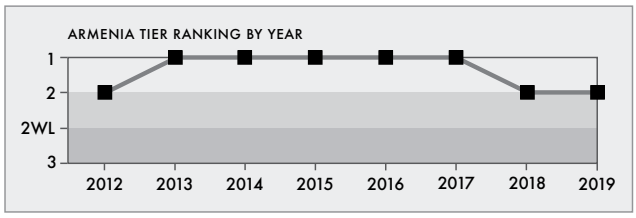
The government launched several new trafficking awareness campaigns at the federal, provincial, and municipal level to NGOs, civil society groups, high school and university students, and children. NGOs and experts continued to express concern about child sex tourism, although there were no reported investigations or prosecutions in the reporting period related to this crime. The Secretariat of Tourism developed training in the prevention of trafficking for the tourism sector and worked with international organizations and hotels to draft best practices for hotels to prevent child sex trafficking. Neuquen province passed legislation to strengthen the monitoring of hotel guests who travel with minors who are not their children. PROTEX continued operating the national hotline system with response assistance from the Rescue Program. There were 1,858 trafficking-related calls during the year; of these, 522 were referred to the federal courts and 440 to the provincial courts. The Federal Council for Human Trafficking drafted its first-ever Annual Report during the reporting period, which it presented to the Chamber of Deputies' Committee on Human Rights and Guarantees in November 2018. The government did not make efforts to reduce the demand for commercial sex acts. The government made efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Argentina, and to a more limited extent, Argentine men, women, and children are victims of sex and labor trafficking in other countries. Traffickers exploit victims from other Latin American countries in Argentina, particularly the Dominican Republic, Paraguay, Peru, Bolivia, Uruguay, Venezuela, and Brazil. 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. Traffickers exploit minors participating in domestic youth sports clubs in sex trafficking. Traffickers exploit Chinese citizens working in supermarkets to debt bondage. Traffickers compel trafficking victims to transport drugs through the country's borders. Official complicity, mainly at the sub-national levels, continues to hinder the government's efforts to combat trafficking. Revelations in 2018 of an active prostitution ring in Argentina's soccer minor league that victimized youth athletes raised concerns about child sex trafficking in domestic sports and athletic clubs.

ARMENIA: TIER 2

The Government of Armenia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Armenia remained on Tier 2. The government demonstrated overall increasing efforts by providing robust training for law enforcement, organizing various awareness campaigns, hiring and training 64 social workers who will work in part on trafficking issues, and proactively identifying some forced labor victims. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers and prosecuted fewer trafficking cases compared to the previous year. The government identified fewer victims for the third consecutive year, and first responders continued to rely on victims to self-identify due to a lack of standard indicators to screen vulnerable populations. Victims faced low access to justice, including an absence of victim-centered procedures and formal victim-witness protection measures. The lack of resources for reintegration, including transitional housing and foster care, resulted in the re-victimization and homelessness of some victims. The government did not conduct a single labor inspection during the reporting period due to the suspension of the majority of Labor Inspectorate functions, hindering its ability to identify, investigate, and prevent forced labor.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Articles 132 and 132-2. • 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. • Establish and implement preventative measures for child labor and potential child trafficking in state child care institutions. • Train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and provide advanced training on trafficking investigations and prosecutions. • Establish and implement legal authorities for labor inspectors to conduct regular inspections and identify victims through unannounced visits. • Increase resources for reintegration services for victims. • Establish formal procedures for repatriating trafficking victims from abroad, including measures to cover logistical costs. • Make available to victim-witnesses the protections afforded under the Criminal Procedure Code and the 2016 decree. • 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.

PROSECUTION

The government maintained law enforcement efforts. Articles 132 and 132-2 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to eight years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government investigated nine cases (six cases in 2017). Of these, five were forced labor and one was both sex trafficking and forced labor (two cases of sex trafficking and four of forced labor in 2017). The government prosecuted one defendant for forced labor (one for sex trafficking, one for forced begging, and one for forced labor in 2017). Courts did not convict any traffickers (one sex trafficker in 2017).

The Armenian Police maintained an Anti-Trafficking Unit (ATU) within the Organized Crime Department that investigated trafficking. ATU conducted the initial investigations and referred cases to the Investigative Committee (IC) for an in-depth investigation. Local police units also designated an officer as the main point of contact for trafficking within their jurisdiction. Local investigators lacked the skills to properly interview victims, especially children. Although guidelines restricted interviews to four hours for adults and two hours for children, observers reported cases where police repeatedly interrogated victims for long hours, including children up to 10 hours. IC set up 20 child-friendly interview rooms in five regional divisions and ATU hired one female investigator during the reporting period but some procedures did not incorporate gender-sensitive approaches, such as the use of female medical professionals for invasive examinations on female victims. Observers continued to report IC or Prosecutor General's Office dropped or reclassified cases categorized as trafficking by local police due to a lack of evidence; two cases were dropped and one was reclassified (one case was dropped and two were reclassified in 2017). Civil society reported good cooperation with ATU and IC investigators.

The government trained 208 police officers, 50 investigators from IC, and 540 employees from penitentiary institutions on trafficking issues. The government also trained 198 civil servants on fighting official complicity in trafficking. 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 slightly increased protection efforts. The government identified nine victims (13 in 2017). Of these, eight were subjected to forced labor and one to both sex trafficking and forced labor (eight were subjected to sex trafficking and five to forced labor in 2017); two were children in both 2017 and 2018; four were foreign (none in 2017); and eight were males and one female (10 were females and three were males in 2017). The 2014 Law on Identification and Assistance to Victims of Human Trafficking and Exploitation defined identification, referral, and assistance procedures for relevant actors. First responders did not use standard indicators to screen vulnerable populations and experts continued to report a lack of proactive identification and a reliance on victims to self-identify; however, ATU proactively identified four forced labor victims and the Migration Service screened 203 asylum seekers for trafficking indicators. 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, which consisted of representatives from the Ministry of Labor and Social Affairs, the Prosecutor General's office, police, and NGOs, officially recognized victims based on information collected during the "pre-identification stage." Civil society reported the referral procedures functioned well and they had positive cooperation with the government.

The government allocated 19.07 million drams ($39,320) in both 2017 and 2018 for victim protection efforts, including operational costs for an NGO-run shelter. The government and local NGOs jointly provided legal, medical, and psychological assistance; housing; a one-time monetary compensation of 250,000 drams ($515); and access to social, educational, and employment projects. The government offered free health care but relied on NGOs to provide legal assistance, including the cost for attorneys. Three victims received health care (two in 2017), six victims received the one-time monetary compensation (five in 2017), and five victims received legal assistance from an NGO (nine in 2017). The government maintained a cooperation agreement and partially funded one specialized NGO-run shelter to provide services to victims; the NGO-run shelter assisted three newly identified victims (19 in 2017) and 41 people in total (36 in 2017). 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. Authorities afforded foreign victims the same rights and services as Armenian citizens. Male victims did not have access to a shelter and only NGOs rented apartments; four victims were accommodated in rented apartments. The government hired and trained 64 new social workers on trafficking issues and provided vocational training classes to victims. Despite these efforts, civil society continued to provide the bulk of reintegration and long-term support services. Experts reported cases of re-victimization or homelessness due to the lack of transitional housing and reintegration opportunities for victims. Additionally, the government did not include trafficking victims in the list of vulnerable people eligible for state housing. The NGO-run shelter and childcare institutions accommodated child victims but experts reported a shortage in accommodation and foster families for children, which resulted in some cases where authorities returned children to family members who were involved in their exploitation. GRETA and OSCE reported in 2017 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 an absence of established procedures and funds to cover logistical costs created obstacles in repatriation; the government did not repatriate victims in 2018 (three victims in 2017). The law entitled foreign victims to receive a permanent residence permit but applications required evidence of employment.

Observers reported anecdotal accounts of some sex trafficking victims penalized with administrative fines due to inadequate identification. Law enforcement officers in some 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 and victims, including children, always appeared in front of their traffickers in court, risking re-traumatization. The government continued to lack a formal victim-witness protection program. The Criminal Procedure Code and a 2016 decree stipulated some victim-witness protection measures but none were used in 2017 and 2018. Victims were legally entitled to obtain restitution during criminal proceedings or through a separate civil suit; no victims filed a civil suit in 2017 and 2018. 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

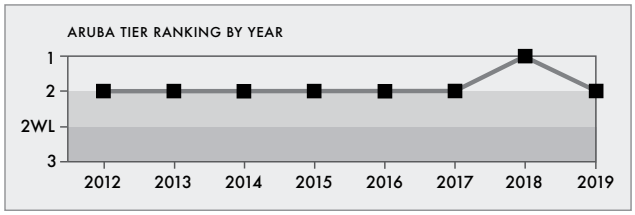
The government maintained prevention efforts. The Anti-trafficking Ministerial Council and the Inter-Agency Working Group against Trafficking in Persons continued to implement the 2016-2018 national action plan (NAP) and published semi-annual and annual reports of its activities. Civil society reported good cooperation with members of the working group. 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) in 2017, but their mandate was limited to workplace health and safety inspections and did not have authority to conduct unannounced inspections; HIB did not conduct any inspections in 2017 or 2018. The government adopted a regulation requiring all foreigners to obtain a work permit for employment. The government held awareness-raising discussion at schools and campaigns targeting students and teachers. The government 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 an annual 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

As reported over the past five years, human traffickers exploit domestic and foreign victims in Armenia, and traffickers exploit victims from Armenia abroad. Armenian migrants who seek employment in Russia, the United Arab Emirates (UAE), and Turkey face forced labor, often following recruitment fraud and exorbitant recruitment fees charged by labor brokers; 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. Ukrainian, Belarusian, and Russian women working as dancers in nightclubs are vulnerable to sex trafficking. An increasing number of Indian migrants who willingly seek employment in the informal sector face forced labor. Men in rural areas with little education and children staying in childcare institutions remain highly vulnerable to trafficking.

ARUBA: TIER 2*

The Government of Aruba does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government launched an anti-trafficking campaign, allocated some funding to victim assistance, and worked closely with a victim to bring traffickers to justice. However, these efforts were not serious and sustained compared to efforts during the previous reporting period. The government investigated, prosecuted, and convicted fewer traffickers and did not issue adequate penalties. In addition, authorities identified and assisted fewer victims. Therefore Aruba was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers. • Sentence convicted traffickers to significant prison terms. • Amend existing legislation to ensure penalties prescribed for sex trafficking offenses are commensurate with those prescribed for other serious crimes, such as rape. • Proactively identify 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. • Implement guidelines for proactive victim identification and increase referral of possible trafficking victims among Venezuelan migrants and asylum-seekers. • Dedicate funding to the anti-trafficking task force and national coordinator. • Train law enforcement officials, coast guard, labor inspectors, prosecutors, and judges on victim-centered approaches to trafficking cases. • Provide information to all migrant workers and tourists arriving in Aruba on their rights and resources for assistance, including Venezuelans. • Formalize agreements with local NGOs and private sector accommodations to shelter adult and child victims. • Finalize the implementation strategy for the construction of the multifaceted shelter for victims of crimes, including trafficking.

PROSECUTION

The government decreased prosecution efforts. Article 2:239 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years' imprisonment or a fine for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment or a fine for those involving a victim under the age of 16. These penalties were sufficiently stringent and, with respect to sex trafficking of victims under the age of 16, commensurate with those prescribed for other serious crimes, such as rape. However, for sex trafficking offenses involving victims 16 years of age or older, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. The Human Trafficking and Smuggling Unit (UMM) investigated three new trafficking cases; one remained open, one dismissed for lack of evidence, and one sent back to the Ministry of Labor for administrative action (seven cases in 2017). The government prosecuted one individual (five in 2017) and convicted one trafficker for smuggling, issuing a sentence of eight months' imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Law enforcement officials, including police and immigration personnel participated in an annual regional training event focused on investigations of trafficking crimes. Authorities participated and shared best practices at the regional Interpol Conference on Human Trafficking in the Caribbean.

PROTECTION

The government decreased protection efforts. In 2018, two victims were identified (compared with 71 in 2017 and nine in 2016) after a large INTERPOL operation involving 13 countries; both victims received hygiene kits, shelter, and financial support. The anti-trafficking task force continued to provide law enforcement and social services officials with a checklist of the most common signs of trafficking. Multi-disciplinary teams comprised police, labor, and immigration officials continued to operate; however, the government did not report identifying any victims. In 2018, there was a mass influx of Venezuelan migrants and refugees overstaying their visa and working illegally, which likely affected Aruba's efforts to combat trafficking. Although authorities reported screening illegal migrants for trafficking indicators ahead of deportation some members of civil society claimed to have seen an increase of trafficking victims seeking assistance. The government had 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. In 2017, the government began drafting a plan for the development of a multifunctional shelter for victims in the Dutch Caribbean; however, officials did not report any progress on the shelter in this reporting period. In 2018, the Ministry of Justice (MOJ) provided a portion of its funding for victim assistance; however, the government did not confirm the amount provided. Authorities reported one victim assisted the government in the prosecution of their traffickers during the reporting period. Although foreign victims were entitled to the same rights and protection as Arubans, the government did not report how many received benefits. 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 compensation not to exceed 50,000 *florin* ($28,090) for financial and emotional damages. The Bureau of Victim Assistance operated a hotline for potential victims of all crimes, including trafficking; however, 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.*

did not identify any victims using the hotline, compared with four in 2017.

PREVENTION

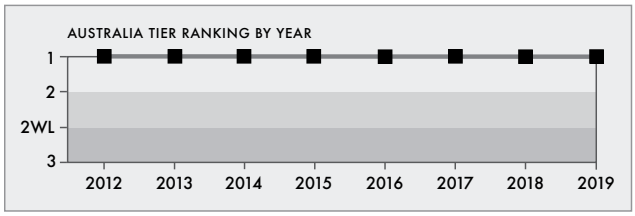
The government decreased prevention efforts. The government continued the implementation of the 2018-2022 national action plan and made a request to parliament for an annual budget; approval remained pending at the end of the reporting period. The government continued to raise awareness of trafficking 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 helped disseminate a documentary on trafficking that was produced and financed by a local TV station. The government reported using the content of the video to train local officials; however, authorities did not report how many individuals were trained. 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. The government did not report efforts to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Aruba. Traffickers exploit Venezuelan women in sex trafficking and foreign men and women to forced labor in Aruba's service and construction industries. Due to the deteriorating situation in Venezuela, the number of Venezuelans overstaying their visa increased, leaving many with expired documentation and more likely to seek employment opportunities in sectors with high vulnerability to trafficking, such as domestic service, construction, and prostitution. 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. Women in regulated and unregulated prostitution, domestic workers, and employees of small retail shops are the most vulnerable to trafficking. Children may be vulnerable to sex trafficking and 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. These efforts included passing legislation that requires businesses disclose efforts to combat human trafficking in their supply chains, increasing staffing levels in the Witness Assistance Service to provide support to victims of trafficking testifying against their traffickers, increasing funding for their victim support program, and identifying and referring victims to services. Although the government meets the minimum standards, it did not convict any traffickers, initiated fewer prosecutions, did not adequately screen for indicators of trafficking among vulnerable groups, and limited some victims' access to services based on their participation in law enforcement investigations.



PRIORITIZED RECOMMENDATIONS:

Significantly strengthen efforts to investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and sentence convicted traffickers to significant prison terms. • Strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants and agricultural workers. • De-link the provision of services from participation in the criminal justice process, and increase services available to victims who are unable or unwilling to participate in the criminal justice process. • Ensure that the statutory definition of trafficking under the criminal code does not require movement of the victim as an element of the crime. • Increase efforts to train police, immigration officials, 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 multi-year funding to NGOs for robust victim protection services and prevention campaigns. • Consider establishing a national compensation scheme for trafficking victims. • Implement or fund awareness campaigns, particularly among rural communities and migrant populations vulnerable to forced labor. • 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.

PROSECUTION

The government decreased law enforcement efforts. Divisions 270 and 271 of the Commonwealth Criminal Code, when read together, criminalized sex trafficking and labor trafficking. Inconsistent with international law, the definition of "trafficking" under Division 271 required the element of movement of a victim. However, Division 270, which criminalized "slavery," "servitude," and "forced labor" offenses, could be utilized to prosecute trafficking offenses that did not involve victim movement. Division 271 prescribed penalties of up to 12 years' imprisonment for offenses involving an adult victim, and up to 25 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Division 270 prescribed penalties of up to 25 years' imprisonment for slavery, up to 15 years' imprisonment for servitude, and up to 9 years' imprisonment for forced labor. These penalties were all sufficiently stringent.

In 2018 the government investigated 179 suspected cases of trafficking (166 in 2017, 105 in 2016) and initiated prosecutions against two defendants, one for forced labor and one for forced labor and sex trafficking (six in 2017, five in 2016). Authorities continued prosecutions from previous reporting periods against 11 defendants. There were no convictions under the trafficking provisions of the criminal code in 2018 (five convictions in 2017, one conviction in 2016). The government also prosecuted 11 defendants for allegedly traveling overseas to engage in

child sex tourism but did not report any convictions (four prosecutions in 2017). 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 400 Australian Federal Police (AFP) officers and 380 immigration officials. The government also updated its Victims of Crime Manual, including providing guidance on working with child victims and more comprehensive information on victim impact statements in sentencing proceedings.

PROTECTION

The government increased efforts to protect victims. Authorities identified 75 potential victims, including 35 for sex trafficking and forced labor, and 40 for which the form of exploitation was unclear (38 in 2017, 36 in 2016). Authorities referred all 75 potential victims to the Australian government's Support for Trafficked People Program (support program). The government also assisted 25 potential Australian trafficking victims abroad, 16 of whom were returned to Australia (15 individuals abroad, four of whom returned to Australia in 2017); however, it was not clear how many of the individuals were victims of trafficking compared to victims of forced marriage or individuals vulnerable to forced marriage. Authorities identified most victims through the efforts of joint agencies, task forces, and cooperative action with foreign governments. Authorities utilized a list of indicators to identify trafficking victims and refer them to services; 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. Immigration authorities forcibly deported some asylum seekers who may have been vulnerable to trafficking after returning to their home countries. Civil society continued to report that some victims may have been reluctant to communicate with law enforcement officers due to fear of detainment and deportation.

Authorities provided formally identified trafficking victims with accommodation, living expenses, legal advice, health services, vocational training, and counseling through the support program. The government allocated 2.22 million Australian dollars ($1.57 million) to the support program in the 2018-2019 funding year (1.71 million Australian dollars [$1.21 million] during the 2017-2018 funding year). However, the increased funding was made available to support victims of forced marriage who may or may not have been victims of trafficking. Only AFP had the legal authority to refer victims to the support program. The support program included four support streams. The assessment and intensive support stream refers victims for up to 45 days irrespective of whether they are willing or able to assist with the investigation or prosecution of a human trafficking or slavery related offense. The extended intensive support stream allows for an additional 45 days of access to the program on a case by case basis for victims willing to assist with investigation or prosecution but not yet able to do so due to age, ill health, trauma or a practical impediment. Minors are automatically entitled to the extended support program. The justice support program provides victims with support until the investigation and/or prosecution of their case is finalized. The temporary trial support program provides intensive support to victims giving evidence pertaining to a human trafficking related prosecution. NGOs previously 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, or when investigation of their case ended. The government did not report on how it provides services to adults unable or unwilling to participate in law enforcement investigations. In 2018, the government provided temporary stay visas to 12 foreign trafficking victims (13 in 2017, 33 in 2016), and granted permanent "referred stay" visas to five individuals (eight in 2017, six in 2016), including victims and their immediate family members, although some of these cases may have been forced marriage rather than trafficking. The government increased the staffing levels within the Commonwealth director of Public Prosecutions' (CDPP) Witness Assistance Service, which provides support to victims of human trafficking during the court process. Authorities provided witness assistance services to 18 victims while they participated in prosecutions (nine in 2017). The government did not have a centralized victim compensation system and victims relied on civil proceedings to access compensation.

PREVENTION

The government increased 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 ($353,110) to four NGOs for projects dedicated to raising community awareness and building resilience among vulnerable groups; however, it was not clear to what extent these campaigns focused on forced marriage, potentially to the exclusion of sex and labor trafficking. NGOs reported the government's transition from multiyear funding for programs to support and prevent human trafficking to single year funding hampered their ability to provide program continuity and adequate staffing. The government continued to fund anti-trafficking initiatives and deliver trainings in the Asia-Pacific region. The Fair Work Ombudsman continued to administer a program to fund community groups to deliver services assisting vulnerable workers, continued to conduct awareness-raising campaigns on migrant workers' rights and conducted inquiries into potential labor abuses committed against migrant workers.

In November 2018, the government passed the Modern Slavery Act, which requires businesses and entities with annual revenue of 100 million Australian dollars ($70.62 million) or greater to publish an annual modern slavery statement detailing their efforts to combat modern slavery in their supply chains and operations. The Act includes a legislative commitment for the government to establish a modern slavery statement covering Australian government procurement. The government, along with Canada, New Zealand, the United Kingdom, and the United States, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains. 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, and cancelled 88 passports and denied 2,028 passports to registered child sex offenders during the reporting period. The government did

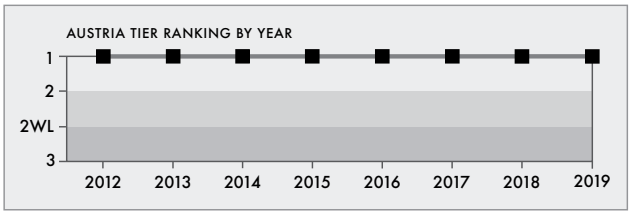
not make efforts to reduce the demand for commercial sex acts within Australia, but it operated a ministerial labor exploitation working group and migrant workers task force aimed at reducing the demand for forced labor. The Department of Foreign Affairs and Trade conditioned the departure of diplomatic 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, human traffickers exploit domestic and foreign victims in Australia. Traffickers primarily exploit women and girls in sex trafficking and women and men in forced labor. Traffickers exploit a small number of children, primarily teenage Australian and foreign girls, in 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, traffickers compel some of these women to enter or remain in prostitution in both legal and illegal brothels, as well as massage parlors and private apartments. Traffickers hold some foreign women—and sometimes girls—in captivity, subject them to physical and sexual violence and intimidation, manipulate them through illegal drugs, and force them to pay off unexpected or inflated debts. 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 or forced marriages are exploited by their husbands or families in 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. An investigation by the Fair Work Ombudsman found some foreign fraudulent contracting companies exploited farm workers in bonded labor. There have been cases of reported exploitation in the fruit picking industry, where victims have reported excessive work hours, deliberate underpayment of wages, falsification of records and unauthorized deductions from wages. 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. These efforts included implementing the national referral mechanism for adults, increasing funding for victim support, and publishing guidelines for police and prosecutors on non-punishment of victims for unlawful acts traffickers compelled them to commit. Although the government meets the minimum standards, courts continued to issue light or suspended penalties for convicted traffickers. The government has not appointed an anti-trafficking rapporteur, and the government did not identify any victims holding Austrian citizenship in 2018.



PRIORITIZED RECOMMENDATIONS:

Sentence convicted traffickers to adequate penalties, which should involve significant prison terms, consistent with those imposed for other grave crimes, such as rape. • Continue to strengthen cooperation with source country governments to promote awareness of trafficking among potential victims, especially in continued prosecution of trafficking rings. • Increase the level of detail contained in the government database on trafficking investigations, prosecutions, convictions and sentencing, to include all cases on trafficking including disaggregation of convictions and sentencing where defendants have committed multiple crimes. • Increase efforts to identify victims among persons engaged in prostitution. • Appoint a national anti-trafficking rapporteur. • Increase efforts on identifying potential victims among Austrian citizens.

PROSECUTION

The Austrian government maintained law enforcement efforts. Article 104a of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of six months to five years' imprisonment for offenses involving an adult victim, and one to 10 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Additionally, Article 217, which criminalized all transnational prostitution, could be applied to sex trafficking cases when a trafficker induced a foreign individual to engage in prostitution by force, fraud, or coercion. The article prescribed penalties of one to 10 years' imprisonment for offenses involving such means. The government conducted 71 investigations of 129 trafficking suspects under Article 104a, compared with 94 investigations of 144 suspects in 2017. The government prosecuted 16 trafficking defendants, compared with 19 in 2017. Courts convicted eight traffickers under Article 104a, compared with three in 2017 and 10 in 2016. The government prosecuted eight defendants, and convicted five under Article 217, but it was unclear how many involved trafficking offenses. The most recent comprehensive government data on prison sentences was from 2017, during which courts sentenced two traffickers. One received a two-year prison term and one a suspended sentence. In contrast, rape convictions carried substantially longer prison terms and fewer suspended sentences. Of 90 defendants convicted of rape during 2017, courts sentenced 78 (90 percent) to prison and half received prison terms ranging between three and 13 years. It was unclear how many rape cases included convictions for trafficking, as official statistics in multi-offense convictions contained only the single crime for which a court imposed the longest sentence. However, the government reported several cases from 2018 in which convicted traffickers received significant penalties. In March 2018, a court convicted two Chinese nationals for sex trafficking and imposed prison sentences of 3.5 years and 13

months, respectively. In May 2018, a Vienna court sentenced a Bosnian man to four years in prison for trafficking minors into forced begging and theft.

The government, assisted by an NGO, provided specialized trafficking-related training to prosecutors and judicial personnel. Law enforcement officials received training on trafficking within their standard curriculum. National and provincial governments cooperated with authorities from other countries, including neighboring EU countries, to investigate and prosecute trafficking cases. The Federal Crime Office (FCO) increased training on the use of online recruitment by traffickers and their digital methods. The Regional Criminal Court in Vienna assigned specialized prosecutors and judges for handling of trafficking cases.

PROTECTION

The government maintained protection efforts. Police and other government institutions, in cooperation with NGOs, identified and assisted 339 foreign victims in 2018, compared to 327 victims in 2017. Among that total, 28 victims were minors, and 40 victims were not identified by age. The government did not identify any victims of Austrian citizenship. The government provided €960,117 ($1.1 million) to specialized anti-trafficking NGOs to assist and house victims, an increase from €876,000 ($1 million) in 2017. The Ministry of Labor provided an additional €410,000 ($470,180) for support of NGO-run counseling centers for male trafficking victims and undocumented migrants, compared to €415,000 ($475,920) in 2017. Government funding comprised the bulk of support for these organizations. The city of Vienna funded a government-run center for unaccompanied minors, including child trafficking victims, offering legal, medical, psychological, social, and language assistance. Cities throughout the provinces provided services for child victims. For adult victims, government-funded NGOs provided emergency shelter, medical and psychological care, language support, and legal assistance. Some NGOs offered specialized services for victims with physical or mental disabilities. NGOs helped victims prepare for court proceedings and assisted foreign victims with repatriation. Courts provided sensitive interview methods for presenting evidence and testimony when victims needed protection from traffickers during the investigation and prosecution phases.

In November 2018, the Ministry of Interior (MOI) launched Austria's national referral mechanism for adults, a framework for identifying victims, guaranteeing their rights, and ensuring they understand the availability of services and receive care. The government continued to implement the national referral mechanism for child victims launched in 2017. Government officials from multiple agencies and NGOs used guidelines and checklists to identify both child and adult victims. Under a government-funded program, NGOs trained immigration officials on victim identification, including those working at migrant reception centers. The government continued trainings in victim identification for officials in law enforcement, the labor inspectorate, the military, diplomatic services, detention and asylum centers, revenue agencies, and social service agencies.

Trafficking victims had the right to temporary residence status, with possible annual extensions. The government granted 35 residence permits and extended 10 permits to trafficking victims in 2018. Residence permits allowed victims unconditional access to employment. Government benefits were not dependent upon a victim's willingness to participate in the prosecution of their perpetrator. Victims also had a 30-day reflection period with assistance to decide whether to assist or cooperate in criminal investigations. The Ministry of Justice reported that 150 victims provided assistance to law enforcement and prosecutors during 2018. Victims could file civil suits against traffickers for damages and compensation, even in the absence of a criminal prosecution. Upon criminal conviction, courts typically awarded restitution, including in six of the eight 2018 trafficking convictions. The government provided legal aid for victims unable to afford their own legal representation. The Ministry of Justice also published guidelines in 2018 for the non-punishment of victims for unlawful acts traffickers compelled them to commit.

PREVENTION

The government maintained 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 drafting and October 2018 adoption of the National Action Plan for 2018-2020 by the Council of Ministers. The plan called for expanded training for officers in detention centers and staff of asylum centers, with a focus on victim identification. Austria did not have an independent anti-trafficking rapporteur to evaluate the effectiveness of government efforts. The government supported distribution of publications and television programming on trafficking and child sex tourism, as well as campaigns to inform persons in prostitution. The Ministry of Labor provided an online resource for migrant workers, available in seven languages, including information on labor laws, minimum wage standards, collective agreements, and rights of workers. The MOI continued to run a 24-hour trafficking hotline that received over 500 calls, 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. The FCO implemented programs with China and Nigeria to combat cross-border trafficking and improve and expand joint investigations. The government did not make efforts to reduce the demand for commercial sex. The government subsidized an NGO brochure, in 14 languages, for distribution mainly to persons working in prostitution, to increase awareness of trafficking occurring within the commercial sex industry. The government worked with business and labor organizations in awareness training on labor trafficking and continued to include trafficking in their annual training of labor inspectors that started in 2015. The government continued to enforce public procurement guidelines for the elimination of labor trafficking in the purchase of goods and services.

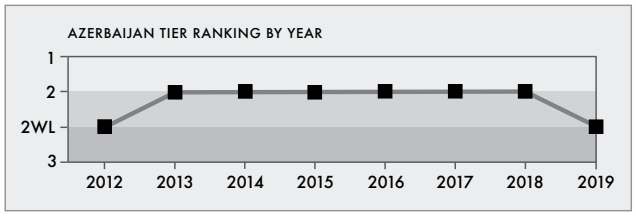
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Austria. Statistics show no Austrian citizens among victims of trafficking. Victims originate primarily from Eastern Europe, with some victims coming from South America, and increasingly from Nigeria, China, and Southeast Asia. Over 95 percent of identified victims are foreign women subjected to sex trafficking. Approximately 65 percent of trafficking victims come from EU member states. There are cases of labor exploitation of domestic household workers, including in diplomatic households, as well as construction, cleaning companies, and agriculture. Children and physically disabled persons are the primary victims of forced begging. Traffickers

subject a growing number of female victims from Nigeria and China to sexual exploitation in massage parlors and brothels. Traffickers use Austria as a transit point in moving victims to other European countries.

AZERBAIJAN: TIER 2 WATCH LIST

The Government of Azerbaijan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included identifying more victims and providing thorough victim assistance at the government-run trafficking shelter and victim assistance center. The government also increased awareness campaigns for Azerbaijani migrants traveling abroad, and the anti-trafficking police unit hired an experienced attorney with a firm understanding of victim-centered approaches. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Prosecution efforts decreased, with courts issuing suspended sentences for nearly all convicted traffickers. The credibility of the Anti-Trafficking Department (ATD) was diminished by credible reports of its arbitrary detention and physical coercion of a confession from a minor; and the government did not regularly screen vulnerable populations and lacked proactive identification efforts, particularly for Azerbaijani victims of internal trafficking. As a result, the government disincentivized cooperation with law enforcement and may have penalized victims due to inadequate identification. The government did not fund NGO-run shelters despite relying heavily on their victim support and reintegration services. Some local officials mobilized and forced some public-sector employees to participate in the autumn cotton harvest. Therefore Azerbaijan was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers and impose strong sentences. • Increase proactive identification efforts, particularly for internal trafficking, forced labor, and child trafficking. • Take action to end forced labor, including during the annual cotton harvest, through such measures as increasing both the public and authorities' understanding of forced labor as trafficking and encourage reporting of incidents to authorities. • Train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and advanced training on trafficking investigations and prosecutions. • Allocate adequate funding to NGO-run shelters providing victim support services. • Train first responders, including law enforcement, immigration, and social services personnel, on proactive victim identification and inform relevant actors on formal identification procedures. • Strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor. • Adopt specific procedures for children, including identification and referral procedures, indicators, and interview questions.

PROSECUTION

The government decreased law enforcement efforts. The 2005 Law on the Fight against Trafficking in Persons and Article 144 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment for offenses involving adult victims and eight to 10 years' imprisonment for offenses 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. Law enforcement investigated 28 cases with 34 suspects (29 cases with 33 suspects in 2017); 26 were for sex trafficking and two for forced labor (25 were for sex trafficking and four for forced labor in 2017). The government prosecuted 34 defendants (29 in 2017). Courts convicted 23 traffickers (29 in 2017), including 21 for sex trafficking and two for forced labor (25 for sex trafficking and four for forced labor in 2017). One trafficker received eight years' imprisonment and another received four years' imprisonment. However, 20 traffickers received suspended sentences and authorities postponed one trafficker's sentence, compared to three traffickers receiving prison sentences between one to five years and 26 traffickers receiving sentences between five to ten years in 2017.

The Ministry of Internal Affairs (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. Authorities often failed to recognize psychological coercion as a means of control leading to internal sex trafficking cases reclassified as organized prostitution. GRETA and international organizations reported most investigations were reactive and lacking corroborative evidence for victim testimony, but law enforcement noted difficulties in conducting proactive investigations due to standard procedures requiring a complaint from a victim to initiate an investigation. ATD hired an experienced attorney with a firm understanding of victim-centered approaches and experts reported good cooperation with ATD. However, ATD's role in protecting the vulnerable was tarnished when they detained a youth activist, who was a legal minor, and held her incommunicado for five days during which ATD officers assaulted and threatened to rape her if she did not sign a document acknowledging involvement in prostitution. Observers continued to report an absence of victim-centered approaches within law enforcement, including local police insulting and dismissing a potential trafficking victim who attempted to self-identify. The government trained new police recruits and ATD, in cooperation with an NGO, trained local police officers. The State Border Service administered annual trainings. The government cooperated with Russia and Ukraine to extradite two suspects to Azerbaijan.

PROTECTION

The government decreased victim protection efforts. The government officially identified 98 victims (71 in 2017), including 82 female victims of sex trafficking and 16 male victims of forced labor (66 female victims of sex trafficking and five male victims of forced labor in 2017). None were foreign victims (three were foreign victims in 2017). The government did not identify any child victims in 2016, 2017, or 2018. GRETA and other observers reported minimal efforts to proactively identify Azerbaijani victims of internal trafficking, including children. As a result, most officially identified victims were Azerbaijani victims identified in destination countries or in previous years, foreign victims exploited in Azerbaijan; officials identified one Azerbaijani victim of internal trafficking in 2018

(none in 2017). The government identified 450 children and 207 parents "involved in begging for the purpose of helping their parents," but it identified no forced begging victims and returned children to their parents without investigating the role of the family in the children's exploitation.

The government had standard operating procedures (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 or understand them. Observers reported the lack of screening of vulnerable populations for trafficking indicators, including women, children, LGBTI persons in prostitution, and foreign migrant workers. Additionally, the government lacked policies tailored to children, such as interview questions, indicators, and referral procedures. 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 57 potential trafficking victims to ATD (six in 2017) and ATD determined two to be victims (none in 2016 and 2017).

The government allocated 147,490 *manat* ($86,760) for victim protection, compared to 150,530 *manat* ($88,550) in 2017. The MIA operated a shelter for trafficking victims, which provided accommodation, financial assistance, legal assistance, and medical and psycho-social support; 95 officially recognized victims and three potential victims received support at this shelter (65 officially recognized victims and six potential victims in 2017). The MIA-run shelter had separate areas for women, men, and children but limited freedom of movement and required victims to submit an application to leave the shelter. The MIA-run shelter accommodated potential victims for up to one month but longer stays required victims to cooperate with law enforcement. The MIA-run shelter provided the only accommodation for male victims. The government allocated a resettlement allowance of 400 *manat* ($240) from an assistance fund for officially recognized victims; 98 victims received the resettlement allowance (71 in 2017). The government raised 13,000 *manat* ($7,650) from private donors in 2018 for a foundation to support potential and official victims. The Victim Assistance Center (VAC) in Baku provided legal, psychological, medical, and employment assistance to officially recognized and potential victims. MIA referred 92 victims to the VAC (68 victims in 2017), civil society referred 27 potential victims (28 potential victims in 2017), and five potential victims self-referred. The VAC provided 28 officially recognized victims with medical aid (44 in 2017), 47 with psychological assistance (52 in 2017), and 32 with legal aid (52 in 2017). Additionally, the VAC provided 25 potential victims with medical aid, 17 with psychological assistance, and nine with legal aid. The government also aided employment of 20 officially recognized and potential victims (21 in 2017) and 23 with vocational training (10 in 2017). Observers reported low pay for VAC employees led to high staff turnover and decreased service quality due to inexperienced staff assisting victims. The government did not provide funding to NGO-run shelters despite relying heavily on their victim support and reintegration services; the government referred 47 victims to NGO-run shelters (41 in 2017). 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 worked on a voluntary basis. The State Migration Service (SMS) could issue temporary residence permits for foreign victims, had authorities identified any in 2018.

The government likely penalized victims for unlawful acts traffickers compelled them to commit. Experts reported authorities may have penalized sex trafficking victims with administrative fines for prostitution due to inadequate identification. Similarly, an international organization referred foreign migrant workers who displayed indicators of trafficking, but ATD did not recognize any as a victim and some were subsequently deported. Authorities did not use legally stipulated victim-witness protection measures for trafficking victims. GRETA and other international organizations reported prosecutors believed such measures were unnecessary for trafficking victims and noted the lack of licensed attorneys providing legal assistance to victims due to low pay. Children testified without a child psychologist or attorney to communicate legal terminology in a child-friendly manner.

PREVENTION

The government maintained prevention efforts. The national coordinator led the implementation of the 2014-2018 national action plan and coordinated government wide anti-trafficking efforts; however, lack of cooperation between agencies hindered interagency coordination. The government provided 125,650 *manat* ($73,910) to civil society for awareness campaigns, compared to the 104,000 *manat* ($61,180) in 2017. The government conducted awareness campaigns targeting youth, students, and families. The Ministry of Foreign Affairs created a division responsible for increasing awareness of trafficking for Azerbaijani migrants traveling abroad, and SMS offered weekly training programs for migrants to Azerbaijan. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts. ATD operated the "152" hotline; the hotline received 6,310 calls (8,565 calls in 2017), 24 of which were related to trafficking. 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 spontaneous labor inspections until 2021.

TRAFFICKING PROFILE

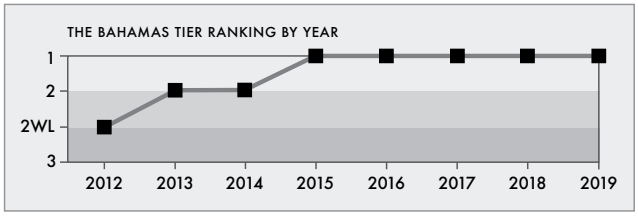
As reported over the past five years, human traffickers exploit domestic and foreign victims in Azerbaijan, and traffickers exploit victims from Azerbaijan abroad. Azerbaijani men and boys are subjected to forced labor in Azerbaijan, Russia, Turkey, and the United Arab Emirates (UAE). Women and children from Azerbaijan are subjected to sex trafficking within the country and in Iran, Malaysia, Pakistan, Russia, Turkey, and the UAE. Azerbaijan is a destination country for sex and labor trafficking victims from China, Russia, Turkmenistan, Ukraine, and Uzbekistan. In previous years, Azerbaijan has been used as a transit country for victims of sex and labor trafficking from Central Asia to Iran, Turkey, and the UAE. Within the country, some children are subjected to forced begging and forced labor as roadside vendors and at tea houses and wedding facilities.

During the year, there were isolated reports that local officials mobilized and forced some public-sector employees to participate in the autumn cotton harvest. Local officials threatened civil servants (including medical practitioners and teachers) and their families, implicitly or explicitly, with job

termination if they did not participate in the cotton harvest. Experts reported labor mobilization from public institutions takes place, but such practices were ad-hoc.

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. These efforts included passing a national action plan, increasing funding for victim assistance and anti-trafficking prevention, elevating national anti-trafficking planning to the office of the Prime Minister, and instituting an anti-trafficking course into the training curriculum of the Immigration Department. Although the government meets the minimum standards, authorities initiated significantly fewer investigations and inconsistently applied screening procedures to vulnerable populations. Credible allegations of corruption raised concerns about vulnerabilities of potential trafficking victims during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, convict, and appropriately punish traffickers, including officials complicit in sex or labor trafficking. • Implement robustly the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups, including Haitians, Venezuelans, and other migrants. • Provide vulnerable individuals with assistance prior to, during, and after screening for trafficking. • Provide language and cultural interpretation in screening and trauma-informed protective services for vulnerable populations, particularly in lesser known languages such as Creole and Spanish. • Increase victim-centered training for prosecutors, judges, and police on the Trafficking in Persons Act and collecting corroborative evidence to support victim testimony. • Increase grassroots outreach to potential trafficking victims among vulnerable groups, in partnership with non-governmental organizations (NGOs). • Strengthen engagement with officials involved in anti-trafficking activities in other countries in the region.

PROSECUTION

The government decreased law enforcement efforts. The Trafficking in Persons (Prevention and Suppression) Act 2008 criminalized sex trafficking 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 trafficking offenses; however, outside reports of official involvement in protecting sex trafficking rings and corruption within the Immigration Department remained a concern, as these created vulnerabilities for potential trafficking victims and reduced victims' willingness to self-identify to or assist law enforcement in the investigation and prosecution of their traffickers. The lack of judges and prosecutors in the country contributed to significant backlogs in all cases and the government did not report whether all judges, prosecutors, and other law enforcement officials received training on the Trafficking in Persons Act. Authorities initiated two new investigations, both for sex trafficking, the lowest number of investigations in the past six years; authorities initiated between 11 and 15 investigations annually in the preceding six years. Authorities initiated one prosecution for sex trafficking, compared to two in 2017. The government convicted one trafficker with a sentence of 12 years' imprisonment, compared to one conviction in 2017 with a sentence of 21 years' imprisonment. The conviction was a result of cooperation with the government of Jamaica. The government reported that one pending prosecution is still under investigation and the second pending prosecution is scheduled to go to court in January 2020. Government officials instituted trafficking training in the curriculum for all new immigration officers and trained 118 immigration and customs officials during the reporting period.

PROTECTION

The government maintained 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 identified two victims of sex trafficking out of 28 individuals screened in 2018, compared to five identified victims out of 37 individuals screened in 2017. The identified victims were adult females, one from The Bahamas, and the other from Venezuela. The National Trafficking Committee referred both victims to a care facility and a social worker. Another potential victim self-identified as a trafficking victim when brought to court on visa overstay charges; the trafficking task force, immigration and police authorities investigated her and others involved in her case, determined it was not a trafficking case and subsequently deported her. The government reported it determined which potential trafficking victims to formally screen for trafficking based on referrals from initial screenings by non-governmental and faith based organizations, businesses, and other ministries, although these organizations may be implicated in trafficking. Experts reported authorities did not use formal protocols to screen all migrants, both those residing in country and others upon arrival, for trafficking or to protect those identified as victims. The increasing influx of migrants, inconsistent training of staff, and lack of implementation of identification protocols in migrant languages raised concerns that authorities penalized potential trafficking victims. Experts reported authorities rapidly and routinely detained and deported irregular Haitian migrants without screening for trafficking.

The government reported spending 125,710 Bahamian dollars ($125,710) on trafficking victims' care and prevention activities, an increase from 82,060 Bahamian dollars ($82,060) in 2017. The government also provided 240,000 Bahamian dollars ($240,000, the same as 2017) to four NGOs that provide services to trafficking victims, among other vulnerable groups.

Authorities encouraged identified trafficking victims to assist in prosecutions by providing them with lodging, food, a stipend, clothing, medical assistance and psychological counseling, immigration relief, legal and transportation assistance, support during court proceedings, and witness protection, including a constant presence of police or Royal Bahamian Defense Force as escort or protection outside shelters. There was no dedicated shelter for trafficking victims and authorities placed victims in NGO-managed shelters shared with domestic violence victims. Care could be provided to all victims, although no male victims were identified during the reporting period. Initially, the committee provided short-term lodging and later long-term lodging. Victims did not have a choice in shelter options, but they could choose to reside independently elsewhere, although the government did not report providing lodging assistance in such cases. Government assistance was not contingent upon cooperation by victims. Bahamian law permitted 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. One of the identified victims during the reporting period assisted with the investigation and prosecution of her cases while the other left the country. The anti-trafficking act authorized the court to order convicted defendants to pay restitution to victims; however, courts did not order such restitution in the past four years.

PREVENTION

The government increased prevention efforts overall. The National Trafficking Committee coordinated government efforts. Starting in 2018, the Prime Minister met with the Committee quarterly and cleared all of its policies. The government approved a new national action plan from 2019 to 2023 and increased overall funding for anti-trafficking activities. Outside experts noted the government conducted insufficient outreach to vulnerable populations, such as the Haitian community. The government conducted assessments of its anti-trafficking efforts but did not make them public. The government and an NGO administered a survey to 130 students assessing their understanding of trafficking at 29 schools. The Department of Labor and an NGO delivered awareness campaigns explaining indicators of trafficking in more outer islands most affected by trafficking and in Creole to Haitian migrant communities. The Department of Public Health, together with the Committee, delivered awareness training to 153 health professionals and student nurses.

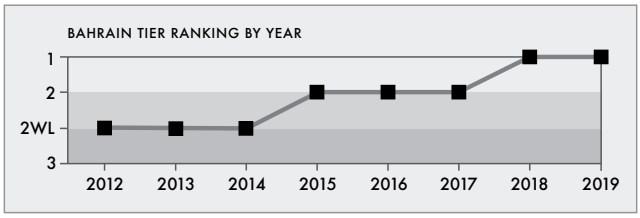
The Department of Labor did not continue past practices of distributing pamphlets or letters about labor trafficking and workers' rights to foreign nationals with work permits and advising employers of the prohibition against document retention. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. In February 2019, the government launched a new trafficking hotline with one staff member and purchased a vehicle to promote the hotline in vulnerable communities.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in The Bahamas, and traffickers exploit victims from The Bahamas abroad. Traffickers recruit migrant workers, especially those from Haiti, Jamaica, the Dominican Republic, China, Costa Rica, Cuba, Colombia, Venezuela, the Philippines, and the United States through false offers of employment, such as through advertisements in foreign newspapers; upon arrival, traffickers subject them to sex trafficking and forced labor, including in domestic service and in sectors with low-skilled labor. Children born outside The Bahamas to female citizens or in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship are at heightened risk of trafficking. Individuals lured for employment and those involved in prostitution and exotic dancing and illegal migrants are particularly vulnerable to trafficking.

BAHRAIN: TIER 1

The Government of Bahrain fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Bahrain remained on Tier 1. The government demonstrated serious and sustained efforts by increasing overall trafficking convictions, sentencing two complicit officials to significant jail time, and establishing and disbursing funds from the new Victim's Assistance Fund to 10 victims. The government also allowed more undocumented workers to sponsor themselves independent from an employer, and it digitized its victim case management system within its National Referral Mechanism (NRM) to increase efficiency of referrals from a broad array of stakeholders and enable better monitoring and evaluation. Although the government meets the minimum standards, it did not regularly investigate as potential trafficking crimes cases of unpaid or withheld wages, passport retention, and related abuses—all potential indicators of forced labor—which it handled administratively as labor law violations. Its law enforcement efforts were disproportionately focused on sex trafficking, as it infrequently investigated, prosecuted, or convicted cases of forced labor. Incomplete legal authorities and limited access of labor inspectors and other relevant authorities to domestic worksites hindered implementation of existing laws governing the sector.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, particularly suspects of labor trafficking crimes, indicators of trafficking among domestic workers, and allegedly complicit officials. • Expand and actively enforce labor law protections for domestic workers. • Strengthen and expand efforts to reform the sponsorship system by extending labor law protections to all workers in Bahrain, including domestic workers and all workers holding flexible work permits; and include all employment sectors under the Wage Protection System. • Increase investigations and prosecutions of potential trafficking cases involving passport retention and non-payment of wages as trafficking crimes. • Increase proactive identification of trafficking victims among vulnerable groups, such as domestic workers, migrant workers, and women in prostitution. • Routinely use tripartite labor contracts for domestic workers. • Strengthen training for officials, particularly police personnel,

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 trafficking 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. Additionally, 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 19 potential trafficking cases during the reporting period, of which 16 were for sex trafficking and three for forced labor, and involved adult females from Bangladesh, Ethiopia, India, Indonesia, Morocco, the Philippines, Russia, Sri Lanka, and Thailand; this is compared to 31 potential sex trafficking cases investigated during the previous year. Labor authorities reportedly referred an unknown number of cases of passport retention to the police for further investigation, as they violated the penal code. Officials referred eight investigations for prosecution, seven sex trafficking cases and one forced labor case, down from 18 it referred the prior year, while the remaining 11 cases remained under investigation as non-trafficking cases. It convicted 23 traffickers for sex trafficking crimes from a total of seven cases and sentenced them to between five and 10 years' imprisonment plus a fine of 2,000 Bahraini *dinar* ($5,310); officials investigated four of these cases during the previous reporting period. Those convicted were of Bahraini, Bangladeshi, Indian, Indonesian, Pakistani, and Sri Lankan nationality. In 2017, Bahrain convicted and sentenced seven sex traffickers. As a supplemental penalty, the traffickers paid all costs associated with funding the repatriation of the victims to their respective home countries. The government planned to deport all non-Bahraini trafficking offenders upon the completion of their sentences. The government reported and local press broadcasted the convicting and sentencing of two police officers for sex trafficking crimes investigated during the previous reporting period. One law enforcement officer accepted bribes from traffickers and used his position of authority to preclude any investigations of the sex trafficking ring. The other officer, over a five-year timeframe, used his position and connections with hotels and residential buildings and colluded with a Colombian woman to lure women to Bahrain through social media under false pretenses of high salaries in legitimate jobs. The High Criminal Court sentenced both complicit officials involved in separate cases during this reporting period to 10 years in prison and a fine of 2,000 Bahraini *dinar* ($5,310). Additionally, local press reported the initial investigation of a police officer for his alleged involvement in forcing foreign women into prostitution; however, due to insufficient evidence, authorities acquitted the accused officer.

The government did not routinely investigate unpaid or withheld wages, passport retention, and related abuses as indicators of trafficking, but instead treated these cases as administrative labor law violations. The public prosecutor did not receive any referrals from the Labor Market Regulatory Agency (LMRA) for recruitment agencies allegedly involved in forced labor; it received four such referrals during the previous reporting period. More than 500 government officials from key ministries participated in various targeted anti-trafficking workshops during the reporting period. The LMRA fully funded a donor-led, three-part training seminar for 85 government staff focused on investigating cases of forced labor and sex trafficking. Officers and MOI personnel continued to receive annual, mandatory anti-trafficking training at the Royal Academy for Police.

PROTECTION

The government maintained efforts to protect victims. The government identified twelve adult trafficking victims (11 sex trafficking victims and one victim of forced labor), among 259 potential victims it provided shelter to during the reporting period, a decrease from 31 adult trafficking victims it identified the previous year out of a total 516 assisted. The confirmed victims hailed from Bangladesh, Colombia, Sri Lanka, Indonesia, India, and Thailand. Officials reported the vast majority of the individuals it assisted were not confirmed trafficking victims, but rather vulnerable workers involved in labor disputes and employees requiring temporary shelter prior to repatriation. The government continued to employ and distribute its NRM designed to proactively identify trafficking victims, ensure proper documentation of cases, 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. Officials distributed the 30-page, bilingual English-Arabic NRM booklets to all relevant ministries and nongovernmental stakeholders, and trainers from two international organizations, with governmental financial and in-kind support, continued to provide trainings to key stakeholders on its effective implementation. In November 2018, the government digitized the case management process of the NRM to increase its speed and effectiveness, and used the online platform to monitor and analyze trafficking and prosecution trends. The LMRA reportedly received direct referrals from a variety of sources, including the national anti-trafficking committee's hotline, police stations, other government entities, and foreign embassies. The LMRA's Expatriate Protection Unit (EPU) hosted 182 females—12 of whom were trafficking victims—and provided them with shelter, food, clothing, medical care, religious support, psycho-social counseling, rehabilitation, transportation, familial reunification, translation assistance, legal counsel, and repatriation or job placement in Bahrain. The EPU continued to oversee the safe house and shelter available to both male and female workers, regardless of their legal status in Bahrain. It also maintained onsite offices for medical and mental health professionals and a representative from the police anti-trafficking unit, and provided a room for training shelter residents and a conference space for the national anti-trafficking committee. Embassies of labor-sending countries reported they temporarily housed some potential victims involved in labor disputes or abusive situations who refused to go to the EPU or were unable to reach it. In April 2018, the national anti-trafficking committee allocated 200,000 Bahraini *dinar* ($530,500) for the establishment of a victim assistance fund from which trafficking victims were entitled to small grants ($3,000) to help them reestablish themselves either in Bahrain or in their home country. Trafficking victims were also eligible for an additional monthly compensation for loss of income in the event their presence for an extended period in Bahrain was requested by the judge to conclude a criminal trial. The fund has supported 10 trafficking victims since its official launch. Additional funding was available through the LMRA's budget to cover the costs of victim repatriation and daily EPU expenditures.

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. However, Article 22 of the Labor Law—which prohibits contract switching or changes to preset work conditions outlined in the contract—was not applicable to domestic workers, which increased their vulnerability to forced labor. 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. The LMRA made available on its homepage as well as disseminated to all registered recruitment agencies in Bahrain copies of the standard tripartite labor contract, which required domestic workers to sign, prior to their arrival, a comprehensive work agreement that outlined labor rights and employment obligations. The unified contract aimed 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. This mechanism 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. The government reported that licensed recruitment agencies used the standardized labor contracts for newly arrived domestic workers during the reporting period. In March 2019, the LMRA announced streamlined processes for obtaining initial visas and visa renewals for domestic workers. The inclusion of domestic workers in the Expat Management System, along with all other expatriate workers, increased visibility through standardizing the application process and retaining all worker-employee documents on the LMRA's systems. The government mandated all applications for domestic workers, whether through a licensed recruitment office or directly from the employer, must be accompanied by the standard tripartite labor contract.

There were no reports the government penalized victims for unlawful acts traffickers compelled them to commit; however, it did not universally employ its proactive identification mechanism among vulnerable groups, such as domestic workers, migrant workers who fled employers, and women in prostitution, meaning some potential victims may have remained unidentified and unprotected. Bahraini officials provided full assistance to trafficking victims regardless of their willingness to participate in investigations and court proceedings of their traffickers and relieved them from all legal and financial penalties related to actions committed as a result of being subjected to trafficking. 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. During the reporting period, 12 trafficking victims assisted with law enforcement investigations compared to no reported participation during the previous reporting period. NGOs reported workers who overstayed the legal validity of their tourist or work visa 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 an employer who was not their sponsor, after leaving the employment of the sponsor that facilitated their entry into the country. The labor law allowed foreign workers to change sponsors during investigations and court proceedings. The government reported that 18,063 workers transferred employment from one sponsor to another 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 mistreatment due to employer reprisal. During the reporting period, per the victim's request the government repatriated 12 third country national trafficking victims to their countries of origin.

PREVENTION

The government strengthened overall efforts to prevent trafficking. Since its inception in July 2017, the LMRA's "flexible (or flexi) work permit" program has served to regularize thousands of undocumented workers while simultaneously permitting previously exploited and irregular laborers to sponsor themselves independent of an employer. The "flexi" permit ultimately aimed to reduce trafficking vulnerabilities inherent to the sponsorship-based employment system. During the reporting period, the number of "flexi" permit holders increased from 5,000 to more than 24,000, comprised more than 50 different nationalities, and approximately 90 percent of "flexi" recipients hailed from Bangladesh. Under the "flexi" permit, expatriates can reside and work in Bahrain without a sponsor. Successful applicants can work any full- or part-time job with any chosen employer—including multiple jobs concurrently with various employers—and are able to directly negotiate wages and working hours. To address the concerns of NGOs and source country embassies regarding equity in coverage, in November 2018, the government temporarily extended eligibility for a six-month amnesty period to non-domestic workers and domestic workers—which includes agricultural workers, home security personnel, nannies, drivers, and cooks—who absconded from their employers. In addition, legal workers were eligible to enroll in the program without the consent of their employer after the termination or expiry of their work permit. Furthermore, in November the LMRA amended the "flexi" permit to allow new enrollees to purchase either a one- or two-year permit for 449 Bahraini *dinar* ($1,190) or 277 Bahraini *dinar* ($730), respectively. However, in February as part of the government's launch of a National Employment Program, designed to promote the hiring of Bahrainis in the private sector, it subsequently increased fees for companies that hire Bahrainis over expatriates as well as the overall cost of the "flexi" permit fee. The two-year permit increased by 300 Bahraini *dinar* ($800) and the one-year permit increased by 150 Bahraini *dinar* ($400). The latter form of the "flexi" permit included a work permit, health care coverage, a refundable deposit for travel tickets, an extension of residency timeframes, and waived immigration fines incurred while in irregular status. During the reporting period, the Government of the Philippines began paying for its citizens' "flexi" permit application fees with an estimated budget of $1.4 million to encourage wider participation in the program. However, some NGOs and labor rights organizations continued to express concerns that the "flexi" program created a system of day laborers, overly shifted legal responsibilities to the employees, and generated economic coercion given the associated costs of eligibility.

Passport retention was a crime punishable under Article 395 of the Bahraini penal code, although it remained a ubiquitous practice by employers of unskilled laborers and domestic workers. 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, the Ministry of Labor (MOL), or LMRA; a worker may also register a complaint to the court directly if the employer refuses to return the passport. Labor authorities reportedly referred an unknown number of cases of passport retention to the police as they violated the penal code vice labor law; however; they did not report investigating any such cases as potential trafficking crimes. The government typically treated indicators of forced labor—cases of unpaid or withheld wages, passport retention, and related abuses—administratively as labor law violations and resolved through arbitration rather than routinely investigating for trafficking crimes; however, if arbitration was unsuccessful a worker could file a grievance against the employer in a labor court. The government piloted a recruitment integrity system, designed by an international organization, to identify agencies for auditing to ensure they adhered to global ethical standards on labor recruitment. Moreover, in partnership with the international organization, officials funded several workshops to certify that eight labor recruitment agencies had ethical labor recruitment and employment methods in compliance with international standards. During the reporting period, the government permanently shut down two recruitment agencies and revoked both licenses for contravening Bahraini labor law, and it cancelled the licenses of an additional 14 agencies due to non-compliance with LMRA regulations; in 2017, the government closed three agencies and cancelled 17 licenses. The LMRA's Enforcement and Inspection Department employed 70 inspectors responsible for enforcement of employment violations, immigration violations, and worksite inspections; the inspectorate body conducted quarterly visits to all recruitment agencies.

The national committee's budget remained at 500,000 Bahraini *dinar* ($1.3 million) for operations and 376,000 Bahraini *dinar* ($997,350) for anti-trafficking outreach programming. The government also earmarked an annual budget of 190,000 Bahraini *dinar* ($503,980) to establish and run a center of excellence for an international organization for the purposes of capacity building for victim assistance among government and regional stakeholders. The government maintained its anti-trafficking awareness campaign in both local and expatriate communities in Bahrain, involving youth of various nationalities, schools, religious institutions, NGOs, and foreign embassies. In partnership with an international organization, the national committee 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, the government regularly hosted students from the University of Bahrain's legal clinic to enrich their understanding of trafficking, in addition to the protective services officials provide to foreign and domestic laborers. The LMRA continued to provide booklets outlining labor rights in 14 languages common among expatriate and migrant worker populations, and distributed them to such populations upon their arrival at the Bahrain International Airport and at LMRA when applying for initial or renewed residency cards. The LMRA's hotline was active to both collect reports and serve as a resource to educate workers about their rights and available services in Arabic, English, Hindi, Malayalam, Sinhalese, Tagalog, Tamil, Telugu, and Urdu. During the reporting period, the hotline received 5,654 calls, most of which pertained to labor rights, advice on workplace situations, and miscellaneous requests; however, officials did not identify any trafficking victims through this hotline. MOL investigated 1,373 cases of delayed or withholding of wages based on calls received, of which they resolved 48 percent in amicable out-of-court settlements and referred the remainder to the labor courts. The government had memoranda of understanding with several labor exporting countries, including 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 or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

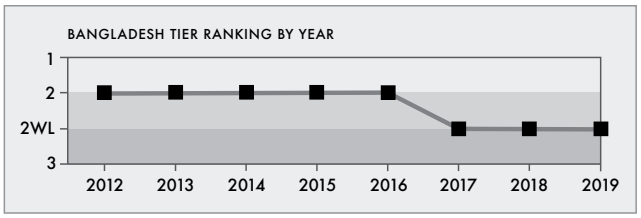
As reported over the past five years, human traffickers exploit foreign victims in Bahrain. Men and women, primarily from India, Bangladesh, Pakistan, Philippines, Ethiopia, Nepal, Egypt, Jordan, Yemen, Thailand, Syria, and Kenya, among other countries, migrate voluntarily to Bahrain to work as semi-skilled or unskilled laborers in the construction and service industries. In recent years, the greatest influx of workers hailed from Bangladesh, and Bangladeshis made up the majority of Bahrain's 61,000 undocumented workers; their illegal residency status renders them vulnerable to under- and non-payment of wages, debt bondage, and other forms of labor exploitation. During the reporting period, 78 percent of the total Bahraini workforce was comprised of foreigners. Domestic workers—male and female—and unskilled laborers, mostly in the construction sector, remain the most vulnerable to trafficking. Some employers subject migrant workers 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. 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. Government and NGO officials report physical abuse and sexual assault of female domestic workers are significant problems in Bahrain; controlled freedom of movement, withholding of workers' identity cards and passports, and employer coercion precludes employees from reporting instances of exploitation.

The government maintained regulatory authority over recruitment agencies, but many migrant workers arrive in Bahrain independent of regulated agencies. Local press reported traffickers recruit women from Sri Lanka, India, and Bangladesh to Bahrain via social media platforms or Bahrain-based acquaintances under false pretenses of high-paying jobs and subsequently force them into prostitution. Traffickers also convince other women, mostly domestic workers already in Bahrain, to abscond from their employers with false promises of higher paying jobs; after being recruited some women are also reportedly compelled into prostitution through physical threats and debt-related coercion. Domestic workers hailing from African countries are increasingly vulnerable to labor trafficking 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 given or 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 an employer who was not their sponsor, 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 trafficking. Although some reforms are underway, Bahrain's sponsorship-based employment system continues to put some workers at risk of trafficking by restricting their ability to change employers or leave the country, and by giving employers the unilateral power to control the status of residency permits.

BANGLADESH: TIER 2 WATCH LIST

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included adopting a national action plan to combat trafficking, convicting traffickers, initiating an investigation into a police officer accused of child sex trafficking, and continuing to investigate some potential trafficking crimes against Rohingya refugees. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government identified significantly fewer trafficking victims and did not consistently refer victims to care, and reports of it doing so were far fewer than the number of victims it identified. Victim care remained insufficient; Rohingya and foreign trafficking victims could not access protective services, and the government did not have shelter for adult male victims. The government acknowledged investigations, prosecutions, and convictions for trafficking remained inadequate compared to the scale of the problem. Despite at least 100 credible reports of forced labor and sex trafficking of Rohingya within Bangladesh, the government did not report investigating or prosecuting these potential crimes, and the Bangladesh High Court did not entertain anti-trafficking cases filed by Rohingya. However, the government allowed significant humanitarian access to the Rohingya camps and cooperated closely with UN and NGOs in counter-trafficking efforts. Official complicity in trafficking crimes remained a serious problem, and the government did not report taking any action against some high-profile allegations. The government continued to allow employers to charge high recruitment fees to migrant workers and did not consistently address illegally operating recruitment sub-agents, which left workers vulnerable to trafficking. Because the government has devoted significant resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Bangladesh was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Bangladesh remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Significantly increase prosecutions and convictions for trafficking offenses, particularly of labor traffickers and complicit government officials, while strictly respecting due process. • Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure recruitment fees are paid by employers. • Increase investigations and prosecutions of credible allegations of trafficking of Rohingya, including cases that do not involve movement. • Establish guidelines for provision of adequate victim care and standard operating procedures (SOPs) for the referral of victims to such services. • Expand services for trafficking victims, including adult male victims, foreign victims, and victims exploited abroad. • Allow Rohingya freedom of movement and access to education and employment to reduce their risk of trafficking. • Enhance training for officials, including law enforcement, labor inspectors, and immigration officers, on identification of trafficking cases and victim referrals to services. • 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 access to justice and assistance. • Establish clear procedures for Rohingya to file complaints in the legal system, and train law enforcement and camp management on the procedures. • Improve collaboration with NGOs and civil society for more effective partnership on anti-trafficking efforts, including allowing service providers increased access to assist victims. • Resource and implement the 2018-2022 National Plan of Action. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts and took some steps to address one case of official complicity in trafficking, which remained pervasive and serious. The 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) criminalized sex trafficking and labor trafficking and prescribed penalties of five years to life imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) ($595). Bonded labor was treated as a separate offense and prescribed lesser penalties of five to 12 years' imprisonment and a fine of not less than 50,000 BDT ($595). 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 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 training 23,890 police officers on human trafficking in 2018, it did not report if police and other relevant officials received training on the PSHTA implementing rules, which it disseminated in 2017. Many law enforcement officers did not understand human trafficking and, at times, conflated it with migrant smuggling.

The government recorded 592 cases involving 1,324 suspects under the PSHTA during the reporting period, a decrease from 778 cases the previous reporting period. The vast majority of cases involved the smuggling of Rohingya and Bangladeshis, and it is unclear how many of those cases also contained crimes of trafficking in persons. Courts did not report how many trafficking prosecutions they initiated or continued from previous reporting periods. Courts reported conviction of eight traffickers in five potential trafficking cases, all involving the transportation of women abroad for sex trafficking or forced labor. Six convicted traffickers received life imprisonment and a 50,000 BDT ($595) fine, one received life imprisonment, and one received 15 years' imprisonment. This is compared to one conviction in the previous reporting period, in which the trafficker received life imprisonment. The government

acknowledged investigations, prosecutions, and convictions for trafficking remained inadequate compared to the scale of the problem. According to media analysis of police data, the government's conviction rate for trafficking crimes under the PSHTA from 2013-2019 was 0.4 percent. The government continued to allow mobile courts, established under the executive branch, to adjudicate smuggling cases, some of which might have contained elements of human trafficking.

Mobile courts could only prescribe penalties of up to three years' imprisonment—less than the minimum penalty of five years' imprisonment for trafficking offenses under the PSHTA. In addition to the cases under the PSHTA, mobile courts convicted 11 individuals in two cases for "human trafficking" during the reporting period and sentenced them to between two and six months' imprisonment. However, case information indicated the individuals had likely committed migrant smuggling crimes without evidence of exploitation in forced labor or sex trafficking. Despite more than 100 reports from NGOs of Rohingya subjected to forced labor and sex trafficking within Bangladesh, the only Rohingya-related cases reported by law enforcement involved movement via boat—cases that might have been migrant smuggling without elements of trafficking. An NGO expressed concern that some village courts, five-person panels of local government officials and villagers, adjudicated trafficking cases but could only administer financial penalties, and the courts may have subjected victims to intimidation, fraud, and corruption. The government had not established the anti-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 lacked expertise in trafficking. Observers stated the government generally did not dedicate sufficient resources to pre-trial investigations and prosecutors persisted with trials to meet the statutorily required timeline of 180 working days for the disposal of cases, even if inadequately prepared.

The government deployed the Rapid Action Battalion and the Bangladesh Army to bolster security around Rohingya refugee camps, including to stem human trafficking and migrant smuggling. The Bangladeshi High Court did not entertain anti-trafficking cases filed by Rohingya, despite the law allowing Rohingya to file trafficking cases in Bangladeshi courts. The government did not establish clear legal reporting mechanisms within the camps, which impeded Rohingya trafficking victims' access to justice and increased impunity for offenders. In an effort to remedy these deficiencies, police and international donors established one help desk in one refugee camp to provide legal assistance to Rohingya female and child victims of crime, and an international organization trained 55 female police on victim-centered investigations and interviews for cases of sexual- and gender-based violence. Public distrust of police and security services deterred many victims of crime, including trafficking, from approaching law enforcement for assistance.

Official complicity in human trafficking and impunity for offenders remained serious concerns. Observers reported some police took bribes and sexual favors to ignore potential trafficking crimes at brothels, and some labor attachés, local politicians, judges, and police requested bribes from victims and their families to pursue cases. Observers alleged some officials from district employment and manpower offices allegedly facilitated human trafficking, and some traffickers in rural areas had political connections that enabled them to operate with impunity. According to NGOs, some local politicians convinced victims to accept payment from recruitment sub-agents to not report fraudulent or exploitative labor recruitment actions to police. International organizations alleged some Bangladeshi border guard, military, and police officials facilitated trafficking of Rohingya women and children, ranging from accepting bribes to provide traffickers access to refugee camps, to direct involvement in facilitating their exploitation. Other observers reported some police conducted slow and flawed investigations to allow traffickers to evade punishment, including when suspects included fellow officers. During the reporting period, police arrested a law enforcement officer for allegedly recruiting two 12-year-old girls for employment and exploiting them in sex trafficking and forced criminality; he remained in police custody while the investigation continued. In a second case, two Bangladeshi border guards propositioned two girls for commercial sex and raped them. The commanding officer referred to the allegations as "rumors" and did not report law enforcement action against the suspects; police prevented NGO personnel from visiting the girls in the hospital. Media reported that from 2015-2018, Malaysian employment agencies and 10 Bangladeshi recruitment agencies formed a monopoly on recruitment of Bangladeshi workers to charge higher recruitment fees—which increased Bangladeshi migrant workers' vulnerability to debt-related coercion—and reportedly bribed politicians and officials in both countries to facilitate the monopoly. In October 2018, the Dhaka High Court directed the Bangladesh government to form a committee to investigate the alleged monopoly and submit a report within six months; the government did not report if it created this committee, investigated any officials in connection with the case, or received the six-month report. 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 Bangladesh foreign service as an ambassador. The default judgment remained unpaid while the case was on appeal. The plaintiff had 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.

PROTECTION

The government decreased victim identification and protection efforts. Through its 592 cases recorded under the PSHTA, the government identified 419 potential trafficking victims, including 155 adult males, 172 adult females, and 92 children. The government did not provide a breakdown of the type of trafficking or nationality of victims. This is a significant decrease from the identification of 770 potential victims in 2017. The government reported identification of an additional 1,472 individuals, including many Rohingya, intercepted during alleged smuggling operations; it was unclear how many were also victims of forced labor or sex trafficking. Two organizations reported identifying 969 additional potential trafficking victims. Among the 969, one organization identified 99 Rohingya that traffickers removed from refugee camps and exploited in sex trafficking (nine females) and labor trafficking (90 males and females) within Bangladesh between October 2017 and October 2018. The second organization identified hundreds of Rohingya

and Bangladeshi smuggling victims, but it did not report if they also endured forced labor or sex trafficking. The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had SOPs for proactive trafficking victim identification; 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 referring any trafficking victims to government or NGO-run services in 2018, compared to referring one victim to care in 2017. One NGO, however, reported receipt of 25 trafficking victim referrals from the government. While the government did not provide services specifically designed for trafficking victims, the Bangladesh police operated centers for women and child victims of violence, including trafficking, in each of Bangladesh's eight divisions, and these centers assisted some trafficking victims during the reporting period. 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 child victims of violence to provide shelter, medical care, counseling, and referral to other services, including legal assistance; these shelters could assist trafficking victims. Neither the government nor NGOs provided shelter or rehabilitation for adult male victims; they could each provide some basic services for males, including repatriation and job placement. The government did not have a standard, adopted policy to refer victims to services, although it retained a court-order mechanism to do so and some officials followed an NGO's written guidelines for referral to and provision of care. The government did not allow foreign victims to access government services. NGOs could provide some care for foreign trafficking victims, but it was inadequate to prevent re-trafficking. NGOs could provide two or three days of temporary care to Rohingya trafficking victims in "safe homes" but then were required to return Rohingya trafficking victims to refugee camps, where they remained vulnerable to trafficking. NGOs continued to state government services did not meet minimum standards of care, and the insufficient rehabilitation resources contributed to re-trafficking of victims. In addition, the government's NGO Affairs Bureau sometimes withheld its approval for foreign funding to NGOs working in areas the bureau deemed sensitive, such as human rights or humanitarian assistance, which hampered the provision of services to some trafficking victims. Government shelters did not allow victims to leave without a court order, and the government also required NGOs and international organizations to obtain a court order to contact victims in government shelters to provide further rehabilitation services.

The government made minimal efforts to assist Bangladeshis exploited abroad. It continued to implement its 2015 memorandum of understanding with the Government of India on human trafficking, which included coordination on the identification and repatriation of Bangladeshi victims. In practice, NGOs reported the Bangladesh 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. In a few cases, Bangladeshi embassies provided short-term shelter or funded repatriation of a trafficking victim. The government provided some compensation to migrant workers upon return to Bangladesh, although it was unclear if any were trafficking victims. One NGO reported repatriation of 355 Bangladeshi trafficking victims exploited abroad, but it did not report what the government contributed to these repatriations. The government continued to operate five safe houses at embassies abroad for female Bangladeshi workers fleeing abusive employers, and these shelters housed 169 females during the reporting period. The government maintained 29 labor offices in embassies and consulates overseas to provide welfare services to Bangladeshi migrant workers, including legal and interpretation services. During the reporting period, Vanuatu authorities reported identification of 101 Bangladeshi male forced labor victims. Despite repeated requests for information from the Government of Bangladesh, Vanuatu authorities reportedly did not share information or coordinate on repatriation options. Overseas Bangladeshi workers who secured their employment through 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 process often yielded minimal awards. The government did not report how many sought or achieved restitution. MEWOE reported settlement of 660 complaints from 2017-2018 and the recovery of 25.7 million BDT ($305,950) from recruiting agencies; it did not report if any complaints involved forced labor. Victims could also file civil suits seeking compensation.

The PSHTA entitled victims to protection during judicial proceedings, including police security. The government and NGOs noted insufficient implementation of this provision, however, resulted in the vast majority of trafficking victims choosing not to pursue cases against their traffickers. In some cases this was a result of traffickers intimidating victims. Because law enforcement did not uniformly employ SOPs to identify trafficking victims among vulnerable populations, including women in prostitution, law enforcement may have penalized sex trafficking victims for unlawful acts their traffickers compelled them to commit. For example, law enforcement raided brothels and arrested foreign women in prostitution for violation of their visas without efforts to screen for trafficking indicators. NGOs reported some authorities detained and fined Bangladeshi trafficking victims who transited through various land and sea routes for failure to carry a passport; one NGO noted the government may have deported some victims without screening for trafficking. The government did not provide legal alternatives to the removal of foreign trafficking victims to countries where they might face hardship or retribution.

PREVENTION

The government maintained efforts to prevent trafficking. In partnership with an international organization, the government drafted and adopted a 2018-2022 anti-trafficking national action plan. The plan notably designated MHA as the lead for anti-trafficking efforts, created a supervisory inter-ministerial committee to oversee the plan's implementation, and included objectives specifically aimed at investigating and preventing human trafficking of Rohingya in Cox's Bazar. MHA, however, relied substantially on international organizations and foreign donors for both financial and technical support to achieve nearly all of the plan's objectives. During the reporting period, MHA published its 2017 annual report on human trafficking. Contacts reported collaboration remained weak between MHA, MSW, and MEWOE on trafficking cases, including case referrals for investigation and victim referrals to care. The government had 555 district- and sub-district level counter-trafficking committees, and some allocated funding for coordination and victim support while others did not function.

The 2013 Overseas Employment and Migrants Act (OEMA) criminalized fraudulent recruitment and unlawful amounts of recruitment fees; however, these provisions still permitted the government to set legal recruitment fees at rates between 85,000 and 262,000 BDT ($1,010-$3,120), high enough to render many migrant workers indebted and vulnerable to trafficking through debt-based coercion. The Bangladesh Association of International Recruiting Agencies (BAIRA) oversaw 1,115 licensed labor recruitment agencies. Its vigilance task force conducted 15 operations in 2018, compared to 14 in 2017, against corrupt recruitment agencies, travel agencies, and *dalals*—illegal and unregulated sub-agents who operated in rural locations and connected prospective migrant workers to licensed employment agencies. MEWOE convicted three labor recruitment agency workers for illegal recruiting practices, sentenced them to three months' imprisonment and a fine, and canceled their registrations. This is a decrease from 2017, when MEWOE suspended 29 recruitment agencies, fined 12, and convicted four individuals with terms of imprisonment for violations of OEMA. The Ministry of Foreign Affairs acknowledged the absence of a legal framework to regulate *dalals*, including those who fraudulently recruited migrant workers for exploitation or used unlawful recruitment fees. 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 a migrant worker's financial situation often determined job placement, not his skills or abilities, and migrant workers frequently paid 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 protect Bangladeshi workers abroad. During the reporting period, the government signed an MOU with the United Arab Emirates that established standards for the recruitment of Bangladeshi workers, including fixed recruitment fees; however, the fixed recruitment fees remained high enough to render migrant workers indebted and vulnerable to trafficking through debt-based coercion. The Saudi Arabian and Malaysian governments deported hundreds of undocumented Bangladeshi workers during the reporting period, some of whom employers had coerced into forced labor or had allowed their documents to expire. The government did not report engagement with these governments or assistance to the deportees. 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. The government provided safe migration information through its 42 district employment and manpower offices and 64 Technical Training Centers (TTCs), an increase from 47 TTCs the previous reporting period. Labor inspectors had responsibility for both the formal and informal sectors. While international organizations estimated 93 percent of child labor—including forced child labor—took place in the informal sector, inspectors did not inspect the informal sector despite their role of monitoring child labor in that sector under the Child Labour Elimination Policy. While inspectors removed more than 375 child laborers from factories in 2018-2019, including forced child labor victims, they did not have a mechanism to refer these children to social services for care or to law enforcement to screen for trafficking. Resources, inspections, and remediation efforts for such offenses remained inadequate. The government continued to conduct national awareness campaigns through print media, television, and text message, at times in partnership with NGOs.

The government continued biometric registration for Rohingya refugees and allowed the UN, international organizations, and foreign governments to provide some assistance to refugees. The government increased the number of security forces deployed to guard and control access to Rohingya camps, which may have contributed to the prevention of some trafficking crimes. However, the government continued to deny Rohingya access to formal schooling, prevent them from working legally, restrict their movement, and suspend birth registration for nearly one year, all of which increased vulnerability to trafficking. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers and provided anti-trafficking training for its diplomatic personnel. During the reporting period, the UN substantiated two sex trafficking claims against two Bangladeshi peacekeepers that had taken place in 2015-2017. The UN repatriated the peacekeepers, and the Bangladeshi authorities' investigations were pending at the end of the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not make efforts to reduce the demand for child sex tourism. Bangladesh is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, traffickers exploit domestic and foreign victims in Bangladesh, and traffickers exploit victims from Bangladesh abroad. Traffickers exploit some Bangladeshi men, women, and children who migrate willingly to work in the Middle East, Southern and East Africa, South and Southeast Asia, Europe, and the United States in forced labor. An international organization estimates more than 700,000 Bangladeshis migrate for work each year through illegal channels and are vulnerable to traffickers. Before 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-based coercion. Some recruitment agencies, agents, and employers 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; this includes promising women and children jobs and exploiting them in sex trafficking upon arrival. During the reporting period, Vanuatu authorities identified more than 100 Bangladeshi male forced labor victims in construction and administration allegedly recruited by the same company between March 2017 and August 2018. Women and girls who migrate for domestic work are particularly vulnerable to trafficking. Traffickers have sold some women who migrated through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work into forced labor and sex trafficking in Syria. Some Chinese men exploit Bangladeshi women in domestic servitude and sex trafficking through arranged marriages. Some traffickers falsify identity documents to make children appear older than age 18 to send them abroad. Saudi Arabia and Malaysia deported hundreds of undocumented Bangladeshi workers during the reporting period, some of whom employers had coerced into forced labor due to their irregular status, or for whom employers had allowed documents to expire.

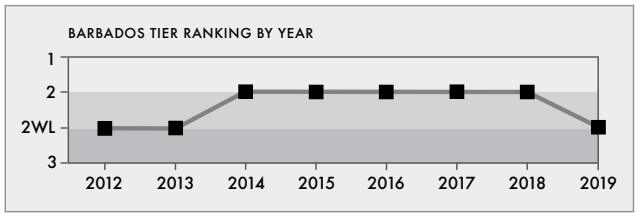
Bangladesh hosts more than one million undocumented Rohingya in refugee camps and host communities in Cox's Bazar near the Burmese border and other parts of the country, approximately 700,000 of whom arrived after August 2017.

Traffickers exploit Rohingya men, women, and children from refugee camps for both sex and labor trafficking, including domestic servitude, although the scale is unknown, including in comparison to the local host community. The Bangladesh government has allowed significant humanitarian access to the Rohingya camps and cooperates closely with UN and NGOs in counter-trafficking efforts. Traffickers sometimes transport Rohingya girls within Bangladesh to Chittagong and Dhaka and transnationally to Kathmandu and Kolkata for sex trafficking; some traffickers "trade" these girls over the internet. Some Rohingya traffickers defraud and coerce Rohingya women and girls from refugee camps into sex trafficking through fraudulent job or marriage proposals, and abduction. Local criminal networks take Rohingya women from refugee camps at night, exploit them in sex trafficking, and bring them back to the camps during the day. International organizations allege some Bangladeshi border guard, military, and police officials facilitate trafficking of Rohingya, including accepting bribes from traffickers to gain access to camps. Rohingya girls and boys are recruited from refugee camps to work as shop hands, fishermen, rickshaw pullers, and domestic workers in Bangladesh. Some Bangladeshi fishermen use debt-based coercion to exploit Rohingya men 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 forced labor through debt-based coercion to Bangladeshi fishermen for 20 years. In the recent past, some traffickers sold into forced labor Rohingya and Bangladeshi migrants, who traveled by boat to Southeast Asian and could not pay ransoms. The stateless status and inability of Rohingya to receive formal schooling or work legally increases their vulnerability to human trafficking. Multiple NGOs and humanitarian officials assess these restrictions have increased forced labor and sex trafficking of Rohingya over the past year. Bangladeshis and foreigners create demand for child sex tourism, including exploitation of Rohingya girls near Cox's Bazar.

Within the country, traffickers exploit Bangladeshi children and adults in sex trafficking and forced labor, including domestic servitude and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the employment terms. Traffickers further exploit children in forced labor in fisheries, aluminum and garment factories, and dry fish production. Traffickers use false promises of work to lure poor women and children into sex trafficking. In some cases, traffickers force sex trafficking victims to become addicted to drugs and use drug addictions to keep them in sex trafficking and forced criminality. Child sex trafficking remained widespread. Traffickers coerce street children into criminality or force them to beg, and begging ringmasters sometimes maim children to increase their earnings. Bangladeshi children are vulnerable to forced labor in tanneries. According to an international expert on debt bondage, traffickers subject Bangladeshi families and Indian migrant workers to bonded labor—a form of forced labor—in some brick kilns; some kiln owners sell bonded females into prostitution purportedly to recoup the families' debts. Some traffickers exploit Bangladeshi families in debt bondage in shrimp farming. Traffickers force ethnic Indian families 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 WATCH LIST

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included conducting raids on nightclubs suspected of trafficking, screening vulnerable individuals for trafficking, providing anti-trafficking training for immigration officials and the police force, and conducting public awareness campaigns. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government identified no victims for the past two reporting periods, initiated no new prosecutions for the fifth consecutive year, and has never secured a trafficking conviction. 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 continued to report 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. Therefore Barbados was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Proactively screen for trafficking indicators and identify victims in vulnerable populations and areas, including children and migrants. • Vigorously investigate, prosecute, and convict traffickers, and apply adequate sentences. • Complete and implement an anti-trafficking manual for law enforcement on identifying, referring and protecting potential trafficking victims. • Complete and implement a national action plan to combat trafficking. • Provide adequate funding to implement the national action plan and support government agencies' anti-trafficking activities. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment. • Provide adequate accommodations with trauma-informed service providers for potential and identified trafficking victims. • Amend the Recruiting of Workers Act to specify the responsible government agency for the enforcement functions.

PROSECUTION

The government decreased prosecution efforts. The Trafficking In Persons Prevention Act (TIPPA) criminalized sex trafficking and labor trafficking. The penalties prescribed for adult trafficking were up to 25 years' imprisonment, a fine of up to 1 million Barbados dollars (BDS) ($495,050), or both. The penalties prescribed for child trafficking were 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 two investigations in 2018, compared with five in 2017, three in 2016, and six in 2015. Police and immigration officials conducted the investigations into suspected trafficking activities in a nightclub and the

airport. Authorities did not initiate any prosecutions under the TIPPA; the government has not reported initiating a prosecution since 2013. The 2013 prosecution of two suspected traffickers remained pending before the court. The government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government acknowledged limited instances of men engaging children for commercial sex; however, it did not report investigating any such cases as trafficking crimes. The Immigration Department and police force conducted trafficking training and sensitization for their officials.

PROTECTION

The government decreased already minimal efforts to protect victims. Officials did not identify any trafficking victims during the past two reporting periods; this compared with eight victims identified in 2016, 12 in 2015, and five in 2014. The government screened 60 vulnerable individuals for trafficking; however, it did not report screening vulnerable children for trafficking. A UN expert noted that Barbados was a transit country for trafficked children and the government was doing little to address the problem. The government did not report any activities of the National Committee for Monitoring the Rights of the Child, which was responsible for outreach on protections for children, including against commercial sexual exploitation.

A formal referral process for government authorities and NGOs existed for victim care, as required by law. The gender affairs bureau was the designated government coordinator for local NGO assistance to victims. There was no shelter on Barbados specifically for trafficking victims. Female trafficking victims could reside at the NGO-operated women's domestic shelter; 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. The child care board could care for child victims if authorities identified any.

The government maintained an informal policy allowing foreign victims to receive temporary legal status as an alternative to their removal to countries where they face hardship or retribution by traffickers; the minister of national security could authorize victims, on a case-by-case basis, to remain and work in the country. The government did not grant any such statuses during the reporting period as it identified no victims. 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 allowed courts to order restitution from a trafficker after a conviction; however, no victims received restitution because no cases had reached conviction. The government did not complete an anti-trafficking manual to outline procedures for law enforcement or immigration to use when interviewing and assisting suspected trafficking victims begun in 2014.

PREVENTION

The government maintained minimal prevention efforts. The government appointed the new attorney general to lead the government's anti-trafficking task force, which included 10 heads of government ministries. The task force continued developing the draft 2016-2020 national action plan but reported the government diverted all resources towards a national election, delaying the plan's development. All 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 for the third year due to budget constraints. The labor department regulated recruitment agencies under the Recruiting of Workers Act; however, the law did not identify the responsible agency for the associated enforcement functions.

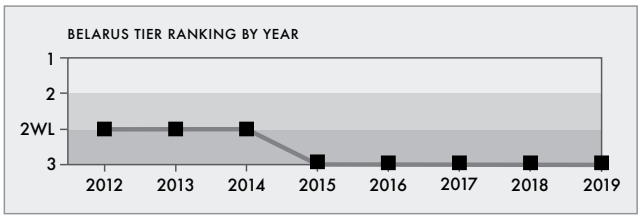
The police, together with the gender affairs bureau and the child care board, jointly conducted seminars and awareness campaigns about trafficking. The government has not approved the Mandatory Reporting Protocol on Child Abuse, which addresses migrant labor conditions, employers' legal responsibilities, and employee rights, although it has begun to promote it. The government did not report whether the labor department monitored migrant labor in the construction and agriculture sectors for trafficking indicators. The government reported providing anti-trafficking training for its diplomatic personnel for the first time. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Barbados. Contacts report traffickers coerce foreign women into sex trafficking in Barbados. Documented and undocumented immigrants from Guyana, Haiti, Jamaica, and Venezuela are especially vulnerable to trafficking, although individuals from Colombia, the Dominican Republic, and St. Vincent and the Grenadines are increasingly vulnerable. There are anecdotal reports of parents and caregivers subjecting children to sex trafficking. 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 investigating and prosecuting significantly more trafficking cases under its trafficking statute. However, the government maintained policies that actively compelled the forced labor of its citizens, including civil servants, students, and citizens suffering from drug or alcohol dependency, among others. For the sixth consecutive year, authorities did not convict any traffickers under the trafficking statute.



PRIORITIZED RECOMMENDATIONS:

Reform state policies to end all forms of state-sponsored forced

labor, including reforming laws and presidential decrees that result in 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 "corrective" labor, or involuntary employment, as a penalty for political dissent. • Continue to increase efforts to investigate and prosecute cases of forced labor and sex trafficking. • 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 vulnerable groups, including migrants and individuals in prostitution, for indicators of trafficking. • Increase labor inspections to identify internal forced labor. • Allocate sufficient resources for the full implementation of the national referral mechanism.

PROSECUTION

The government increased law enforcement efforts, although for the sixth consecutive year, the government did not convict any traffickers under its trafficking statute. Article 181 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from five to seven years' imprisonment and forfeiture of assets for offenses involving adult victims and seven to fifteen years' imprisonment and forfeiture of assets for those involving child victims. 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 six trafficking investigations in 2018 under Article 181, compared with one each year from 2014 to 2017 and six in 2013. Authorities initiated four investigations under Article 181-1, which criminalized the use of forced labor, compared with one case in 2017 and no cases in 2016. The government initiated six trafficking prosecutions under Article 181, compared to one each year from 2015 to 2017 and none in 2014. The government did not convict any traffickers under Article 181; the last conviction was in 2012. Authorities prosecuted seven individuals for potential child sex trafficking offenses under other articles in the criminal code in 2018, compared with three individuals in 2017 and four in 2016. The government reported investigations and convictions under other articles that contain elements of trafficking, but did not provide sufficient details to determine if the reported statistics related to sexual exploitation met the definition of trafficking under the TVPA. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The Main Department for Drug Control and Combating Trafficking in Human Beings led law enforcement efforts. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarusian law enforcement; the government collaborated with an international organization on training for officials to improve victim identification and assistance.

PROTECTION

The government maintained victim protection efforts. The government identified 22 confirmed and 140 potential trafficking victims during law enforcement investigations, compared with two confirmed and 129 potential victims in 2017 and 184 confirmed and potential victims in 2016. Of the 22 confirmed victims the government identified in 2018, 11 victims, including two children, were subjected to sex trafficking. Twelve victims were trafficked in Belarus, 10 for forced labor. Nine of the 10 victims trafficked abroad were exploited in prostitution. The government routinely referred trafficking victims to NGOs for assistance through the national referral mechanism; however, some state agencies with identification responsibilities lacked the capacity to fully comply with the mechanism. NGOs reported law enforcement officials referred 68 confirmed and potential victims to international organizations and NGOs for care, compared with 134 in 2017. The government reported 230 potential victims formally applied for victim status and it approved 142 applications. 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 initial consent of victims was irrelevant when there was the presence of force, fraud, or coercion. The government reported increased screening of individuals arrested for prostitution for trafficking indicators and exempting them from any legal liability. The government identified 114 individuals forced into prostitution in 2018, compared to 101 in 2017; the victims were not held liable for any offense. The government reported detaining 228 illegal migrants from North African countries in July 2018 who were attempting to transit Belarus en route to the European Union after entering Russia to attend the World Cup. The government did not report screening these migrants for trafficking indicators.

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 identified and assisted 130 trafficking victims in 2018, compared to 137 in 2017; 56 victims were female and 74 were male, 81 were trafficked for forced labor, and 39 were sex trafficked. The majority of the victims (72) were trafficked in Russia, while 46 were trafficked internally in Belarus. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 132 "crisis rooms" that offered temporary shelter, including beds, meals, and personal hygiene products to vulnerable adults, including victims of trafficking, regardless of nationality; the government reported four trafficking victims used these facilities. 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 138 centers that could provide vulnerable children with shelter and basic provisions, including 103 orphanages. An NGO assisted with operating child friendly rooms for interviews, the provision of assistance, and reintegration services at 18 of these centers; however, similar to past years, no child trafficking victims received services at these facilities, despite the government identifying child sex trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking. The Minister of Interior served as the national rapporteur on TIP issues and coordinated implementation of the 2017-2019 State Program on Countering Crime and Corruption, which included anti-trafficking activities. Interdisciplinary bodies comprised representatives from law enforcement, education, healthcare, labor, and social welfare sectors, judiciary, media, clergy, and civil society and met on an annual basis to discuss implementation of the national referral mechanism. The government conducted public awareness campaigns through television, radio, and print media and provided in-kind assistance to NGOs' campaigns 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 1,422 calls for consultations in 2018. For the second consecutive year, the government did not investigate or file charges related to illegal recruitment in 2018, compared to 50 companies charged in 2016; authorities seldom enforced forced labor regulations and resources and inspections dedicated to preventing forced labor were minimal and inadequate to deter violations. The government reported efforts to reduce the demand for commercial sex.

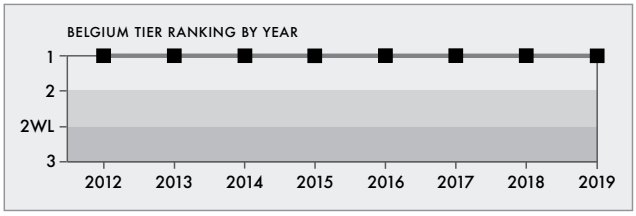
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Belarus, and victims from Belarus are exploited abroad. Data collected by NGOs suggests the majority of trafficking victims are men subjected to labor exploitation, primarily in Russia. Belarusian victims are trafficked primarily in Belarus and Russia, 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. In 2018, the UN Special Rapporteur on the Situation of Human Rights in Belarus, in his report to the Human Rights Council (HRC), noted that forced labor remained the most visible violation of economic and social rights in Belarus. In an observation released in 2017, 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." Authorities have sent more than 8,000 people to "medical labor centers" since 2016. In January 2018, the government rescinded Presidential Decree Number 3 of 2015, 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 of 2018, which was adopted with the rescindment of Decree Number 3 and entered into force on January 1, 2019, requires the unemployed to pay for utilities in full without the benefit of government subsidies. The UN Special Rapporteur on Human Rights in Belarus, in his 2018 report to the HRC, expressed concern that under Presidential Decree 1, the unemployed may be labeled "anti-social" and potentially sent to "medical labor centers" under the 2010 law. The government continued the practice of *subbotniks*, which required employees of the government and state enterprises to work on some Saturdays; in lieu of payment to employees for work performed, the government allocated their wages to finance government projects. Although the government does not require private businesses to participate, 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 refuse to participate. Authorities require university and high school students to participate, without compensation, in public works projects; in rural areas, they may also help farmers during the harvest season. University students who fail to participate risk the loss of housing in subsidized dormitories or penalization during exams. Per a 2006 presidential decree, parents who have had their parental rights removed may be subjected to compulsory labor, and the government retains 70 percent of their salaries. The ILO Committee of Experts noted its continued concern in 2018 that, although there have been no recently reported cases, 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.

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. These efforts included publishing a child trafficking addendum to the national action plan, identifying more victims, and increasing training and awareness across the healthcare sector. Although the government meets the minimum standards, authorities failed to follow protocol to immediately refer all children to child protective services, its appropriation mechanism continued to cause funding uncertainty and undue administrative burden for NGO-run shelters, and it did not report complete law enforcement data.



PRIORITIZED RECOMMENDATIONS:

Train first responders on child victim referral protocol. • Allocate regular and timely funding for NGO-run shelters for trafficking victims. • Coordinate and centralize the collection of timely trafficking data across the government in order to effectively analyze efforts. • Officially recognize a child shelter to improve the national victim referral protocol, as recommended by the national rapporteur. • Increase resources to assist unaccompanied child victims. • Sentence convicted traffickers to significant prison sentences and ensure convicted traffickers serve those sentences in practice. • Increase legal representation for victims. • Permit courts to implement victim-friendly procedures during trial proceedings to minimize the risk of re-traumatization. • Revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol.

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 the prevailing wage and working conditions can constitute "exploitation" under Belgian law, and the government included these cases in its 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 overly broad definition could 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.

The government did not report any investigation data and unlike previous years, did not report complete data on prosecutions, convictions and sentencing, making it difficult to assess its law enforcement efforts. Despite pressing recommendations from GRETA in both of its evaluation reports, the government continued to lack a coherent system to collect law enforcement and victim data for trafficking cases. In the first six months of 2018, the government prosecuted 339 defendants (328 in the full calendar year 2017), including 174 defendants for sex trafficking-related offenses, 148 for labor exploitation, 11 for forced criminality, and six for forced begging. In the first six months of 2018, authorities convicted and sentenced 71 individuals under the trafficking statute (93 in the full calendar year of 2017). Some convicted traffickers received no prison time or a partially or fully suspended prison sentence. Of the 71 individuals convicted in the first six months of 2018, the government sentenced 67 to prison terms (of which 28 were fully or partially suspended), compared to 84 prison sentences (41 of which were fully or partially suspended) in the full calendar year of 2017; one offender was sentenced to one year, 10 were sentenced to one to three years, 14 were sentenced to three to five years, and 13 were sentenced to five years or more. The government trained about 60 police, lawyers, and judges who handled trafficking cases on advanced investigations and collection and preservation of evidence. Social security inspectors and social and housing inspectors in Brussels received trafficking training. 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. 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, including a joint investigation team on forced criminality with Portugal, and cooperated with extradition requests during the reporting period.

PROTECTION

The government maintained efforts to protect victims. In 2018, the government identified and assisted 139 victims (including 80 victims of labor exploitation, 38 victims of sexual exploitation, and 21 victims of other forms of exploitation), compared to 137 victims in 2017 (including 61 victims of labor exploitation, 59 victims of sex exploitation, and 17 victims of other forms of exploitation). First responders followed a national victim referral protocol and the government distributed victim identification guidelines to relevant stakeholders across the government and NGO community. The government established a pool of tutors available to train authorities on victim identification; however, the national rapporteur on trafficking reported challenges in accurately identifying child victims. Specifically, in some cases authorities failed to follow the protocol and did not properly notify child protective services when they identified an unaccompanied child victim. The government continued to train staff at asylum centers on identifying and assisting trafficking victims in migrant populations. 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, for which the government allocated approximately €426,000 ($488,530) each in 2018, compared with €428,000 ($490,830) in 2017. The NGO-run shelters also received unspecified amounts of funding from regional governments. While NGOs referred many victims to the shelters, law enforcement, social workers, and medical professionals identified most victims. 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 continued to carry 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 national rapporteur recommended the government officially recognize one child shelter to solidify its position within the national victim referral protocol, mitigating the risk of incorrect child victim referral. The government reportedly did not penalize identified victims for unlawful acts their traffickers coerced them to commit; however, child sex trafficking victims were vulnerable to such penalization.

The government granted identified foreign victims temporary 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 the criminal case. Victims who were not citizens of EU member states could obtain permanent residency only upon the successful prosecution and sentencing of traffickers. Few child victims received residency permits and GRETA expressed concern that residency permits for non-EU child victims were contingent upon cooperation with law enforcement instead of factors relating to the best interest of the child. The government issued or renewed 248 residency permits to trafficking victims, compared with 235 in 2017. Some victims obtained restitution from traffickers in criminal and civil court during the reporting period. Belgium maintained a compensation fund for victims of violence, but victims of labor trafficking reportedly found it difficult to access this fund. Government-appointed pro bono lawyers could be provided to victims who had a monthly income of less than €1,200 ($1,380). The high costs of legal representation discouraged victim cooperation in criminal and civil proceedings. During

criminal proceedings, witness protection laws provided only those victims under the physical threat of violence or living abroad options to testify via video. Child victims had a specific provision that allowed courts to permit video testimony.

PREVENTION

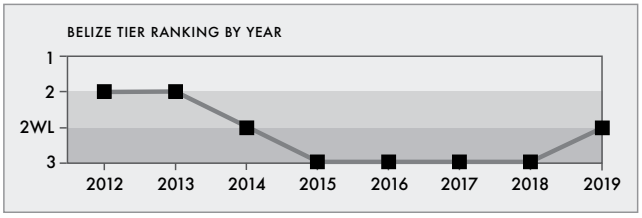
The government maintained efforts to prevent trafficking. The Inter-Departmental Coordination Platform (ICP), chaired by the Minister of Justice, continued to coordinate government-wide anti-trafficking efforts and monitored the implementation of the national action plan for 2015-2019. The government published an addendum to its national action plan that set priorities to improve the detection, identification, referral, and protection of all child victims of trafficking. 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 national rapporteur, and produced its own annual report on governmental anti-trafficking efforts. Myria reported the government lacked a coherent system of trafficking data, making it difficult to analyze efforts and policy. The government conducted several awareness campaigns during the reporting period. A large-scale campaign for the medical sector reached 150 hospitals. Other awareness campaigns targeted the banking sector, businesses schools, and vulnerable populations. 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; 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 workers. 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, sex and labor traffickers exploit foreign and domestic victims in Belgium. Foreign victims come primarily from Asia, Eastern Europe, North and Sub-Saharan Africa, among them Thailand, India, Romania, Morocco, and Nigeria. Labor traffickers exploit male victims in restaurants, bars, sweatshops, horticulture, fruit farms, construction, cleaning businesses, and retail shops. Sex traffickers exploit Belgian girls, some of whom are recruited by local pimps, and foreign children, including Roma. Forced begging within the Romani community in Belgium also occurs. Labor traffickers exploit foreign workers in forced domestic servitude. Asylum seekers that had their applications for legal status denied and migrants transiting through Belgium to the United Kingdom are highly vulnerable to trafficking.

BELIZE: TIER 2 WATCH LIST

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Belize was upgraded to Tier 2 Watch List. These achievements included initiating two new prosecutions for the first time in four years and appointing new leadership and dedicating five officers to the anti-trafficking police unit. Despite these achievements, the government did not investigate or prosecute any public officials for complicity in trafficking-related offenses, despite allegations of official complicity. Authorities arrested or deported victims for immigration violations due to improving, but inconsistent application of formal victim identification procedures. The government did not convict any traffickers for the third consecutive reporting period, due in part to a slow and cumbersome justice system.



PRIORITIZED RECOMMENDATIONS:

Implement the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers, including complicit officials, and imposing strong prison sentences on convicted traffickers. • Consistently apply formal procedures to identify victims of sex and labor trafficking among vulnerable groups and refer identified victims to services. • Ensure victims are not penalized for unlawful acts, including immigration violations, traffickers compelled them to commit. • Sustain and increase funding for specialized victim services for both male and female victims, directly and by funding NGOs. • End the practice of allowing off-duty police officers to provide security for bars and restaurants where commercial sex acts frequently occur. • Investigate and prosecute child sex tourists. • Implement the national anti-trafficking plan in accordance with its agreed timeline and disburse resources to its implementation. • Increase efforts to identify forced labor through the national labor recruiter registry and prevention program with migrant workers. • Amend laws to criminalize the knowing solicitation and patronizing of child sex trafficking victims, including 16- and 17-year-olds.

PROSECUTION

The government slightly increased efforts. The 2013 Trafficking in Persons (Prohibition) Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years' imprisonment for offenses involving adult victims, and up to 12 years' imprisonment for offenses involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. Additionally, the 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalized various offenses relating to the prostitution of anyone 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 investigated nine trafficking cases—eight for forced labor and one for sex trafficking; three new cases and six from previous years—compared to nine in 2017 and 10 in 2016. For the first time in four years, authorities initiated two new prosecutions. In addition, the government reported two prosecutions initiated in 2015 remained open. The government did not convict any traffickers; the government's only conviction under the 2013 trafficking law occurred in early 2016. The

judiciary designated a Supreme Court Justice and a Magistrate judge to provide specialized attention to trafficking cases, who along with other justices and judges received anti-trafficking training. Observers reported the government had an inconsistent and insufficient police response and investigative capacity, a slow and cumbersome justice system, lack of accountability at all levels, and an overall lack of resources dedicated to address crime, including trafficking.

In 2018, the government appointed new leadership to the anti-trafficking police unit who brought in five full-time officers, including one female and four male officers, who worked exclusively on trafficking cases. The government cooperated with a foreign government, which resulted in the identification of eight potential victims and the arrest and prosecution of two traffickers—one in Honduras and one in Belize. The government provided, or collaborated with NGOs funded by international donors to provide anti-trafficking training, including on victim identification and referral, to law enforcement and immigration officers, prosecutors, judges, prison officials, and social workers. However, limited intelligence gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials hampered the identification of trafficking crimes. In 2017, the national anti-trafficking council recommended a policy to end the practice of allowing off-duty police officers to provide security for bars and restaurants where commercial sex acts frequently occur, but the practice continued throughout 2018 and may have inhibited police from investigating allegations of trafficking in brothels and 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.

PROTECTION

The government slightly increased efforts to protect victims. Authorities identified 17 potential victims in 2018—at least 12 foreign nationals and three Belizeans; 12 adult females and five minors—compared to 17 potential victims in 2017 and 12 potential victims in 2016. In 2018, authorities confirmed eight forced labor victims and one sex trafficking victim. The government reported it was updating formal victim identification procedures, but currently employed a procedure to screen for potential victims among vulnerable groups, such as individuals in prostitution and migrants. Observers reported more consistency in victim identification, but also stated gaps still existed, such as authorities who rarely took action in response to credible reports of potential victims by NGOs, possibly leading to fewer victim identifications and weak victim protection. In addition, while Belize's anti-trafficking law exempted victims from punishment for unlawful acts traffickers compelled them to commit, NGOs reported authorities arrested, jailed, or deported victims following raids of commercial sex establishments due to immigration violations. The national anti-trafficking council ensured social workers accompany the TIP-dedicated law enforcement unit on operations and raids conducted by the council's operations subcommittee to screen, identify, and assist victims. However, social workers were not routinely present when other law enforcement units conducted operations and raids on commercial sex establishments. Victims' fear of detention or deportation may have contributed to their reluctance to report trafficking to law enforcement officers.

The government reported the Department of Human Services provided 11 of the 17 victims with services; the other six refused services. The government coordinated and funded shelter, medical, and psychological services to adult victims through the Alternative Care Unit and to children through the Child Protection System and foster care. The government trained and partnered with domestic violence NGOs to provide shelter and services to adult female trafficking victims. Service providers developed victim care plans with victim participation with the goal of encouraging independence, and these plans included presenting adult victims with the option of staying in shelters, safe houses, or independent living and placing minors in the child protection system or in kinship care and independent living upon reaching adulthood; five victims transitioned from shelters or safe houses to kinship care or independent living in 2018.

Government social workers monitored foster care placements for child victims and developed individual case plans for each child, which included a home study to determine if placement is in the best interest of the child. The government noted the support offered by foster families empowered victims and led to the successful conviction in 2016. Experts expressed concerns about the lack of education about trafficking for some foster parents, uneven coordination and communication between government agencies and foster parents, and limited availability of psycho-social care in general, including for trafficking victims. Observers reported limited shelter options for male victims, including migrants. As in the previous year, the government allocated 200,000 Belizean dollars ($100,000) to the national anti-trafficking council, some of which it dedicated to victim services. In total, the government dedicated 107,000 Belizean dollars ($53,500) to victim services in 2018, which included food, clothing, medical expenses, counseling, stipends, and repatriation expenses.

The government conducted risk assessments of 13 victims related to ongoing prosecutions, which included providing security in the courtroom, confidential accommodations, and relocation of victims when necessary for security. Court delays, affecting the justice system as a whole, 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. Per government policy, foreign victims identified in potential trafficking cases may be granted temporary residency status regardless of their cooperation with investigations or prosecutions, and the government assigned a social worker to assist all 12 foreign national victims in obtaining immigration relief, housing, and medical services. However, the government repatriated all 12 foreign national victims identified in the reporting period. The government granted temporary residency permits to two victims identified in previous reporting periods. Victims could apply for work permits free of cost, and the government granted three such permits in 2018. A court may order restitution upon a trafficker's conviction but did not do so in 2018.

PREVENTION

The government slightly increased its prevention efforts. The government continued to implement a 2018-2020 national anti-trafficking action plan, published in the first quarter of 2018, which had designated various government entities as responsible for the plan's activities. The goals of the plan included reducing vulnerability to and the demand for trafficking, generating national research and data on trafficking, monitoring and evaluating the implementation of policies and programs, creating a comprehensive and integrated system of victim services

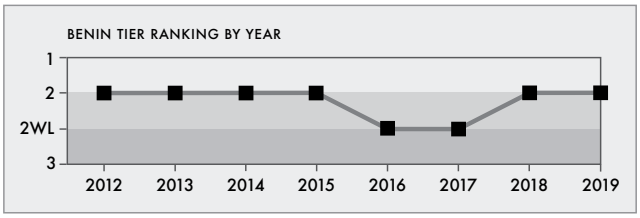
and assistance, and strengthening mechanisms for investigating and prosecuting trafficking using a victim-centered approach. The national anti-trafficking council hosted a meeting with 10 NGOs to discuss its 2018-2020 national anti-trafficking action plan, which resulted in several follow-on government-NGO activities to raise awareness of trafficking and ways to report it. The government released a report highlighting its anti-trafficking efforts in 2018; however, the report did not provide research or an assessment of trafficking in Belize. The government funded awareness-raising efforts, including billboards in English and Spanish and public service announcements in English, Spanish, and Hindi with a "crime stoppers" hotline number. An NGO operated the "crime stoppers" hotline; it did not report receiving any trafficking-related calls during the reporting period. Authorities continued to disseminate public service announcements on the penalties for sex with minors and the links between tourism and the demand for commercial sex, but they did not investigate or prosecute any child sex tourists. The government cooperated with the United States to deny entry to 12 convicted sex offenders. The government developed a new brochure in Spanish to educate foreign workers about their labor rights. The government reported the labor code required labor recruiters to register, but none did so. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Belize, and traffickers exploit victims from Belize abroad. Groups considered most vulnerable to traffickers in Belize include women, men, children, LGBTI persons, and migrants. Sex traffickers exploit Belizean and foreign women, men, and girls and LGBTI persons, primarily from Central America, in bars, nightclubs, hotels, and brothels. The UN Special Rapporteur on Trafficking in Persons reported family members facilitate the sex trafficking of Belizean women and girls. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and traffickers often exploit victims using false promises of relatively high-paying jobs or take advantage of migrants' illegal status and subject them to forced labor in restaurants, shops, domestic work, and agriculture. In tourist regions, foreign child sex tourists, primarily from the United States, exploit child sex trafficking victims. Alleged trafficking-related complicity by government officials remains a problem. NGOs reported police and immigration officers took bribes in return for ignoring trafficking, facilitating illegal entries, failing to report suspected victims and perpetrators, and failing to act on reported cases under their jurisdiction.

BENIN: TIER 2

The Government of Benin does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Benin remained on Tier 2. The government enacted a new penal code criminalizing the trafficking of adults; investigated and prosecuted more child trafficking cases and reported prosecuting one case involving an adult victim for the first time in over five years; identified and referred more potential child trafficking victims to care; expanded proactive child victim identification and awareness measures at open-air markets; increased training for law enforcement officials as well as first responders; and finalized its bilateral anti-trafficking agreement with Gabon to facilitate law enforcement data sharing and coordination on repatriation in transnational trafficking cases. However, the government did not meet the minimum standards in several key areas. The government continued to make limited efforts to identify adult victims or refer them to services and it did not convict any traffickers who exploited adults.



PRIORITIZED RECOMMENDATIONS:

Train law enforcement and judicial officials on the new penal code's Articles 499-504 to increase their ability to effectively investigate, prosecute, and convict traffickers who exploit adults. • Increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including illegal labor recruiters. • Develop and disseminate systematic procedures for proactive identification of adult victims and their subsequent referral to care. • Finalize the multilateral agreements with Togo, Burkina Faso, and Nigeria to increase information sharing and cooperation on transnational trafficking investigations. • Use the 2011 bilateral anti-trafficking agreement with the Republic of Congo to increase law enforcement coordination and investigate, prosecute, and convict perpetrators of transnational trafficking cases, while respecting due process. • Expand the Central Office for the Protection of Minors' (OCPM) existing trafficking database to include adult trafficking information.

PROSECUTION

The government increased its law enforcement efforts to address child trafficking but demonstrated minimal efforts to prosecute adult trafficking crimes. Existing laws criminalized all forms of sex trafficking and labor trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (Act 2006-04) criminalized child sex trafficking as well as labor trafficking and prescribed penalties of 10 to 20 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. In December 2018, President Talon enacted a new penal code criminalizing adult sex trafficking and labor trafficking and prescribed penalties of 10 to 20 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape.

In 2018, OCPM—a specialized unit responsible for anti-trafficking enforcement—investigated 188 child trafficking cases; OCPM investigated 30 suspected child trafficking cases in 2017. The government reported prosecuting 44 cases of child trafficking and one case involving a potential adult victim in 2018, compared with prosecuting 13 child trafficking cases and zero adult cases in the previous year. Before the president enacted the new penal code in December 2018, the government's lack of legislation criminalizing adult trafficking hindered its law enforcement efforts related to cases involving adult victims. In 2018, officials reported convicting 11 child traffickers under

Benin's 2006 anti-child trafficking law; courts sentenced eight traffickers to imprisonment ranging from three months to 10 years, and suspended the sentences of three traffickers. The government reported convicting 13 child traffickers in 2017 but did not disclose sentencing details. Authorities did not take action against informal employment agents who facilitated trafficking, although some illicit recruiters continued to lure Beninese victims abroad with fraudulent employment promises during the reporting period. The government did not report investigating, prosecuting, or convicting government officials complicit in human trafficking offenses.

The government finalized its bilateral anti-trafficking cooperation agreement with Gabon in November 2018 to facilitate law enforcement data sharing and repatriation coordination; however, it did not finalize its multilateral anti-trafficking cooperation agreements with Togo and Nigeria, and with Togo and Burkina Faso, to increase law enforcement coordination on transnational trafficking cases. Officials reported Beninese authorities coordinated with Nigerian law enforcement agencies in the arrest of two suspected traffickers in Ibadan, Nigeria; the case was pending in Nigeria at the end of the reporting period. In 2018, the government coordinated with international organizations to provide anti-trafficking training for 486 officials focused on identifying trafficking crimes along borders and improving the government's referral process for child trafficking victims. In comparison, the government trained approximately 50 officials on smuggling, human trafficking, and victim identification and protection in 2017.

PROTECTION

The government increased efforts to protect child trafficking victims and made limited efforts to identify and assist adult victims. During the reporting period, officials patrolled borders, bus stations, and large markets to proactively identify child trafficking victims, referring 1,214 potential child trafficking victims (724 girls and 490 boys) to temporary shelter and services in 2018, compared with identifying and referring 370 potential child victims to care in 2017. Additionally, the Ministry of Labor identified and referred approximately 565 victims of forced labor to legal, medical, and psychological services. The government-supported Social Promotion Center (CPS) in the southwest city of Klouekamey reported identifying and referring to care 25 child victims of internal and cross-border trafficking in 2018. During the reporting period, the government referred additional victims to NGO-run shelters throughout the country. Authorities did not report proactively identifying or referring adult trafficking victims to care.

In February 2019, the government partnered with an international organization to finalize and launch standard operating procedures (SOPs) to identify and refer child trafficking victims to care; however, the government did not disclose how many officials it trained on the SOPs. Prior to the development of the SOPs, officials from the Ministry of Social Affairs and Microfinance, OCPM, Ministry of Justice, Ministry of Foreign Affairs, and NGOs used an informal system to identify and refer child victims to services; once authorities identified child trafficking victims, OCPM assumed initial custody 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 officials worked to place the children in long-term NGO shelters. After conducting an interview and assessment, OCPM referred victims to a network of NGO shelters throughout the country. Authorities did not have SOPs to identify adult victims and subsequently refer them to care. The government did not provide trafficking-specific services for adult victims; however, the government did offer programs intended to assist adult victims of other forms of abuse.

The Ministry of Social Affairs and Microfinance assisted foreign trafficking victims, predominantly minors, before repatriating them to their home countries. The government repatriated an unknown number of foreign victims in partnership with an international organization and with the assistance of embassies or consulates of victims' countries of origin. In 2018, the government reported repatriating 258 Beninese victims of trafficking (primarily children) from Gabon, Ghana, Kuwait, and Nigeria and provided them health and social services during their reintegration.

During the reporting period, the government increased funding to support OCPM's operations from 19.2 million West African CFA francs (FCFA) ($33,760) to 52 million FCFA ($91,440), which supported services for all children received in its shelter, including trafficking victims. Beninese law did not provide legal alternatives to the 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. While there were no reports the government penalized any trafficking victims for unlawful acts committed as a result of being subjected to trafficking, some adult victims may have remained unidentified in the law enforcement system due to a legislative framework that did not criminalize adult trafficking.

PREVENTION

The government increased efforts to prevent trafficking in persons and periodically convened its inter-ministerial committee (IMC) during the reporting period. The IMC—chaired by the Chief of Staff of the Minister of Planning and Development—was composed of directors of offices from across the Beninese government as well as partners from key NGOs and international organizations. In May 2018, the government approved a 2019-2023 national action plan to address forced child labor. In addition, the government developed a 2019-2025 National Policy to Fight Trafficking in Persons with an accompanying action plan.

In 2018, the government reported 85 CPSs held 255 anti-trafficking awareness campaigns throughout Benin reaching an unknown number of parents, students, teachers, and artisans. Additionally, the Ministry of Labor, Civil Service, and Social Affairs—in coordination with an international organization—continued to inspect open-air markets (Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzeke in Parakou); the General Directorate of Labor reported identifying 511 potential trafficking victims through these inspections. During the reporting period, the government showed a documentary to raise awareness of child trafficking and reached approximately 500 market patrons in Cotonou, Porto-Novo, Parakou, Lokossa, Abomey, and Bohicon. The government made no discernible efforts to reduce the demand for commercial sex acts or forced labor.

The government partnered with a Beninese NGO in October 2018 to hold a workshop in the Republic of Congo to assess the two countries' anti-trafficking cooperation based on their 2011 bilateral agreement. The workshop convened Beninese honorary consuls serving in Congo with personnel from the Congolese ministries of Justice, Interior, and Public Security

to discuss irregular migration of Beninese children to Congo, focusing on victim identification. The government did not finalize its tripartite child trafficking cooperation agreements with Togo and Burkina Faso or with Togo and Nigeria.

The government continued its Administrative Census for the Identification of the Population during the reporting period, resulting in officials registering 10 million Beninese. A lack of identity documentation contributed to increased vulnerability to trafficking in Benin. In July 2018, the Director of Legal Affairs at the Ministry of Foreign Affairs (MFA) presented an anti-trafficking training to new Beninese diplomats; the MFA also has a code of conduct for diplomats that prohibits Beninese nationals deployed abroad from engaging in or facilitating trafficking in persons. The OCPM maintained its database—"Enfants du Benin"—to organize information related to child trafficking cases. Law enforcement officials' widespread lack of computers and reliable electricity resulted in personnel recording case details on paper, creating information management and prosecutorial challenges.

TRAFFICKING PROFILE

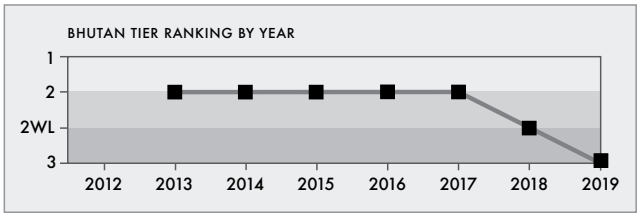
As reported over the past five years, human traffickers exploit domestic and foreign victims in Benin, and traffickers exploit victims from Benin abroad. Trafficking in Benin is predominantly internal and involves children from low-income families. Vulnerable populations most at risk of trafficking frequently lack formal education or basic identity documents including birth certificates and national identification. Some community members and relatives use the promise of education or employment to recruit Beninese children from northern rural areas to the more urban southern corridor and subject them to forced labor in domestic servitude, markets, farming, and in handicraft manufacturing. Beninese traffickers include farmers, traders, artisans, small factory owners, civil servants, and some belong to criminal networks. Traffickers operate in urban areas under the guise of informal employment agents and recruit children for domestic work in private residences, where house managers and families subject the minors to forced labor. Some parents follow a traditional practice known as *vidomegon*, which involves sending children to wealthier families for educational or vocational opportunities; some of these more affluent families then subject the children to forced labor in various sectors, including in domestic service and open-air markets. The government reported criminals exploit girls in sex trafficking in Cotonou and Malanville. Officials reported traffickers exploit boys, girls, and women from Djougou and Bassila in the northwest of the country; Parakou in the northeast; Zakpota, Djida, and Agbaizoun in the central region; Adja and Lobogo in the southwest; and Pobe and Sakete in the southeast. Traffickers exploit these groups in labor and sex trafficking.

Cross-border criminal groups subject Beninese children to domestic servitude and other forms of forced labor in Nigeria, Gabon, the Republic of the Congo, and other West and Central African countries. Benin has been the largest source country for trafficking victims in the Republic of the Congo, with the department of Oueme in southeast Benin historically a primary area traffickers used to recruit child victims.

Reports indicate criminal groups fraudulently recruit young Beninese women for domestic work in Gulf countries, Lebanon, and North Africa and subsequently subject them to forced labor or sex trafficking. Traffickers and their accomplices continue to send child victims to their destinations alone and then meet the victims upon arrival, increasing the challenges for law enforcement to investigate these crimes. International organizations report some adult labor migrants use airports in Togo, Burkina Faso, and Nigeria to circumnavigate anti-trafficking screening procedures put in place by the government at the International Airport of Cotonou, increasing the migrants' vulnerability to human trafficking.

BHUTAN: TIER 3

The Government of Bhutan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Therefore Bhutan was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including continuing to fund an NGO that could provide shelter and services to female and child trafficking victims and continuing to work with an international organization on standard operating procedures (SOPs) for victim identification and referral. The government continued one potential trafficking prosecution, two potential trafficking investigations, and initiated one potential trafficking investigation. However, the government did not report convicting any traffickers or, for the third consecutive year, identifying any victims, although it reported limited efforts to protect previously identified trafficking victims. While the government took steps to finalize the SOPs, it did not complete them during the reporting period for the fourth consecutive year. The government's laws did not criminalize all forms of trafficking, which led to the dismissal of at least one suspected trafficking case.



PRIORITIZED RECOMMENDATIONS:

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. • Finalize and disseminate SOPs for proactive victim identification and referral to services, and train officials on their use. • Vigorously investigate and prosecute trafficking cases. • Train officials on implementation of anti-trafficking laws, victim identification, and victim referral procedures. • Take steps to eliminate all recruitment fees charged to workers by recruitment agents, and investigate claims of nonpayment of wages, contract switching, and illegal fees charged by agents. • Undertake and publish a comprehensive assessment of all forms of human trafficking in Bhutan, including labor trafficking of men. • Continue to fund NGOs that provide shelter and services to trafficking victims. • Increase awareness of human trafficking through public events, media, and written materials for vulnerable populations. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained limited anti-trafficking law enforcement efforts. The law criminalized some forms of sex

trafficking 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. In the previous reporting period, the government steering committee for an international organization's anti-trafficking program had recommended that the Office of the Attorney General (OAG) review the legal code and propose changes to align the law with international trafficking standards. The OAG did not report reviewing the legal code during the reporting period. Officials acknowledged the legal code's inconsistencies with international trafficking standards resulted in confusion on the definition of trafficking and the dismissal of at least one alleged trafficking case.

The government did not report anti-trafficking law enforcement efforts. Media reported that the government initiated one potential sex trafficking investigation, and continued two potential labor trafficking investigations from the previous reporting period. The government continued prosecution of one individual for "human trafficking" as defined in Bhutanese law; however, because the definition of human trafficking in Bhutanese law is inconsistent with the international definition of human trafficking, it was unclear if this case was human trafficking or illegal recruitment. In one of the labor trafficking investigations, which included indicators of forced labor, OAG dropped the charges because Bhutanese law required trafficking to be for an "illegal purpose," and recruitment of women for employment was a "lawful purpose," even if the labor was exploitative. OAG reported that because the recruiter was unregistered, authorities could prosecute him under the labor act, although the government did not report whether it had done so. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. In partnership with an international organization, the Department of Law and Order (DLO) and the National Commission for Women and Children (NCWC)—an independent government commission—held trainings for law enforcement and prosecutors. The government acknowledged that limited capacity, resources, and awareness of the crime remained obstacles to anti-trafficking efforts. 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.

PROTECTION

The government maintained minimal victim identification and protection efforts. The government did not report data on efforts to identify trafficking victims. The government did not identify any trafficking victims the previous reporting period. With an international organization, the government continued to draft and finalize SOPs on victim identification and referral. RBP maintained women and child protection units at three police stations and women and child desks at 10 stations—an increase from eight units and desks the previous reporting period. These units led coordination on cases involving women and children, including coordinating protective services. RBP was responsible for referring potential victims to NCWC or an NGO. As the government did not report identifying any trafficking victims, however, it was unclear if it referred any victims to NCWC or an NGO during the reporting period. NCWC could provide case management assistance, including legal aid, in collaboration with the RBP. During the reporting period, NCWC assisted a Bhutanese trafficking victim exploited abroad in securing employment upon return to Bhutan, and NCWC continued to monitor the well-being of three trafficking victims repatriated to Bhutan in the previous reporting period. The government did not have any shelter facilities that could accommodate trafficking victims, but it continued to fund an NGO that provided 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 primarily aided victims of domestic, sexual, and gender-based violence and was available to assist trafficking victims. No shelter facility could accommodate male trafficking victims.

In March 2018, the Ministry of Foreign Affairs (MFA) was reportedly attempting to locate and repatriate 12 Bhutanese potential trafficking victims exploited in domestic work in the Iraqi Kurdistan Region. The government did not report if it located or repatriated any of the 12 during the reporting period. In December 2018, approximately 200 Bhutanese students in the Bhutan Employment Overseas' (BEO) "Learn to Earn" program, a government-approved work-study program in Japan, reported the jobs they were offered did not provide sufficient income and were facing difficulties. Media reported some of the students described experiencing indicators of forced labor, including passport retention and illegal wage deductions, although the government reported all students were in possession of their passports. Neither government provided repatriation, so some students reportedly took on additional debt to finance repatriation, remained in Japan without a job, or returned to Bhutan. The immigration department mandated authorities to report suspected foreign trafficking victims within Bhutan to NCWC before initiating deportation for immigration violations; it is unclear if similar policies existed for potential foreign male trafficking victims in Bhutan. 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 limited efforts to prevent human trafficking. DLO continued to lead regular meetings with government stakeholders on trafficking. The government did not have a national action plan to combat trafficking. An international organization conducted, and government agencies assisted with, 18 awareness-raising events in five districts to sensitize *drayang* (karaoke bar) dancers, taxi drivers, airline employees, and district officials to trafficking. The Department of Labor's July 2017-June 2018 annual report documented 211 complaints of nonpayment of wages and five complaints of

non-release of personal documents in Bhutan. The government did not report how many of these claims it referred to law enforcement or settled with fines or administrative penalties.

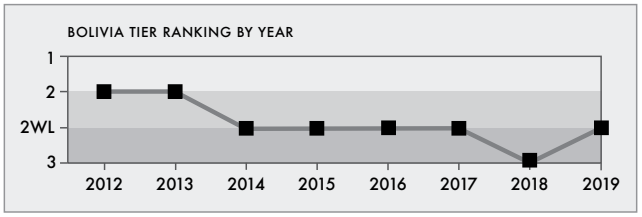
The Bhutan Labor and Employment Act of 2007 required labor recruitment agencies to be licensed and abide by the same labor laws as employers. The Ministry of Labor and Human Rights (MoLHR) registered foreign migrant workers in Bhutan, monitored working conditions, and produced and disseminated pamphlets advising workers of their rights, including full and prompt payment of wages and entitlement to retain personal identity documents. MoLHR also monitored seven licensed employment agencies to assist Bhutanese citizens older than age 21 seeking work overseas, the same as in the previous reporting period. MoLHR continued to publicly list on its website the four recruitment agencies suspended the previous year, but it did not report if it levied civil or criminal penalties against the agencies, or whether it suspended additional agencies during the current reporting period. MoLHR reportedly continued to investigate unregistered recruitment agencies during the reporting period. MoLHR provided potential migrant workers with information about destination countries, including laws, through in-person briefings, social media, and pamphlets on migrant-worker rights. Additionally, police began educating and informing about trafficking those who applied for the mandatory police clearance required to work abroad. Government regulations on overseas employment allowed most 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. During the reporting period, according to media reports, a number of Bhutanese students in the "Learn to Earn Program" in Japan reported indicators of forced labor, including regular deductions of up to one-quarter of their paychecks as a "commission," which was not part of the original contract; passport retention; harsh working conditions; and threats to not report these abuses. The government looked into the charges, prepared to send a high-level delegation to investigate the allegations, and reported students were in possession of their passports. It did not report any actions taken against BEO or suspension of the program. 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. Bhutan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, in a number of cases, human traffickers have exploited domestic victims in Bhutan or victims from Bhutan abroad, and foreigners in Bhutan may be vulnerable to human traffickers. Bhutanese who migrate overseas for work are vulnerable to human trafficking by unlicensed or unscrupulous recruitment agents. During the reporting period, Bhutanese youth in a work-study program in Japan reported conditions indicative of forced labor. Bhutanese women and girls in domestic work are vulnerable to sex trafficking and labor trafficking, including debt bondage and threats of physical abuse. Traffickers may have exploited Bhutanese girls working as entertainers in *drayangs* in labor trafficking. Relatives transport rural Bhutanese to urban areas for employment in domestic work, which at times may involve forced labor. LGBTI Bhutanese individuals may be vulnerable to human traffickers. An expanding construction sector continues to increase the demand for low-skilled foreign labor. Indian migrant workers—including men in the construction and hydropower sectors and women and girls serving as domestic workers or caregivers—were vulnerable to labor trafficking in Bhutan. NGOs assess Bhutanese and Indian women and children face increased risk to forced labor and sex trafficking in the growing hospitality and entertainment districts, including nightclubs, along the Bhutanese-Indian border.

BOLIVIA: TIER 2 WATCH LIST

The Government of Bolivia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Bolivia was upgraded to Tier 2 Watch List. These achievements included investigating and convicting traffickers; verifiably identifying victims; approving a victim referral mechanism; and developing and training law enforcement officials on the newly adopted victim identification protocol. Despite these achievements, the government did not vigorously convict traffickers, including complicit officials; services for victims remained inadequate; and efforts to address labor trafficking remained insufficient.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials and perpetrators of labor trafficking. • Implement and train officials on the use of established protocols for the proactive identification of trafficking victims among vulnerable populations and for the referral of victims to care services. • Train officials on the difference between human smuggling and human trafficking. • Increase specialized victim services, and fund and collaborate with NGOs to assist in the provision of those services. • Encourage victims to cooperate with law enforcement by ceasing investigations of "false allegations." • Train all labor inspectors on victim identification and increase inspections in sectors with high vulnerability to trafficking. • Increase the time law enforcement officials serve in anti-trafficking units to preserve institutional knowledge. • Amend the anti-trafficking law to ensure that a demonstration of force, fraud, or coercion is not required to constitute a child sex trafficking offense. • Train Ministry of Health staff conducting medical screenings on vulnerable populations on trafficking indicators. • Strengthen engagement and coordination with civil society on technical, budgetary, and policy matters related to trafficking. • Improve interagency coordination on data sharing and improve data collection of anti-trafficking efforts, including distinguishing human trafficking from other crimes. • Expedite the issuance of humanitarian visas for victims of trafficking. • Increase awareness of "Triple Seal" certification among businesses to reduce the demand for forced labor.

PROSECUTION

The government increased law enforcement efforts. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—criminalized sex trafficking and labor 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. In addition, Article 321 of Law 2033, which criminalized pimping using force, fraud, or coercion, was used to prosecute sex trafficking crimes. The law prescribed significantly lower penalties of 3 to 7 years' imprisonment for adults, and 4 to 10 years' imprisonment for offenses involving children. 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 reported investigating 281 cases of trafficking, including 13 cases for pimping. Authorities prosecuted 55 trafficking cases, including nine for pimping (44 in 2017). Authorities convicted two traffickers, one under the trafficking law and the second under article 321. Authorities did not specify how many of these cases were labor or sex trafficking, and these cases likely included other crimes not considered trafficking under international law. The government did not provide sentencing data for those convicted in 2018. Observers reported the vast majority of arrested suspects, including traffickers, served time in pre-trial detention without ever receiving a final sentence and often avoiding justice by paying bribes to corrupt officials to avoid prosecution. General backlogs in the judiciary, insufficient resources and personnel, and poor training of law enforcement officials impeded law enforcement efforts. Observers reported each prosecutor was responsible for 800 to 1,000 cases, leading to a slow administration of justice. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government did not report investigating, prosecuting, or convicting any new cases of official complicity. In the nightclub case dating back to 2016, the government indicted three complicit officials for trafficking crimes, including two police officers and a municipal employee. In the 2017 case involving the prosecution of two individuals on politically motivated trafficking allegations, authorities reported insufficient evidence to prosecute.

International organizations and NGOs provided training workshops for government officials, including police officers, judges, prosecutors, and immigration authorities. Additionally, the Ministry of Government (MOG) and the Ministry of Justice (MOJ) organized anti-trafficking capacity building opportunities for members of the judiciary, reaching approximately 292 officials, including judges, prosecutors, and law enforcement officials. The La Paz police department's anti-trafficking unit maintained 18 police investigators and other departments' anti-trafficking units allotted three to five investigators. Police officials rotated into new positions every three months to one year, resulting in a cyclical loss of institutional knowledge and impeding specialization in trafficking crimes. The Ministry of Labor (MOL) provided basic training to newly hired labor inspectors on child labor, including indicators of forced labor. In 2018, authorities reported investigating 52 cases of child labor, some that could have been labor trafficking. The 2017 forced labor case involving 17 adults and eight children from the Guarani indigenous group exploited in the sugarcane harvest remained open at the end of the reporting period.

PROTECTION

The government increased protection efforts. The government reported identifying and assisting 15 victims of trafficking. In 2018, the government adopted a new victim identification handbook for law enforcement officials, and updated and approved a victim referral mechanism. Authorities trained 74 law enforcement officials on the use of the victim identification handbook. The Ministry of Health administered periodic medical tests to individuals in prostitution but did not screen for trafficking indicators. The MOL employed 14 labor inspectors specifically charged with investigating cases of child labor and forced labor, and an additional 92 labor inspectors, who had authority to investigate potential forced labor cases if they encountered them during their routine inspections. Authorities did not report identifying any victims of forced labor.

The government provided in-kind support but relied on private organizations, faith-based groups, foreign donors, and NGOs to fund and provide most victim services. The government did not provide specialized shelters for victims; however, six out of nine department governments had multi-use shelters for victims of domestic violence that accepted female trafficking victims, each reportedly underfunded. 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 specialized services to adult male victims, but they could receive basic assistance at migrant shelters. Authorities referred boy trafficking victims to NGOs, private shelters, and religious organizations for assistance.

The government did not provide an update on efforts to publish a list of "false victims" of trafficking crimes meant to dissuade "false allegations" by members of the public. The publication of such a list could serve as a means to penalize or otherwise discourage victims from reporting crimes or participating in investigations or the judicial process. Inclusion on the list also endangers victims. Foreign victims who assisted in the case against their traffickers could receive a humanitarian visa, but the process often took years and victims were unable to work during that time. The government issued 248 humanitarian visas from 2014 to 2018 but did not indicate how many it issued to victims of trafficking. The government had a protocol for the repatriation of victims identified abroad. Authorities assisted nine individuals using this protocol and provided consular assistance and protection services for 20 foreign victims in 2018. The government allowed the use of Gesell chambers in seven of nine departments, and in lieu of testifying in person, victims could provide recorded testimony or submit a written statement to the court. The government did not report using these provisions to encourage victims to cooperate in the case against their traffickers. Under Bolivian law, victims and their prosecutors could request restitution for damages from the sentencing judge. When victims did not participate in the case against their traffickers, they or their prosecutors could still file restitution claims within three months of sentencing. The government did not report whether any victim or prosecutor sought restitution in trafficking cases.

PREVENTION

The government increased prevention efforts. The Plurinational Council against Human Trafficking and Smuggling, chaired by the MOJ, was the entity responsible for coordinating anti-trafficking efforts at the national level. Two sub-ministerial units were responsible for coordinating anti-trafficking efforts at the technical level. Observers noted a lack of interagency coordination, in part due to overlapping mandates. The government used the 2015-2020 national action plan and continued developing the 2016-2020 multiregional plan for the coordination of trafficking efforts among the nine autonomous regions. Jointly with an international organization, the government began the development of a database to consolidate trafficking cases. The government did not approve or implement the 2014 protocol for the early detection of populations vulnerable to trafficking.

The council's national policy to implement Law 263 required each department to develop anti-trafficking plans; by the end of 2018, seven of nine departments had developed and begun implementing a plan, an increase from two of nine in 2017. In previous years, traffickers exploited the absence of a national registry of employment agencies to establish or abuse existing informal temporary employment agencies, through which they identified and recruited potential victims. In 2018, the government adopted a federal registry requiring all employment agencies to register and provide the MOL all recruitment and job placement records.

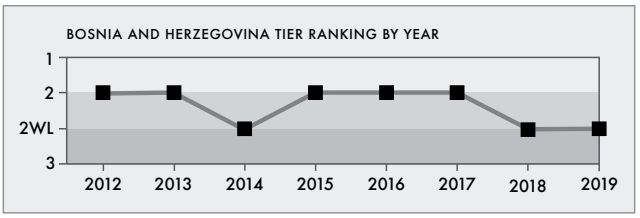
The Human Rights Ombudsman's Office launched an awareness campaign focused on educating students nationwide on detecting fraudulent recruitment and informing on labor rights. The campaign reached approximately 18,700 students. The government conducted a separate awareness campaign educating the general population of fraudulent recruitment practices, and developed and aired information segments for an investigative documentary on trafficking that aired in 52 media outlets. The national police conducted courses on trafficking awareness targeting students, parents, and teachers, reaching approximately 1,300 people, and in coordination with an NGO, police officials provided informational pamphlets on trafficking awareness to individuals attending a concert hosted by an NGO focused on TIP. The MOG conducted two awareness campaigns and organized several events and workshops in departments with a high prevalence of trafficking, including Cochabamba and El Alto. The campaigns targeted the public and reached approximately 30,000 people. 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. Officials reported that 149 companies obtained the seal in 2018. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Bolivia. Traffickers exploit Bolivian men, women, and children in sex trafficking and forced labor within the country and abroad. To a more limited extent, traffickers exploited women from neighboring countries, including Brazil, Colombia, and Paraguay, in 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 sex trafficking and forced labor. 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 exploited in sex trafficking within Bolivia and neighboring countries such as Argentina, Brazil, Panama, Peru, and Chile. Within the country, traffickers exploit Bolivian men, women, and children 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. Traffickers exploit a significant number of Bolivians in forced labor in Argentina, Brazil, and Chile in sweatshops, agriculture, brick-making, domestic work, textile factories, and the informal sector.

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 but is making significant efforts to do so. These efforts included the State Coordinator organizing meetings to solicit feedback on regional monitoring teams, changing the structure, and revising guidelines for the teams to increase effectiveness. The government funded NGOs to conduct awareness campaigns and made indictments in the first joint international investigation with French authorities. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Law enforcement lacked capacity and knowledge and continued to regularly investigate trafficking under lesser offenses, while judges issued sentences that fell short of the trafficking statutes' minimum penalties and cited unreasonable "mitigating circumstances" to decrease the sentences. Law enforcement lacked victim-centered investigations and prosecutions, and the anti-trafficking strike force—the only mechanism to coordinate law enforcement efforts across entities—remained ineffective. In addition, the government identified fewer victims and lacked victim protection efforts, particularly efforts to proactively screen victims and provide assistance, which led to penalization of victims for unlawful acts that traffickers compelled them to commit. Victim assistance providers continued to lack resources and could not assist all domestic victims. Therefore Bosnia and Herzegovina remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Implement the law that exempts victims from penalties for unlawful acts their traffickers compel them to commit, particularly victims of sex trafficking, forced begging, and forced criminality. • Vigorously investigate, prosecute, and convict traffickers, including any complicit officials, and impose sentences that reflect the serious nature of the crime. • Train first responders on victim identification and referral and increase proactive identification efforts. • Allocate sufficient funding for NGO-run shelters and develop financial policies that effectively

allocate funding for victim assistance. • Improve cooperation and coordination among state and sub-state actors, including allocating adequate resources and assigning personnel to the anti-trafficking strike force. • Increase law enforcement capacity and training to investigate complex cases. • Train judges to understand the severity of trafficking when issuing sentences and sensitize prosecutors and judges to the issue of secondary trauma and victim centered approaches. • Standardize victim assistance throughout the country, including the ability to access assistance and support outside of shelters and specialized assistance for male victims. • Integrate Romani groups into decision-making processes regarding victim protection.

PROSECUTION

The government maintained law enforcement efforts. Bosnia and Herzegovina (BiH) consisted of two entities within the state—the Federation of Bosnia and Herzegovina (Federation) and Republika Srpska (RS). Each entity has 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 trafficking 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, with regard to sex trafficking, commensurate with those for serious crimes, such as rape.

The State Prosecutor's Office (SPO) did not initiate any investigations (three suspects in 2017). SPO indicted one defendant under Article 186 (three in 2017) and indicted eight defendants for organized crime involved in trafficking. State courts did not convict any traffickers (four in 2017). Federation authorities investigated four suspects (seven suspects in 2017). Federation prosecutors indicted two defendants (one in 2017) and Federation courts convicted 11 traffickers (seven in 2017). Federation judges sentenced four traffickers to imprisonment of one year, 1.5 years, 5.5 years, and 7.5 years. One trafficker received a monetary fine and the Federation did not provide sentencing information for the other six traffickers. RS authorities investigated three suspects (one in 2017) and indicted one defendant (none in 2017). RS did not report any convictions in 2017 or 2018. BD authorities did not initiate any investigations (one in 2017) or any prosecutions (one in 2017). BD courts convicted one trafficker (one in 2017) and judges sentenced the trafficker to six months' imprisonment. Court proceedings lasted many years and judges issued sentences below the trafficking statutes' minimum penalties, while often citing unreasonable "mitigating circumstances" to decrease further the sentences. For example, a judge mitigated the sentence of a perpetrator who raped a sex trafficking victim by asserting that a victim of sex trafficking was more inclined to sexual activity. In previous years, a BD appellate judge acquitted an alleged trafficker convicted by a lower court by citing forced child begging as traditional Roma cultural practices and customs. Additionally, the government reported traffickers avoided imprisonment by utilizing a law that allowed convicted perpetrators to buy their way out of up to one year of imprisonment for 100 convertible marks ($59) a day.

The State Investigation and Protection Agency (SIPA) maintained 12 specialized officers, including three female officers, and Tuzla Canton in the Federation operated a specialized trafficking unit in addition to trafficking liaison officers in all police units within the canton. RS, BD, and other Federation cantons did not have specialized officers, although organized crime and corruption units were designated to investigate trafficking. Law enforcement reported the lack of capacity and technical knowledge hindered their ability to conduct effective investigations. Authorities continued regularly to investigate and prosecute sex trafficking, forced begging, and trafficking cases involving family members under lesser offenses. Law enforcement reported difficulties in investigating trafficking offenses involving multiple cantons or entities, due to a lack of communication and coordination with cantonal prosecutors. The standing anti-trafficking strike force remained the only mechanism to coordinate law enforcement efforts across entities on trafficking cases; however, the strike force was largely ineffective, with SPO denying disbursement of operational funds, the Federation and the state failing to appoint prosecutors, and SIPA rarely participating in meetings. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. The government continued its first joint international investigation with French authorities of a Bosnian and Croatian married couple alleged to have forced six Roma children to pickpocket in France; SPO indicted eight defendants in May 2018. The government cooperated with neighboring countries, Austria, and France, and signed bilateral agreements with Croatia, Montenegro, North Macedonia, and Serbia, but the lack of bilateral agreements regarding witness protection created obstacles for witnesses and victims to participate effectively in international investigations. Police academies maintained basic and advanced courses on trafficking, and the government, with financial and technical assistance from an international organization, trained prosecutors and judges on various trafficking issues.

PROTECTION

The government decreased victim protection efforts. The government identified 36 potential trafficking victims (82 in 2017). Of these, 17 were victims of sex trafficking, 19 were victims of forced labor, including 18 for forced begging (15 victims of sex trafficking, seven of forced labor, 59 of forced begging, and one whose exploitation was not reported in 2017); 21 victims were female and 15 were male (58 females and 25 males in 2017); 12 were children (47 in 2017); and eight were foreign victims (two in 2017). Two bylaws provided standard operating procedures (SOPs) for identifying and referring victims to services, including a list of general indicators, but observers reported first responders did not know or consistently use the guidelines, lacked the knowledge to accurately identify trafficking victims, 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 510 street children (130 in 2017). International organizations reported law enforcement and social workers at centers for social welfare (CSW) justified cases of potential forced child begging and forced labor involving Roma as traditional cultural practices and customs and sometimes returned children to their families even when parents were involved in the exploitation. In addition, a report from an international organization indicated first

responders, including Border Police, local police, Service for Foreigners' Affairs, and CSW, lacked standard guidelines and trafficking indicators for migration flows, interview questions and interpreters, and general capacity to screen the large influx of migrants and refugees. First responders referred potential trafficking victims to law enforcement, which 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; some prosecutors required victims to cooperate with law enforcement to receive assistance and support.

The government partly funded four NGO-run shelters, but 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 10 victims to NGO-run shelters (26 in 2017). The Ministry of Human Rights and Refugees allocated 60,000 convertible marks ($35,170) to assist domestic trafficking victims in both 2017 and 2018. The Ministry of Security allocated 70,000 convertible marks ($41,030) for assistance to foreign victims in both 2017 and 2018. Funding for victim assistance was disproportionately lower for domestic victims, although they constituted the majority of identified victims. The government failed to reach an agreement to combine domestic and foreign assistance funds and returned unused funds allocated to assist foreign victims to the state budget instead of reallocating those funds for domestic victim assistance. As a result, some domestic victims did not have access to assistance. 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. NGO-run shelters allowed victims to leave voluntarily after informing the staff, but no mechanisms were in place to assist victims outside of shelters, including at CSW, which 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 more than 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 and foreigners identified in Bosnia; no victims required repatriation assistance (one in 2017). Foreign victims were eligible for a humanitarian visa allowing them to temporarily live and work in BiH, 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 traffickers compelled them to commit due to inadequate identification efforts; authorities penalized victims of sex trafficking, forced begging, and forced criminality with misdemeanor charges for petty crimes. The government reported SOPs incorporated non-penalization standards but acknowledged authorities still penalized victims due to a lack of knowledge of the SOPs exacerbated by frequent rotations and turnover. 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; no prosecutions were reported. The government did not consistently conduct victim-centered investigations and prosecutions. For example, prosecutors did not need certification to work with children and often interrogated child victims without a psychologist or social worker present. Authorities also repeatedly interviewed adult victims, and courts did not offer victims any accommodation inside courthouses to prevent re-traumatization. Police did not consistently notify victims' lawyers when conducting interviews; some courts required victims to testify with no prior notification or preparation; and international organizations reported cases of victims' identity and personal information leaked to the media and published. Victims could obtain restitution through criminal proceedings or compensation through civil suits; a district court awarded a victim 7,500 convertible marks ($4,400). 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

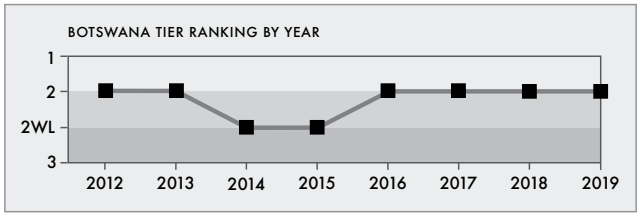
The government increased efforts to prevent trafficking. The government continued to implement the 2016-2019 national action plan and the State Coordinator continued to produce its annual report. Four Regional monitoring teams (RMT) met regularly but only served as forums to exchange information rather than their intended mandate of establishing local referral mechanisms. However, the State Coordinator organized meetings to solicit feedback on RMTs and accordingly changed the structure from four to 17 RMTs: 10 in the Federation, six in the RS, and one in BD. In addition, the government, with financial and technical assistance from an international organization, revised guidelines for RMTs. The government continued to allocate 10,000 convertible marks ($5,860) to seven NGOs to conduct awareness raising activities. The government did not make efforts to include Romani communities in discussions on anti-trafficking issues. 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, human traffickers exploit domestic and foreign victims in BiH, and traffickers exploit victims from BiH abroad. Foreign victims in 2018 were from Afghanistan (2), Montenegro (3), North Macedonia (1), and Sri Lanka (2). In previous years, victims from Cuba, Gambia, Libya, and Serbia were subject to trafficking in BiH. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. Marginalized Romani children are subjected to forced begging, sex trafficking, and 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. Thousands of migrants and refugees from Afghanistan, Iran, Iraq, Syria, and neighboring countries traveling through, stranded in, or being smuggled through BiH are vulnerable to trafficking, particularly women and unaccompanied minors.

BOTSWANA: TIER 2

The Government of Botswana does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Botswana remained on Tier 2. The government prosecuted more traffickers and increased funding for victim protection services. However, the government did not meet the minimum standards in several key areas. The government did not convict a trafficker for the second consecutive year, did not amend its law to eliminate the option of a fine in lieu of imprisonment, and reported identifying fewer victims of trafficking.



PRIORITIZED RECOMMENDATIONS:

Formalize the system to refer trafficking 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. • Increase training for prosecutors and judges on Botswana's 2014 anti-trafficking law so they can more effectively try trafficking cases. • 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 use by 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 front-line officials to identify potential victims of trafficking, to be provided either directly or in partnership with NGOs. • Continue to conduct public awareness campaigns, particularly in rural areas.

PROSECUTION

The government increased anti-trafficking law enforcement efforts, but officials noted the judiciary's lack of familiarity with the Anti-Human Trafficking Act impeded its ability to effectively prosecute suspected traffickers. The 2014 Anti-Human Trafficking Act criminalized sex trafficking and labor trafficking, and defined trafficking broadly to include all child labor. The law prescribed penalties of up to 25 years' imprisonment, a fine of 500,000 *pula* ($46,900), or both, 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 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 a fine of 50,000 *pula* ($4,690), or both, penalties which were significantly lower than those prescribed under the 2014 anti-trafficking act.

The government initiated investigations of six trafficking cases involving an unknown number of suspects during the reporting period and continued investigations of four cases from the previous reporting period, compared with investigating six cases in 2017. Officials prosecuted 11 suspected traffickers in 2018, compared with prosecuting eight suspects in 2017. Authorities reported continuing eight separate prosecutions from previous years; experts noted judicial processes in Botswana are generally protracted. The government did not convict a trafficker for the second consecutive year, although authorities appealed and sought a stricter sentence during the reporting period for a trafficker convicted in 2016.

The Directorate of Public Prosecution (DPP) continued supporting specialized anti-trafficking units and monitored the investigation and prosecution of trafficking cases. Officials reported coordinating with the governments of Malawi, Nigeria, South Africa, and Zimbabwe on multiple transnational trafficking cases, although they did not report details of the investigations. The government investigated one Motswana diplomat for potential trafficking before determining the case was a labor dispute. Officials did not report prosecuting or convicting officials complicit in human trafficking offenses, although authorities acknowledged corruption as a general impediment for effective law enforcement in Botswana. The slow pace of Botswana's judicial system and the lack of qualified interpreters adversely impacted authorities' ability to prosecute trafficking crimes.

During the reporting period, the Ministry of Defense, Justice and Security (MDJS) reported partnering with the DPP to train 36 officials from all six DPP offices on the Anti-Human Trafficking Act, victim identification, and trafficking indicators. The MDJS and DPP coordinated with an international organization and the Southern African Development Community (SADC) to provide training for immigration officials, first responders, social workers, law enforcement officers, and local elected officials in the North Eastern District of Botswana on trafficking data collection. Additionally, the police service continued to include a human trafficking module 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 efforts to identify and protect trafficking victims. The government reported identifying 13 potential victims in 2018; nine adult males exploited in forced labor, three Batswana women exploited in sex trafficking in neighboring countries, and one woman exploited in sex trafficking within the country. For comparison, in 2017, the government reported identifying 19 trafficking victims; three adult and 16 child victims. Officials reported coordinating with NGOs to refer all identified victims to facilities providing shelter, medical care, and other services. The government identified 31 foreign victims during the reporting period, including from Ethiopia, Tanzania, Zambia, and Zimbabwe; the majority of whom were young women and men in transit to neighboring countries. The government reported spending 3.69 million *pula* ($346,100) on services for victims of trafficking, repatriations, and staff training, compared with spending 447,000 *pula* ($41,930) in 2017.

Officials reported providing shelter and other support to 31 foreign victims currently in Botswana; however, the government did not report repatriating foreign victims to their countries of origin, compared with assisting 10 foreign victims return

to their countries of origin in 2017. 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. There were no reports officials penalized victims for unlawful acts committed as a result of being trafficked; however, some victims may have remained unidentified and subsequently penalized due to the government's failure to employ systematic measures to identify trafficking victims among vulnerable populations.

PREVENTION

The government maintained 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 at least once during the reporting period, compared with convening four times during the previous reporting period. Officials updated the government's 2017 National Action Plan to combat trafficking. The MDJS held a national commemoration of the World Day Against Trafficking in Persons in July 2018 to raise awareness among the general public, featuring the MDJS Minister, senior government officials, members of the international diplomatic corps, civil society representatives, senior diplomats, as well as a victim of trafficking.

Officials conducted 11 anti-trafficking workshops for social workers from all 26 public hospitals, Industrial Court staff, elected officials, first responders and students, compared with holding 13 anti-trafficking workshops in 2017. The Botswana Police Service also conducted awareness raising sessions with secondary school students at various locations. The government continued to participate in the SADC regional data collection tool by uploading information about trafficking cases, victim and trafficker profiles, and sharing information with countries in the region.

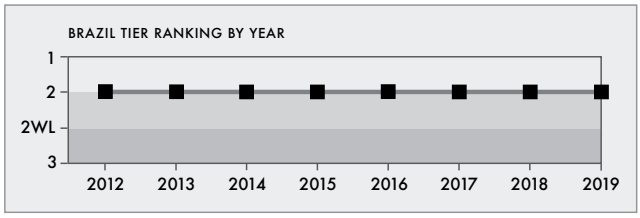
The government reported it regularly conducted labor inspections throughout the country, but did not report sanctioning individuals or firms who may have subjected individuals to trafficking. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Botswana and traffickers exploit victims from Botswana abroad. 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. Traffickers may exploit young Batswana serving as domestic workers for extended family who may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—conditions indicative of forced labor. Criminals exploit some Batswana girls and women in prostitution within the country, including in bars and along major highways. Organized trafficking rings subject some Batswana women to trafficking internally or transport women from neighboring countries such as South Africa and Zimbabwe and subject them to sexual exploitation. The government reported some traffickers targeted potential victims via social media, including through advertising fake employment opportunities, with the purpose of exploiting victims in forced labor or sex trafficking. Officials stated traffickers subject adults and children of the San ethnic minority group to labor conditions on private farms and cattle posts in Botswana's rural west that may rise to the level of forced labor. Traffickers likely subject some undocumented migrant Zimbabwean children to sex trafficking or forced labor in Botswana.

BRAZIL: TIER 2

The Government of Brazil does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Brazil remained on Tier 2. These efforts included convicting more traffickers; investigating and prosecuting more cases of sex trafficking; identifying more victims of *trabalho escravo*, many of whom might be victims of trafficking; and approving and funding a new national action plan. However, the government did not meet the minimum standards in several key areas. State authorities identified and assisted fewer victims of *trabalho escravo*, and protection efforts available for all victims were insufficient given the scope of the problem. The government's efforts to criminally investigate, prosecute, and convict labor trafficking cases decreased and the government treated forced labor as a distinct crime from human trafficking; it treated most cases as administrative matters rather than criminal.



PRIORITIZED RECOMMENDATIONS:

Provide shelter and specialized assistance to victims of sex trafficking and forced labor. • Vigorously investigate, prosecute, and convict traffickers, including those involving complicit officials. • Strengthen efforts to combat forced labor, including *trabalho escravo*, such as by ensuring suspected labor traffickers are criminally prosecuted and by providing adequate services to victims of forced labor. • Improve interagency, federal, and state coordination efforts to combat trafficking, including among law enforcement. • 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. • Implement the third national action plan. • Strengthen the mandate of CONATRAP to assist in the development of anti-trafficking offices in every state, including those with limited funding and high prevalence of trafficking. • Prosecute labor traffickers in criminal courts and punish them with adequate penalties. • Train federal, state, and municipal law enforcement officials on trafficking indicators and proactive identification of victims. • Increase specialized services for child trafficking victims, including case management assistance and oversight of local guardianship councils. • Compile comprehensive data on the identification of victims, the assistance provided, investigations, prosecutions, and convictions at the federal and

state level, disaggregated between sex and labor trafficking cases. • Update referral mechanism guidance to reflect the provisions covered under the 2016 trafficking law.

PROSECUTION

The government maintained law enforcement efforts. Law 13.344 criminalized some forms of sex trafficking and all forms of labor 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 of Law 13.344 required force, fraud, or coercion for child sex trafficking cases and therefore did not criminalize all forms of child sex trafficking. However, Article 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 prescribed penalties of two to eight years' imprisonment and a fine. It 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.

Law enforcement data provided by the government reflected efforts made under federal jurisdiction. Authorities reported conducting 172 investigations (133 investigations under Article 149 and 39 under Article 149a), compared with 190 in 2017 (171 investigations under Article 149 and 19 investigations under Article 149a). The government reported prosecuting 37 suspected traffickers (27 under Article 149, eight individuals under Article 149a, and two others under a different article criminalizing complicity into the trafficking of others), compared with 57 prosecutions in 2017 (55 under Article 149 and two under Article 149a). Authorities reported 128 convictions (seven under Article 149a and 121 under Article 149), compared with 81 convictions in 2017 (six under Article 149a and 75 under Article 149). In 2018, sentences imposed ranged from one to five years' imprisonment. However, most convicted traffickers served sentences under house arrest or by spending only nights in prison while being free during the day. Most sex and labor traffickers convicted by lower courts appealed their convictions; there were three appeals related to trafficking cases in the federal court system in 2018 (compared with 78 in 2017). The lengthy appeals process lasted years.

The government treated forced labor as a distinct crime from human trafficking, and labor inspectors and labor prosecutors only had the authority to apply civil penalties. The Ministry of Labor's (MTE) inspectors handled administrative cases of *trabalho escravo* while referring cases with evidence of serious violations to the labor court and public ministry for criminal prosecution. In 2018, labor inspectors identified 1,745 cases of *trabalho escravo* and the MTE issued administrative penalties to 100 employers guilty of *trabalho escravo*. The government did not report how many were guilty of forced labor as defined under international law or if labor inspectors referred any of those cases for criminal prosecution. In coordination with a local university, the government trained 31 labor inspectors on combating *trabalho escravo*. During the reporting period, the government announced plans to integrate the MTE and its efforts to combat *trabalho escravo* under the purview of the Ministry of Economy.

Interagency coordination and data collection efforts were inadequate. Data remained spread across multiple databases at the federal and state level, making it difficult to obtain and analyze comprehensive data. 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. Observers reported trafficking cases were often under-reported and, in some instances, misclassified by police as other crimes. Law enforcement units at all levels had insufficient funding, expertise, and staff to investigate trafficking. The government provided some training for law enforcement entities on investigations and prosecutions; however, international organizations and foreign governments conducted and funded most anti-trafficking capacity-building efforts. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government did not report any new investigations, prosecutions, or convictions of complicit officials; however, cases from previous years remained open, including the investigation of an elected official who was arrested and removed from his position in Parana state in October 2016 after allegations surfaced of his 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.

PROTECTION

The government maintained inadequate 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 trafficking law or making efforts to proactively train officials on its use. The MJSP maintained 12 posts at airports and bus stations known as transit points for victims to identify cases. 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 continued to operate state-level anti-trafficking offices (NETPs) that refer victims to social assistance centers for victims of sexual abuse, exploitation, domestic violence, and trafficking. NETPs in some of the wealthier states in the country had effective assistance and coordination teams that comprised police officers, prosecutors, and mental health professionals, whereas other state offices were not well funded or equipped to assist victims.

Several government agencies at various levels provided data on victim identification, totaling 98 victims in 2018, compared with 116 in 2017. In 2018, three of the 27 NETPs reported identifying 30 victims and assisting nine (22 of "labor exploitation for prostitution," three for "sexual exploitation," two for forced labor, one for "criminal activity," and two unspecified). Two other NETPs reported identifying four victims of sex trafficking and 64 victims of *trabalho escravo*, compared with 10 sex trafficking victims and 101 *trabalho escravo* victims identified and assisted across seven states during the first half of 2017. The government did not report how many were victims of trafficking as defined in international law or what services it provided. MTE officials identified 1,113 potential victims of *trabalho escravo*—some of whom may be victims of trafficking—compared with 1,104 in 2017. Specialized MTE divisions provided victims of forced labor with job training services, three months of

unemployment pay, and limited counseling services. 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. The government did not report the number of victims who received assistance through the MTE. In addition, the MTE reported identifying 1,409 children working in violation of minimum working age laws, some of whom may be trafficking victims.

The federal government did not fund specialized or long-term shelters for trafficking victims, and general victim services and shelters varied in quality from state to state. Some states placed victims in shelters for victims of domestic violence, migrants, or the homeless. States did not have specialized shelters for child sex trafficking victims, and guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. 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. The government did not report how many victims stayed at either shelter. NETPs referred victims of sex trafficking to social assistance centers (CREAS) where psychologists and social workers could assist vulnerable individuals; approximately 38 percent of centers nationwide had certification to assist victims of trafficking. The government did not report how many victims authorities assisted through the centers in 2018. Authorities did not refer victims of *trabalho escravo* to CREAS for assistance and victims remained vulnerable to re-trafficking due to inconsistent access to assistance; however, some state governments sought to address this issue by offering vocational training. The state governments in Mato Grosso, Ceara, and Bahia offered vocational training to victims of *trabalho escravo*.

The government had measures to encourage victims to testify in the case against their traffickers, including allowing remote live video testimony. However, authorities have never reported using these measures for trafficking cases. Observers continued to express concern about the under-reporting of trafficking crimes, attributing it in part to victims' lack of awareness of protection services and fear that filing complaints will lead to further exploitation, deportation, or other harm. Foreign trafficking victims were entitled to permanent visa status, but for the third consecutive year authorities did not report how many victims received it. The government could assist repatriated victims of trafficking but did not report assisting victims, compared with 24 victims in 2017. During the reporting period, authorities reported two-thirds of the victims owed compensation in the Fazenda Brasil Verde case had been compensated.

PREVENTION

The government maintained efforts to prevent trafficking. The government approved the 2016-2022 third national action plan for the elimination of trafficking and allocated 639,250 reais ($164,750) for the implementation of the plan. During the reporting period, coordination among agencies at the national and state level was uneven and varied in efficacy. The MJSP continued to oversee the National Committee to Combat Human Trafficking (CONATRAP), comprising 26 representatives, including federal government agencies and NGOs. At the state government level, officials from different agencies in 17 states continued to convene and address trafficking unilaterally and in a decentralized manner through the state NETPs. Municipal and state governments hosted workshops, training, art installations, performances, and roundtable discussions to commemorate World Day against Trafficking. In Sao Paulo, the MTE organized an event during "Fashion Week" simulating a sweatshop to educate the public on *trabalho escravo* often found in the garment industry. In Amazonas, the state government reached more than 1,900 students in public schools in a campaign to educate on identification and prevention of trafficking. Authorities in the same state held chats at a border shelter for Venezuelan migrants on the vulnerabilities to trafficking. In Sao Paulo, the government cooperated with Bolivian community leaders on a prevention campaign focused on educating this highly vulnerable population on forced labor and domestic violence. The government operated a human rights hotline that received two calls reporting child slave labor, 14 calls reporting child trafficking victims, and eight calls reporting child sex tourism. The government did not report whether it identified any victims or initiated any investigations as a result of calls to the hotline. The government did not make efforts to reduce the demand for commercial sex; however, efforts to reduce the demand for forced labor continued. In 2018, the MTE published a new version of the *lista suja*, or dirty list, and included 78 new employers to the list. The list identified individuals and businesses responsible for *trabalho escravo* and listed businesses could not access credit by public and private financial institutions. The government did not report any new investigations, prosecutions, or convictions of child sex tourists in 2018. The government did not report providing anti-trafficking training for its diplomatic personnel.

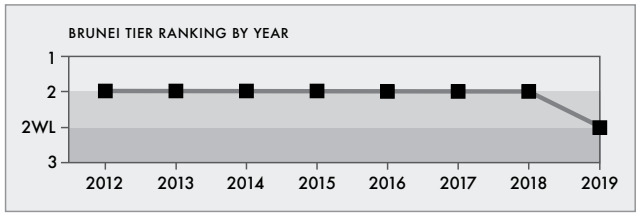
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Brazil, and traffickers exploit victims from Brazil abroad. Traffickers exploit Brazilian women and children, in sex trafficking within the country. Traffickers exploit Brazilian women in sex trafficking abroad, especially in Western Europe and China. Traffickers exploit women and girls from other South American countries, especially Paraguay, in sex trafficking in Brazil. Venezuelan migrants in border cities within Brazil, and those and who have relocated to other parts of the country, were highly vulnerable to sex trafficking and forced labor. Traffickers recruited Venezuelans living in Brazil and those still in Venezuela via online advertisements and social media platforms offering fraudulent job opportunities, later exploiting them in sex trafficking in major cities, like Sao Paulo or Rio de Janeiro. Traffickers exploit transgender Brazilian women, luring them with offers of gender reassignment surgery and later exploiting them in sex trafficking when they are unable to pay the cost of the procedure. Traffickers have exploited Brazilian men and transgender Brazilians 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. Traffickers exploit Brazilian men, notably Afro-Brazilian, and to a lesser extent women and children, in situations that could amount to labor trafficking, in rural areas (including in ranching, agriculture, charcoal production, salt industries, logging, and mining) and cities (construction, factories, restaurants, and hospitality). Traffickers exploit Brazilians in forced labor for the harvest of sugar, coffee, and carnauba wax. Traffickers exploit Brazilian women and children, as well as girls from other countries in the region, in forced labor for domestic servitude. Traffickers force some Brazilian victims to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Traffickers exploit Brazilians in forced labor in other countries,

including in Europe. Traffickers exploit men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—in forced labor and debt-based coercion 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.

BRUNEI: TIER 2 WATCH LIST

The Government of Brunei does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included training police, labor, and immigration officers on trafficking and victim identification and continuing awareness-raising campaigns for employers of foreign workers. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not prosecute or convict any traffickers for the second consecutive year. While the government identified a similar number of potential trafficking victims during the reporting period compared with the previous year, the number was significantly lower than the number of migrant workers who exhibit multiple indicators of trafficking. The government continued to detain, deport, and charge potential victims for crimes without employing a victim-centered approach to discern if the traffickers compelled the victims to engage in the unlawful acts. The government did not provide shelter or services for adult male trafficking victims. Therefore Brunei was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, convict, and punish both sex and labor traffickers, including complicit government officials, with strong penalties. • Widely disseminate standard operating procedures for victim identification, and train all front-line police, immigration, and labor officials on the procedures. • Cease the arrest, deportation, and punishment of trafficking victims for unlawful acts their trafficker compelled them to commit. • Increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by providing shelter to adult male victims, allowing adult victims in government shelters to move freely, allowing at-will communication with people outside shelter facilities, and issuing work permits to all victims. • Formalize the ad hoc interagency human trafficking committee. • Ensure migrant worker contracts and information on their rights and obligations under Brunei law are available in the migrant worker's primary language and that the migrant worker can retain a copy. • Issue guidelines on the prohibition of recruitment agencies charging or receiving worker-funded fees and enforce the prohibition. • Allocate resources for the completion of the pending dedicated trafficking victims' shelter. • 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 and partial or full withholding of wages. • 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 buyers of commercial sex. • Approve and implement the national action plan and the draft trafficking law. • Accede to the 2000 UN TIP Protocol and the ASEAN Convention against Trafficking in Persons.

PROSECUTION

The government decreased law enforcement efforts. The 2004 Trafficking and Smuggling of Persons Order criminalized sex trafficking and labor trafficking and prescribed penalties of four to 30 years' imprisonment and fines of up to 1 million Brunei dollars ($734,750), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. The penal code criminalized travel outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. During the reporting period, the sultan did not approve previously drafted legislation from 2017 that would create separate laws criminalizing trafficking and migrant smuggling and allow the government to comply with and enable ratification of the ASEAN Convention against Trafficking in Persons and the UN Palermo Protocol.

Royal Brunei Police Force (RBPF), labor, and immigration officers referred cases of suspected trafficking to the human trafficking unit (HTU) for further investigation. The HTU also reviewed case reports from other RBPF units to look for trafficking indicators, particularly in cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers. The HTU reported it screened 46 cases in 2018 for trafficking indicators compared with 28 cases in 2017. All 46 cases were of domestic workers who fled their employment. Separately, the Labor Department screened 16 cases of domestic workers who reported unpaid wages and other issues for trafficking indicators through October 2018. Authorities did not refer any of these cases to the attorney general's chambers (AGC) for prosecution, compared with two cases referred in 2017. In both 2017 and 2018, the AGC did not initiate any new trafficking prosecutions. Courts did not convict any traffickers in 2017 or 2018; the government's most recent trafficking convictions were of three traffickers in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The HTU continued to train RBPF, immigration, labor, and anti-vice officers on trafficking and victim identification.

PROTECTION

The government decreased efforts to protect victims. The HTU continued to report it employed standard operating procedures (SOPs) to identify potential trafficking victims when apprehending persons in prostitution and when accompanying immigration and labor officials on operations where trafficking was suspected. Police, immigration, and labor officers, who would be most likely to encounter potential trafficking victims, reported they also used these SOPs. In some cases, authorities employed identification measures only after detaining victims

during law enforcement operations, such as raids in which police arrested foreign women for prostitution crimes. Contrary to a victim-centered approach that requires governments to stabilize people with indicators of trafficking in order to provide time to determine if the person is a victim, in one case in 2018, courts convicted a Vietnamese woman for prostitution only one day after police detained her and her alleged pimp in a raid. Additionally, officials may have detained and deported unidentified trafficking victims for labor or immigration violations. Foreign government officials reported Bruneian authorities deported several of their citizens after their Bruneian employers withheld wages or medical care and then reported to immigration officials that the migrant workers had run away. According to observers, the practice of detention and deportation perpetuated victims' fear of communicating with law enforcement officers, exacerbating significant identification and service provision gaps. On March 31, 2019, the government identified two potential sex trafficking victims, compared with three potential victims identified in 2017.

The government maintained a secure, general-purpose shelter and provided medical care, counseling, psychological assessment, clothing, meals, and access to vocational training programs and recreational activities to all female trafficking victims and male trafficking victims under the age of 18. The government required victims to apply to leave the shelter and permitted movement only when the victim was accompanied by a chaperone. Shelter officials permitted victims to make calls home in the presence of an official from their embassy who could translate the conversation for authorities. The government did not provide shelter or services to adult male victims. During the reporting period, three women, identified as potential trafficking victims in the previous reporting period, received shelter and assistance services until October 2018 when the government decided not to prosecute their case and repatriated the women—a year after authorities initially placed them in the shelter. For the third consecutive year, the government reported budget constraints delayed its ongoing renovation of a dedicated trafficking shelter.

The 2004 law established a fund to compensate victims and cover repatriation costs. However, the government's decision to not allocate money to the fund and convicted traffickers' ability to elect additional prison time in lieu of paying fines resulted in the fund's continued lack of resources. The departments of labor and immigration could grant victims temporary work passes on an ad hoc basis; the government did not report any victims receiving work passes during the reporting period. The government did not have legal 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. The government's anti-trafficking interagency committee regularly met to review government efforts although it continued to operate without permanent authority within the government. For the fifth consecutive year, the government did not complete its draft national action plan to combat trafficking. The government continued its public awareness campaign with printed materials in English and Malay and supported a local NGO's anti-trafficking conference with official participation.

Brunei's 2004 Employment Agencies Order (EAO) mandated licensing and regulation of recruitment agents. The EAO prohibited agencies from charging or receiving any form of fees, remuneration, profit, or compensation; however, the labor department had not yet issued guidelines on this prohibition and therefore authorities had not implemented oversight of this provision. The government did not report taking action against any recruitment agencies for unlawful actions during the reporting period. Observers reported a number of migrant workers obtained authentic but improperly issued work permits in early 2018 and alleged a corrupt official had issued these permits. The observers noted later that cases of improperly issued work permits ceased after April 2018 when the government introduced a new work permit stamp. The labor department required foreign workers to sign their contracts in the presence of a labor officer to prevent forgery and for the labor official to be able to provide information to the worker on their rights and obligations; however, many workers' lack of literacy or fluency in local languages hindered disseminating information to and capturing information from workers. Brunei did not have a minimum wage; salary payments were negotiated in individual contracts which labor officials, without legal guidance, could not determine the fairness of. The 2009 Employment Order did not require employers to provide a written record of terms to employees not covered under the order, namely domestic workers and fishing crews.

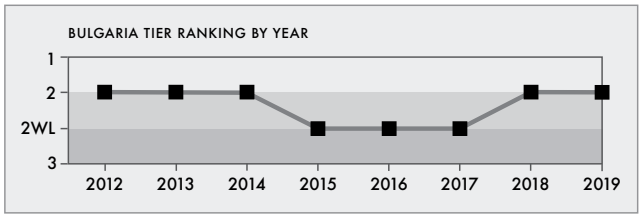
Although Bruneian law prohibited employers from withholding wages more than seven days or retaining employees' passports, foreign embassies reported their citizens commonly experienced both practices. The labor department provided workers with business cards containing the department's hotline for reporting labor violations and continued its awareness roadshow to educate the public on labor laws, including on passport retention. However, when labor officials inspected worksites they only required migrant workers to show a copy of their passport and visa and the government did not report taking administrative or legal action against employers for passport retention during the reporting period. The government did not make efforts to decrease the demand for commercial sex acts. Brunei is not party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Brunei. There are approximately 100,000 foreign migrant workers in Brunei from regional countries, including approximately 10,000 workers, most of whom are from mainland China, constructing a Chinese-funded petrochemical plant on an island in Brunei Bay with limited freedom of movement. Men and women migrate to Brunei primarily for domestic and construction work. Upon arrival, traffickers exploit some migrant workers through involuntary servitude, debt-based coercion, contract switching, non-payment of wages, passport confiscation, physical abuse, or confinement. Although it is illegal for employers to withhold the wages of their employees for more than seven 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. Traffickers may force some female migrants who arrive in Brunei on a tourist visas into prostitution. Some traffickers who exploit migrants in Malaysia or Indonesia for sex or labor trafficking use Brunei to transit victims.

BULGARIA: TIER 2

The Government of Bulgaria does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Bulgaria remained on Tier 2. These efforts included convicting two complicit officials and extraditing another, allocating more funding for victim services, and participating in more international investigations. However, the government did not meet the minimum standards in several key areas. Authorities investigated and prosecuted fewer trafficking cases. Courts continued to issue suspended sentences for most convicted traffickers. Officials' lack of knowledge of trafficking indicators hindered effective victim identification. Corruption in law enforcement and the judiciary continued to hinder progress, and investigations into complicit officials rarely led to prison sentences.



PRIORITIZED RECOMMENDATIONS:

Sentence convicted traffickers to significant prison terms. • Increase 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. • Introduce a sustainable financial mechanism for victim services, such as supporting shelters and repatriation. • Allocate sufficient funding for anti-trafficking activities, including the implementation of objectives in the national strategy and national program. • Train more officials on victim identification. • Reopen the two NGO-operated shelters for trafficking victims in Sofia. • 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. • Provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions. • Reform the victim compensation process to make it accessible to trafficking victims and increase the number of victims receiving compensation.

PROSECUTION

The government decreased law enforcement efforts. Articles 159a-159d of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of two to eight years' imprisonment and a fine of 3,000 to 12,000 *lev* ($1,760 to $7,030) for offenses involving adult victims and three to 10 years' imprisonment and a fine of 10,000 to 20,000 *lev* ($5,860 to $11,720) 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 rape. Authorities investigated 59 cases, prosecuted 68 defendants, and convicted 59 traffickers, compared with 81 investigations, 80 prosecutions, and 59 convictions in 2017. Of the 59 convicted traffickers, only 15 (25 percent) received a prison sentence that was not suspended, a similarly low rate as in the previous five years. As in 2017, the government did not report the range of prison sentences imposed on convicted traffickers but reported a 12-year prison sentence imposed on a trafficker with an extensive criminal record. Courts issued fines to 21 convicted traffickers, compared with 29 in 2017. In order to clear case backlogs, prosecutors often agreed to plea bargains with traffickers, and courts approved subsequent settlements as a cost-effective alternative to a full trial. Guilty pleas reduced traffickers' sentences by one-third and led to a majority of lenient or suspended sentences. The General Directorate for Combating Organized Crime (GDBOP) maintained a specialized police unit for trafficking cases. In 2018, GDBOP and the Border Police investigated 25 international cases. In 2018, authorities extradited at least 13 suspected traffickers.

Corruption in law enforcement and the judiciary, lack of meaningful sentences for complicit officials, and long trials continued to impede progress. Despite multiple NGO and media reports of complicity, particularly regarding police accepting bribes from persons in prostitution for protection, authorities investigated only three officers for trafficking-related crimes and did not prosecute any complicit officials. A court issued suspended sentences to two police officers, who authorities arrested in 2016, for assisting a trafficker by withholding information and obstructing an investigation. Separately, in January 2018 a court suspended from office the mayor of a local village, who authorities extradited to Spain in July 2017, along with six other individuals, on charges of running a sex trafficking ring involving 51 Bulgarian female victims; the mayor was released on bail in October 2017, but the prosecution against the group remained ongoing in Spain. Observers reported police and prosecutors often believed trafficking victims chose the life of exploitation, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. The Prosecution Service hosted two trainings for more than 50 prosecutors and investigators on understanding the victim-centered approach to trafficking. More than 400 law enforcement officials, prosecutors, labor inspectors, and refugee and migration officials attended 25 trainings organized by the government and NGOs; the trainings covered warning signs and identification of trafficking, application of the national referral mechanism and victim assistance opportunities, new trends and challenges with an emphasis on the use of internet for recruitment, and working with vulnerable groups, particularly children.

PROTECTION

The government maintained protection efforts. Based on open pre-trial investigations in 2018, the prosecution service identified 376 victims (309 of sex trafficking, 59 of labor trafficking, and eight of servitude), compared with 407 victims (323 of sex trafficking, 67 of labor trafficking, and eight of servitude) in 2017. Fifty-three of the identified victims were children (42 in 2017). Authorities did not identify foreign victims of trafficking during the year, compared to one potential victim of labor trafficking from Thailand in 2017. Experts alleged law enforcement could not effectively identify victims, due to insufficient knowledge and understanding of trafficking crimes. Pre-trial authorities formally identified trafficking victims, and the anti-trafficking commission, which coordinated the government's efforts, referred victims to services. The government allocated 390,000 *lev* ($228,470) for services and implementation of the annual national anti-trafficking and victim protection program with an additional 557,000 *lev* ($326,300) from a Swiss grant, compared with 376,000 *lev* ($220,270) and 254,000 *lev* ($148,800), respectively,

in 2017. Experts noted the victim protection program was chronically underfunded, which hampered implementation of a fully-fledged victim-centered approach, and with the conclusion of the Swiss grant in 2018, expressed concern for its sustainability. Experts also expressed disappointment in the lack of high-level political support, particularly vis-a-vis redirecting some of the money seized by traffickers toward victim assistance. Additionally, insufficient funding forced the two newly opened, NGO-operated shelters for victims in Sofia to suspend operations, further raising concerns with the government's ability to financially support victim services. The government continued contracting NGOs to operate an additional three centers offering consultative services for trafficking victims and three shelters offering residential services. Twenty-four publicly-run crisis centers offered social services to children and women victims of violence, including trafficking; the centers provided support, counseling, and accommodations to 119 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. The government allocated 9,180 *lev* ($5,380) annually per child accommodated in a crisis center and 33 *lev* ($19) monthly per child attending school. The National Council on Child Protection maintained referral services and accommodation for unaccompanied minors. Child protection coordinated the repatriation of 15 child victims; however, the government did not allocate funds for repatriation and relied either on the sending country or the Swiss grant to cover the cost.

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 facing intimidation and threats to change their statements. Observers noted many victims did not cooperate with law enforcement because they did not believe the judicial system would protect them, effectively administer justice, or convict perpetrators with meaningful sentences. Observers also noted some judges exhibited more concern with the rights of the traffickers than the rights and needs of the victims. Although in general victims lacked support during criminal cases, such as the state not providing knowledgeable legal counsel during trials, an increasing number of prosecutors from rural areas worked with NGOs and social workers to prepare victims for trial. The process for seeking compensation remained overly bureaucratic and discouraged victims from making claims; as a result, no victims received compensation.

PREVENTION

The government increased prevention efforts. The government continued to implement its 2017-2021 national anti-trafficking strategy and adopted its annual national program for combating trafficking and victim protection, focusing on prevention among at-risk populations, victim identification, and assistance. The commission in conjunction with an international organization conducted a study that analyzed the national referral mechanism and victim services, identified gaps in criminal cases, policy development, and victim reintegration, and prepared recommendations. The government organized a conference for Western Balkan countries focused on the anti-trafficking situation in the region and strengthening regional anti-crime capacity. Multiple government agencies conducted anti-trafficking activities, including a national awareness campaign on the risks of labor trafficking, which targeted students and included meetings with trade unions and social workers. Additionally, local anti-trafficking commissions ran more than 40 prevention projects, reaching more than 30,000 people, including vulnerable groups such as members of the Roma community and children. In conjunction with Finland, Estonia, and Latvia, the government contributed to a multi-year project profiling trafficking in regional supply chains. Bulgarian and French authorities cooperated to counter illegal employment by conducting six inspections of temporary employment agencies offering work to Bulgarians in France. The General Labor Inspectorate (GLI) conducted 1,415 inspections of labor recruitment firms, temporary employment agencies, employers sending "posted workers" to EU countries, and cases involving foreign workers in Bulgaria; it identified 5,561 violations and imposed 536 fines. GLI trained inspectors from each of its regions to identify labor trafficking victims and cooperate with authorities. The government did not make efforts to reduce the demand for commercial sex acts. The government allocated 65,000 *lev* ($38,080) to an NGO-run hotline for victims of violence, including trafficking.

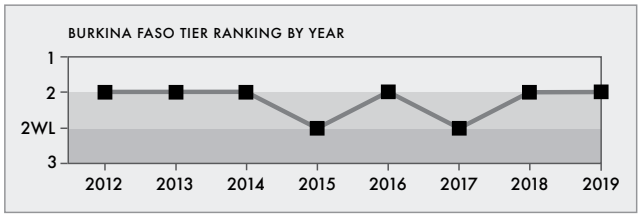
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Bulgaria, and traffickers exploit victims from Bulgaria abroad. Bulgaria remains one of the primary source countries of human trafficking in the EU. Bulgarian women and children are subjected to sex trafficking throughout Western Europe and in Bulgaria, particularly in the capital, resort areas, and border towns. 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. NGOs report domestic servitude as an increasing form of exploitation, affecting Roma and ethnic-Bulgarian victims. Traffickers subject Bulgarian men and boys to forced labor across Europe, predominantly in agriculture, construction, and the service sector. Traffickers force Bulgarian adults and children with disabilities into street begging and petty theft within Bulgaria and abroad. Traffickers subject Romani children to forced labor, particularly begging and pickpocketing. The government reports an increase in the number of exploited children and in the number of victims, primarily men, forced to beg in France and Sweden. Bulgaria has been a destination country for a limited number of foreign trafficking victims, including from 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Burkina Faso remained on Tier 2. These efforts included identifying and referring to care more potential victims, including children forced to work in artisanal mining and children exploited in forced begging; adding more labor inspectors that continued to remove children from exploitative situations; prosecuting and convicting a trafficker

posing as a Quranic teacher to exploit children in forced begging; and engaging with religious leaders to denounce corrupt Quranic teachers exploiting children in forced begging. However, the government did not meet the minimum standards in several key areas. The government did not report comprehensive law enforcement data. The anti-trafficking committee did not meet or conduct any activities during the reporting period. The government did not coordinate with law enforcement during a campaign to remove vulnerable children from the streets. Efforts to identify and refer adult victims to services remained weak. Despite identifying 2,000 potential child forced labor victims in artisanal gold mining, police did not report criminally prosecuting any trafficking cases within the exploitative mining sector.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to vigorously investigate, prosecute, and convict traffickers—including corrupt Quranic teachers and traffickers posing as Quranic teachers who exploit children in forced begging, and complicit officials—respecting due process and sentence convicted traffickers to significant prison terms, as prescribed in the 2008 anti-trafficking law. • Strengthen the system for collecting law enforcement and victim identification data. • Facilitate training of law enforcement, prosecutors, and judicial officials on investigating and prosecuting trafficking cases, including cases that do not involve movement. • Improve coordination among the anti-trafficking and child protection committees by providing funding or in-kind resources, convening regularly, and sharing data. • Increase the availability of shelter and services for all victims, including adults. • Investigate recruitment agencies suspected of fraudulently recruiting women for exploitation abroad. • Increase funding and resources for police and security force units charged with investigating trafficking crimes. • Increase funding and in-kind support, as feasible, 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. • 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.

PROSECUTION

The government maintained uneven law enforcement efforts and did not report consistent law enforcement statistics. Articles 511-1 to 511-5 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and fines of 1 million to 5 million West African CFA francs (FCFA) ($1,760-$8,790) for offenses involving a victim over the age of 15, and 11 to 20 years' imprisonment and a fine of 2 million to 10 million FCFA ($3,520-$17,590) for those involving a victim 15 years of age or younger. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government did not report comprehensive law enforcement data, and the data reported covered different but overlapping timeframes than the previous year, making it incomparable. With data from two regions, the National Police opened six new investigations involving 11 suspects between September 2017 and May 2018. With data from 12 regions, courts prosecuted 71 trafficking cases and convicted 61 traffickers between September 2017 and May 2018. For comparison, during the previous year, the government reported data from March 2016 and March 2018; in that time period, the government reported investigating, prosecuting, and convicting 61 traffickers. The government continued to investigate the 78 investigations that began in 2016, 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; the government began prosecuting the fraudulent recruitment case during the reporting period. The government prosecuted and convicted one Quranic teacher who forced or coerced children to beg. He received a 24-month prison sentence and a fine of 1.2 million FCFA ($2,110). Following the identification of 2,000 child laborers, including potential child forced labor victims in artisanal gold mining, the government initiated an investigation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, trafficking-related corruption remained a concern. In the past, authorities alleged some officials exerted pressure over police and judiciary to drop labor trafficking cases, especially in the mining sector. The Ministry of Women, National Solidarity, Family, and Humanitarian Action (Ministry of Women) trained 60 judges and law enforcement officials on identification and referral procedures for victims of gender-based violence, including trafficking.

PROTECTION

The government increased efforts to identify trafficking victims and maintained efforts to protect victims. With partial data from 30 of 45 provinces from the full reporting period, the government reported identifying 851 trafficking victims and 2,844 potential trafficking victims; this was a significant increase from 1,750 potential victims identified in 45 provinces the previous reporting period. Of these 2,844 potential victims, the Ministry of Women identified 1,350 vulnerable children living on the street, including *talibés* (Quranic students) exploited in forced begging. Separately, the government identified and removed 2,000 child laborers from artisanal gold mining sites, some of whom might have been trafficking victims, and provided food, clothing, shelter, health care, and legal assistance to all of these children. In August 2018, the Ministry of Women launched a campaign to remove all vulnerable children from the street, including *talibé*s exploited in forced begging. Through the campaign, the government identified and provided care to 1,350 vulnerable children, including potential trafficking victims. The government provided all children identified during the campaign shelter and services including family reintegration, counseling, and medical services as needed. However, the Ministry of Women did not involve law enforcement in the campaign, limiting prosecutions of traffickers as a result of identifying potential trafficking victims. An international organization provided assistance and repatriation to 24 additional trafficking victims, including nine children, from Nigeria. The government had standard victim identification and referral procedures; in regions where authorities and front-line responders had been trained, they implemented such procedures effectively. 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. The government coordinated with an international organization to screen for trafficking indicators among refugees and IDPs.

The government operated and staffed two shelters for victims of crime that trafficking victims could access in Ouagadougou; the shelter was open 24 hours per day and could accommodate long-term stays for both adults and children; the government referred an unknown number of trafficking victims to the shelters during the reporting period, and they received shelter, food, and medical assistance. Outside of the capital, the government operated 27 regional transit centers for victims of crime in 13 regions that could provide psychological, social, and food assistance. These offices provided short-term services, but usually not shelter, to an unknown number of Burkinabe and foreign child trafficking victims; the offices only operated during weekly business hours and when they had sufficient funding. In 2018, the government allocated approximately 8.5 million FCFA ($14,950) to victim protection services; in 2017, the government and NGOs disbursed 61 million FCFA ($107,270) to the transit centers 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; the government placed 31 child victims temporarily with foster families. Outside of Ouagadougou, there were no shelters or services specifically for adults; however, regional transit centers 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 sex trafficking, and the creation of a government support fund for victims; the government reported an unknown number of trafficking victims received support from the fund during the reporting period. The government had one such center in operation during the reporting period and allocated 1 million FCFA ($1,760) to it in 2018, compared to 5 million FCFA ($8,790) allocated in 2017. The ministry did not report how many victims it referred to this center during the reporting period.

The government encouraged victims to participate in trials against their traffickers by providing protection through the Ministry of Women, a regional human rights office, or foreign victims' embassies. The 2008 anti-trafficking law contained provisions to protect victims' identities and encourage their participation in prosecutions by allowing for closed sessions to hear victim testimony, excusing victims from appearing at hearings, and for social workers to accompany child victims. The government did not report if it utilized these provisions during the reporting period. The government did not report if victims could legally file civil suits against their traffickers or otherwise obtain restitution. Foreign victims who faced 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 and facilitated the repatriation of nine Burkinabe child forced labor victims identified in Cote d'Ivoire. In collaboration with NGOs and international organizations, the government repatriated Burkinabe trafficking victims from Nigeria, Togo, Benin, and Cote d'Ivoire and 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 led the national anti-trafficking committee established to coordinate government anti-trafficking efforts. The committee did not meet during the reporting period and 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, but none of these groups met during the reporting period. The government did not report allocating any funding to these committees in the 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. Prior to launching the campaign to remove vulnerable children from the street, the Minister of Women met with the Association of Quranic Teachers of Burkina Faso and secured their commitment to cease practices of forcing *talibés* to beg. The Ministry of Women conducted awareness-raising campaigns through radio programs, debates, and posters in five regions as well as holding capacity-building workshops on child protection, including child trafficking, in all regions of the country, and reported reaching 543,522 people, of which 23,712 were children.

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 Labor Inspectorate increased its number of labor inspectors from 169 to 255 during the reporting period, all of whom received basic training on child labor laws, although it did not report the number of inspections. In 2018, 2,000 child laborers, including potential child trafficking victims, were identified in artisanal mines during labor inspections and referred to care. The Ministry of Women 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 Ministry of Women continued to operate a hotline to report cases of violence against children, including trafficking. The hotline operated every day from 7:00am to

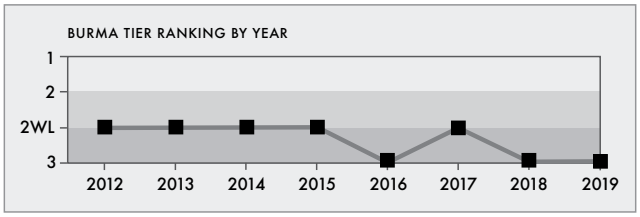
10:00pm and received 7,312 calls during the reporting period; 196 trafficking victims were identified as a result of calls to the hotline. The government provided vocational training for the social reintegration of young street children vulnerable to trafficking. The government did not report any policies to prevent the fraudulent recruitment or exploitation of Burkinabes abroad but did partner with an international organization to conduct an awareness campaign on the vulnerability to exploitation faced by irregular migrants. The government made some efforts to reduce the demand for commercial sex acts and forced labor. The government did not report providing anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Burkina Faso, and traffickers exploit victims from Burkina Faso abroad. 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. An international organization estimates between 200,000-300,000 children work in artisanal mining sites, some of whom may be trafficking victims. Unscrupulous Quranic teachers force or coerce children to beg in Quranic schools, sometimes with parents' knowledge. According to a 2016 survey, 9,313 children are living in the streets of Ouagadougou, of which 46 percent are *talibés* vulnerable to forced or coerced begging. During the reporting period, authorities in Senegal identified Burkinabe children exploited in forced begging. 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. Burkinabe adult trafficking victims were identified in Mali and Tunisia during the reporting period. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon, Qatar, Saudi Arabia, and—to a lesser extent—Europe and subsequently compel them into commercial sex. Burkinabe women are also exploited in domestic servitude in the Middle East. In 2018, an international organization repatriated approximately 588 Burkinabe adults from Libya, some of whom traffickers exploited in forced labor in construction and agriculture and sex trafficking in Libya, compared to 845 in 2017. As of April 2019, an international organization reported there were 145,000 IDPs in Burkina Faso as a result of instability due to terrorist attacks. 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 sex trafficking, 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 remained on Tier 3. Despite the lack of significant efforts, the government continued to prosecute and convict traffickers, raise awareness of the crime among vulnerable communities, and screen for potential victims in key border areas with high prevalence of the crime. However, there were reports that government officials were complicit in both sex- and labor trafficking, including by hindering law enforcement efforts against the perpetrators, and by subjecting incarcerated populations to unlawful prison labor. Burmese armed forces (Tatmadaw) operations in several areas of the country continued to dislocate thousands of Rohingya and members of other ethnic groups, many of whom were vulnerable to trafficking in Burma 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, child soldier recruitment and use continued, and the government took punitive action against former child soldiers for desertion, alleged fraud, and defamation. The Tatmadaw continued to require troops to source their own labor and supplies from local communities, thereby perpetuating the forced labor of adults and children.



PRIORITIZED RECOMMENDATIONS:

Cease all unlawful recruitment and use of children by armed forces and make efforts to facilitate ending child soldier recruitment by non-state groups, including by supporting the UN's efforts to enter into child demobilization agreements with ethnic armed groups (EAGs). • Cease arresting, detaining, and punishing victims—including minors absconding from Tatmadaw service—for acts committed while subjected to trafficking. • Implement formal procedures to proactively identify victims among vulnerable groups and refer them to service providers, with an emphasis on communities displaced by conflict. • Provide legal status to stateless persons in Burma to decrease their vulnerability to trafficking. • Reduce trafficking vulnerabilities among internally displaced members of ethnic minority groups by eliminating restrictions on their freedom of movement. • Cease official involvement in compelling civilians to perform any type of forced labor for the military, including by formally ending the "self-reliance" policy that drives the demand for forced labor. • Cease the forced labor of prison inmates. • 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 adequate penalties, including significant prison terms. • Amend the anti-trafficking law to ensure a demonstration of force, fraud, or coercion is not required to constitute a child sex trafficking offense. • 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 more effectively apprehend suspected traffickers and retain them under pre-trial detention during court proceedings in order to reduce their risk of flight. • Establish and implement a comprehensive criminal justice record-keeping system to track data on anti-trafficking investigations, prosecutions, convictions, and sentencing. • 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.

PROSECUTION

The government maintained limited 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 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 2018, but those applied in prior years—including demotions and geographic reassignments—were disproportionately low compared to the seriousness of the crime. The government continued a legal review to redraft and strengthen the 2005 anti-trafficking law. For the third 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.

Burma's judiciary lacked a comprehensive record-keeping system, leading to incomplete law enforcement statistics. In 2018, the government reported investigating 205 trafficking cases (185 in 2017). Of these, 21 were cases of forced labor (22 in 2017 and 44 in 2016), 20 were cases of "forced prostitution," and five with unspecified "unique circumstances" involving children that did not meet international definitional standards, such as illicit adoption and surrogacy practices. The remaining 158 were cases of forced marriage; authorities did not report whether these featured corollary sex trafficking or forced labor indicators. Unlike in prior years, the government did not disaggregate forced labor cases by industry; authorities merely specified two of the cases identified in Thailand involved a rubber plantation and a girl forced to sell candy, respectively (one case of domestic servitude and 21 cases related to fishing, manufacturing, palm oil farming, and jade and precious stone mining in 2017). 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 identifying 585 suspects, among whom they arrested and prosecuted 342 individuals (532 prosecutions in 2017); however, most of these were conducted in absentia. The Anti-Trafficking in Persons Division (ATIPD) broadened trafficking investigations into criminal assets under the Anti-Money Laundering Law, leading to successful asset seizure in two cases. Unlike in prior years, the government did not report how many traffickers it convicted (156 in 2017 and 145 in 2016), and courts did not provide complete sentencing data (86 individuals imprisoned in 2017). Based on sentencing information gleaned from a small number of illustrative cases provided by the authorities, sentences ranged from 10 to 40 years' imprisonment. In previous years, as many as half of convicted traffickers—whom authorities did not keep in pre-trial detention during proceedings—absconded and remained at large. Contacts reported the government did not make significant efforts to track and apprehend these absconded suspects.

The ATIPD maintained dedicated anti-trafficking task force (ATTF) police throughout the country and increased the number of officers among 32 regional offices to 490 in 2018 (373 in 2017). Burma's Central Body for the Suppression of Trafficking in Persons (CBTIP) coordinated the government's anti-trafficking efforts, including training for ATIPD offices. It also continued to host training sessions and 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, including insufficient interagency coordination. 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. It is therefore possible that some MPF officers turned away victims attempting to report their abuses, as was the case in prior years. 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 government and law enforcement officers reportedly participated in, facilitated, or profited from the sex trafficking 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; victims also reported witnessing unspecified uniformed personnel involved in trafficking crimes. Authorities reported charging and opening investigations into two government officials suspected of complicity in trafficking-related crimes; one involved a Lashio police prosecutor who allegedly accepted bribes to facilitate illicit marriage migration, a key trafficking vulnerability, and authorities did not provide information on the second charge. A third corruption case involved the spouse of a former Mandalay police who allegedly used her influence to facilitate an unspecified internal trafficking crime. All three cases were ongoing at the end of the reporting period. In prior years, ATTF has raided and arrested the managers of karaoke bars and other establishments for alleged sex trafficking; the owners of these establishments frequently absconded prior to the raids, leading to suspicions of advance warning from local administrative or law enforcement officials.

The power and influence of the Tatmadaw limited the ability of the government to address cases of adult forced labor and child soldier recruitment and use by the armed forces. Burmese law provided for separate judicial procedures for military personnel accused of criminal misconduct. However, authorities did not provide specific information about these procedures during the reporting period, and civilian authorities had never prosecuted a civilian for child soldier recruitment despite reports of civilian recruitment brokers. The Ministry of Defense (MOD) reported taking unspecified disciplinary action against 27 Tatmadaw personnel for child soldier recruitment in 2018; this marked an increase from 19 personnel punished in 2017. 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. The government reported ongoing efforts to establish a national referral mechanism with the help of an international organization. Police reported identifying or receiving foreign governments' referrals for 312 trafficking victims in 2018, including 31 children (an increase from 289 in 2017); however, more than 150 of these cases involved forced marriage, and authorities did not report whether these included corollary forced labor or sex trafficking indicators. The exact number of domestic victims identified by Burmese authorities was unknown, but police reported assisting victims in 29 cases of trafficking within the country (44 cases in 2017). Authorities estimated internal trafficking constituted 18 percent of all cases identified during the year; civil society groups believed this figure to be much higher. The government did not undertake victim screening or service provision efforts among vulnerable ethnic minority communities displaced by conflict in Rakhine, Kachin, or Shan States. The Tatmadaw granted most UN monitors' requests within 72 hours to access and inspect military installations for the presence of children; in recent years, the UN reported the Tatmadaw might have carefully controlled these visits and removed problematic indicators in advance. The government restricted the access of most international organizations to its prisons; the government also prevented assistance from reaching displaced Rohingya and other vulnerable populations during the year by implementing access restrictions on the UN and other humanitarian agencies. Continued violence in Rakhine State and conflict in Kachin and Shan states also constrained monitoring efforts.

International monitors verified at least two new incidents of child recruitment by the Tatmadaw during the reporting period (49 total cases in 2017), the youngest of which involved a 13-year-old. The UN also confirmed at least 36 cases that had been pending verification in the previous reporting period. Specific data on methods of recruitment were unavailable, but past methods included force and coercion by both civilian and military brokers, as well intake of minors joining at the behest of their families. At least 174 unverified cases of recruitment into Tatmadaw ranks were under review at the end of 2018. The Tatmadaw and its affiliate militias also continued to use children for labor or other support roles, including barracks cleaning, portering, and cooking. International monitors documented dozens of cases of child use by the Tatmadaw, including three incidents involving 54 children used—possibly in direct hostilities—in northern Rakhine State. The Border Guard Police also reportedly used children for unspecified labor. The Tatmadaw removed at least 12 children from front-line assignments in response to notification letters from international monitors, and the government reported releasing at least 75 individuals originally recruited as children from the Tatmadaw through implementation of its UN-backed action plan on child soldiers (49 in 2017 and 112 in 2016). Observers attributed the continued trend of recruitment and use to ongoing military conflict in several areas of the country, including Rakhine State.

International monitors continued to report cases in which the Tatmadaw detained children for absconding from its ranks, as well as for alleged affiliation with EAGs. Authorities reported using biometric registration technology to prevent minors from enlisting with the Tatmadaw, including those who had already been demobilized and were attempting to rejoin; data on these trends were unavailable, but in previous years, the Tatmadaw at times filed fraud charges against some of these children for lying about their age, rather than referring them to protective 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 benefiting from demobilization services. Authorities arbitrarily added six months to the two-year prison sentence of a former child soldier convicted on defamation charges after he relayed his experience to an international media outlet in 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. Prior to their reintegration, these victims had the alternative option to stay in any of four transit centers run by the Department of Rehabilitation (DoR) under the Ministry of Social Welfare, Relief, and Resettlement (MSWRR); these facilities were called "Women's Vocational Training Centers," and a fifth was in development at the end of the reporting period. The government did not report how many victims benefited from this provision in 2018. The government also operated three facilities funded by a foreign donor that could serve both male and female victims. 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 allocated funding for trafficking victim protection, and some victims received psycho-social counseling, travel allowances, support for obtaining official documents, and assistance in returning to home communities. NGOs and foreign donors funded and facilitated delivery of most services available to trafficking victims. Contacts reported the wide purview of the MSWRR—which included Burma's narcotics epidemic and social services in conflict zones—prevented it from dedicating sufficient resources to protecting trafficking victims. The government did not maintain a centralized fund for victim assistance, but MSWRR reportedly provided 19.75 million kyats ($12,870) to fund reintegration services for 175 trafficking victims, and the ATIPD's budget included a line item of 381 million kyats ($248,210) for reintegration, transport, meals, and medical care. In an effort to improve interagency-NGO coordination on victim protection, the government added 60 personnel to the DoR, but it reportedly remained under-resourced.

Overall government support to demobilized child soldiers remained minimal, with most services provided by civil society partners. 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. Authorities reported repatriating 3,600 Burmese nationals from abroad with assistance from an international organization, but they did not specify how many of these were trafficking victims.

The government 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. The government also established a working group on victim repatriation, reintegration, and rehabilitation under the DSW. 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. CBTIP reportedly arranged training for ATIPD officers on victim identification and protection, in addition to fostering coordination between ATIPD and civil society groups on service provision.

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, nor did it provide temporary status to any foreign victims. Although there were no specific reports of victim penalization during the reporting period, in prior years, authorities arrested sex trafficking victims due to inadequate efforts to screen for indicators of trafficking during anti-prostitution interventions—a trend that likely continued.

PREVENTION

The government maintained prevention efforts. CBTIP continued to coordinate anti-trafficking programs and policies, and authorities established a new prevention working group under the Ministry of Home Affairs. However, a draft five-year comprehensive trafficking prevention strategy initiated in 2016 remained under presidential review for the third consecutive year. A 2014 directive prohibiting the use of children by the Tatmadaw remained in place. 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. The government formed an interagency "Committee for Preventing Grave Violations against Children in Armed Conflicts" to formulate and implement relevant public awareness campaigns. However, because the Tatmadaw did not cease its "self-reliance" policy in practice, adults and children—particularly in conflict areas populated by members of ethnic minorities—remained 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 action. Rakhine groups fleeing Tatmadaw violence were especially vulnerable to forced labor in EAG-owned jade mines and nearby refuse mining operations run by government-backed militias in Kachin state; 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. The government did not formally allow the UN to enter into child soldier demobilization agreements with EAGs, which continued their recruitment and use of child soldiers during the reporting period amid ongoing violence in several areas of the country. Violence in northern Rakhine State also continued to result in the migration of Rohingya into neighboring Bangladesh, where many of them were vulnerable to trafficking—or transported to other countries for the purpose of sex trafficking—as a result of their displacement.

Approximately one quarter of Burma's residents continued to lack access to citizenship or identity documents, significantly increasing their vulnerability to traffickers in Burma and in other countries. Authorities continued to offer a citizenship verification process pursuant to a 1982 law, but participation was low among Rohingya in Rakhine State amid concerns that the authorities might require these individuals to inaccurately list themselves as "Bengali," a term that could potentially further limit their access to certain rights. Authorities did issue citizenship to a small number of Rohingya, but most of these were naturalized—a distinction that afforded them fewer rights than full citizens. Government policies limiting freedom of movement in some jurisdictions hindered access to employment and education for some communities, especially in IDP camps housing Rohingya and other ethnic minority groups, further aggravating economic conditions that have contributed to individuals pursuing informal migration and employment channels known to engender forced labor and sex trafficking.

The government reported conducting an awareness-raising campaign through 2,251 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 (2,300 activities in 2017). This included placement of 46 billboards and 200 posters informing people of their rights, and distribution of 500,000 anti-trafficking pamphlets nationwide. CBTIP used state-owned radio, television, and a social media platform to raise awareness on safe migration guidelines and government policies, regulations, and laws related to trafficking. ATIPD officers reportedly conducted awareness-raising activities in 26 IDP camps in Kachin State and 28 IDP camps in Rakhine, reaching an estimated 8,300 individuals. The government also established new contact with local law

enforcement liaison offices in non-government-controlled areas to disseminate awareness-raising materials in vulnerable communities. 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 a 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 increased migrants' vulnerability to exploitation abroad. The police did not report any cases of child sex tourism during the reporting period. Authorities continued to partner 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, human traffickers subject men, women, and children to forced labor, and women and children to sex trafficking, both in Burma and abroad. There have also been limited reports of traffickers transporting foreign victims through Burma en route to other countries in Asia. Traffickers subject 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—to forced labor or sex trafficking. Traffickers force men to work abroad in fishing, manufacturing, forestry, agriculture, and construction, and they subject women and girls primarily to sex trafficking or forced labor in garment manufacturing and domestic service. NGOs continue to report instances of Burmese males transiting Thailand en route to Indonesia and Malaysia, where traffickers subject them to forced labor, primarily in fishing and other labor-intensive industries. Senior crew aboard Thai-owned and flagged fishing vessels subject some Burmese men to forced labor through debt-based coercion, passport confiscation, threats of physical or financial harm, or fraudulent recruitment; they also subject some to physical abuse and force them to remain aboard vessels in international waters for years at a time without coming ashore. Traffickers are increasingly transporting Burmese women to China and subjecting them 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. Traffickers abduct Rohingya women and children in transit while fleeing violence—and reportedly from refugee camps in Bangladesh—and sell them into forced marriage in India, Indonesia, and Malaysia; some of them may experience conditions indicative of forced labor or sex trafficking.

Within Burma, men, women, and children from predominantly ethnic minority areas—including more than 107,000 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. Approximately one quarter of the population in Burma does not have access to citizenship or identification documents, generating trafficking vulnerabilities that disproportionately affect ethnic minority groups—particularly in Kachin, Shan, and Rakhine States. In Kachin, displaced women and girls are especially vulnerable to trafficking, including forced concubinism leading to forced childbearing, via forced or fraudulent marriages to Chinese men arranged by deceptive or coercive brokers. One academic study found that 2,800 out of 5,000 Kachin and Shan women returning to Burma after experiencing forced marriage in China had also been subjected to forced childbearing. 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 728,000 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. Traffickers subject members of Burma's Shan, Burman, and Thai Yai ethnic groups to sex trafficking and forced labor in seasonal strawberry and longan harvesting, year-round orange farming, manufacturing in registered and unregistered factories, and construction of roads and city government facilities across the border in northwestern Thailand. Traffickers use deceptive recruitment tactics and immigration status-based coercion to subject migrant workers from Shan State to forced labor on sugarcane plantations in China's Yunnan Province.

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 and government-supported militias—may intentionally facilitate and exploit to retain their labor. Crime syndicates subject women and girls to sex trafficking in massage parlors located in close proximity to these refuse mining areas, often in partnership with local government and law enforcement officials. 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 make Kachin communities more vulnerable to trafficking. Traffickers subject children to sex trafficking or to forced labor, at times through debt-based coercion, in teashops, small businesses, the agricultural and construction sectors, and in begging. Traffickers subject children and adults to forced 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. The Tatmadaw deploys some child soldiers to the front-line as combatants. 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.

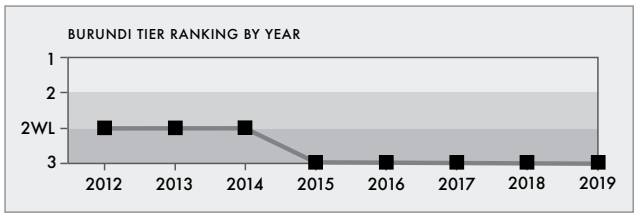
The Tatmadaw, civilian officials, and some EAGs also use various forms of coercion, including threats of financial and physical harm, to compel adult victims into forced labor. In areas with active conflict, the Tatmadaw subjects members of local populations—mostly men, but also women and children—to forced labor in portering, construction, cleaning, cooking, and public infrastructure projects. The Tatmadaw also subjects civilians to forced labor as part of its "self-reliance" policy,

under which battalions are responsible for procuring their own food and labor from local communities. Reports of Tatmadaw-controlled forced labor and other abuses are highest among ethnic minority communities in the conflict zones within Shan, Karen, and Kachin states. Land confiscation by the Tatmadaw, local government, and private businesses places agricultural workers and people living in mining areas at risk for forced labor, including on lands they had previously occupied.

The government operates as many as 47 prisons and 49 labor camps, which it officially dubs "agriculture and livestock breeding career training centers" and "manufacturing centers," respectively. The camps house more than 20,000 inmates across the country, including Rohingya and others convicted under spurious or politically motivated charges. Eighteen of these camps feature mining operations. Authorities reportedly send prisoners whose sentences do not include "hard labor" to these labor camps in contravention of the law. Labor camp authorities also "rent out" portions of the prison population as a labor source for private companies. Political prisoners may be at elevated risk of trafficking upon release due to laws preventing them from securing documents related to proof of identity, travel permission, or land ownership. Anti-LGBTI laws place some LGBTI individuals at higher risk of extortion and psychological coercion by law enforcement.

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 by increasing the number of immigration officials that received training, replacing a dormant committee and establishing a new inter-ministerial committee, adopting a national action plan, conducting public awareness campaigns, increasing cooperation with civil society, and arresting a suspected complicit official. However, the government did not prosecute or convict any trafficking offenders for the fourth consecutive year. It did not hold accountable officials complicit in trafficking crimes, despite continuing allegations. The government did not report the overall number of victims identified or referred to assistance. The government did not establish standardized procedures to assist in identification and referral or have adequate protection services available for victims and primarily relied on civil society organizations to provide protection services. Authorities continued to lack a clear understanding of trafficking, and although the government increased training of immigration officials during the reporting period, it did not institutionalize anti-trafficking training for its personnel.



PRIORITIZED RECOMMENDATIONS:

Implement the anti-trafficking law and significantly increase efforts to more effectively investigate, prosecute, and convict traffickers. • Investigate all credible accusations of official complicity and hold complicit officials criminally accountable. • Institutionalize anti-trafficking training—including case investigation and victim identification—for all law enforcement, and implementation of the anti-trafficking law for all prosecutors and judges. • Develop national standardized procedures to systematically identify and refer trafficking victims to appropriate care and expand protective services for victims through partnerships with NGOs, including by allocating resources and providing separate shelter for children and adults. • Devote sufficient resources and implement the 2019-2020 national action plan, including by dedicating personnel necessary to achieve goals established in the plan. • Develop national level data collection on law enforcement and victim identification efforts. • Implement strong regulations and oversight of labor recruitment companies that are consistently enforced, including eliminating recruitment fees charged to migrant workers, and holding fraudulent labor recruiters criminally accountable. • Increase bilateral labor negotiations with destination country governments on migrant worker rights.

PROSECUTION

The government maintained limited law enforcement efforts. Burundi's 2014 anti-trafficking law criminalized sex trafficking and labor trafficking. The law prescribed penalties of five to 10 years' imprisonment and a fine of 100,000 to 500,000 Burundian francs ($56 to $279), and in cases involving children, the law prescribed penalties of 10 to 15 years' imprisonment and a fine of 500,000 to 2 million Burundian francs ($279 to $1,120). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

The government had no centralized data collection mechanism on trafficking and did not systematically report enforcement actions, making comprehensive statistics difficult to obtain. The government reported investigating 10 trafficking cases during the year, but reported zero prosecutions or convictions. This compared to at least 13 arrests and zero prosecutions and convictions documented in 2017. The investigations reportedly included cases of internal, transnational, and child trafficking, but the government did not provide further details on any law enforcement efforts. An NGO reported the government arrested seven suspected traffickers in the Cankuzo province, and immigration officials at the airport reportedly arrested a suspected trafficker for fraudulent recruitment to Qatar in 2018; however, the government did not report further details or law enforcement actions in these cases. The government did not report prosecuting or convicting any suspects for internal trafficking, despite the prevalence. The judicial system in Burundi remained weak and informal settlements were common. Corruption and official complicity in trafficking crimes remained significant concerns, potentially inhibiting law enforcement action during the year; however, the government did not report any prosecutions or convictions of government employees complicit in human trafficking offenses. An international organization reported that the government arrested and initiated an investigation into a police officer for allegedly providing support to traffickers, but no further information was provided. In the prior reporting period, the media alleged government officials were involved in the falsification of identity documents to facilitate trafficking, but the government never reported investigating these allegations. Moreover, security remained a concern for civil society organizations or individuals reporting on allegations of complicity; in the past, anti-trafficking activists reported receiving threats, leading some to flee the country.

The government provided anti-trafficking training, including on victim identification, referral, assistance, and intelligence collection for 113 immigration officials. However, in general, the government did not provide adequate training for law enforcement agencies responsible for investigating trafficking crimes, limiting its capacity and effectiveness. Without training on standard procedures, local police reportedly arrested suspected traffickers but sometimes 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 and limited prosecutions; officials' lack of investigative skills and insufficient understanding of trafficking crimes continued to impede overall law enforcement efforts.

PROTECTION

The government's protection efforts remained weak. The government did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, whom the government identified, referred to, or provided with protective services. Civil society continued to provide the vast majority of assistance to trafficking victims. In 2018, the government reported identifying and referring an unknown number of victims during the reporting period, it did not report the number of victims referred to assistance; this compared to 46 potential victims identified and zero reported as referred to care in 2017. The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and many law enforcement officials lacked adequate training to identify potential victims. However, NGOs reported that law enforcement routinely called civil society service providers to request assistance when victims were identified. In 2018, an NGO reported identifying 406 victims, including 352 males and 54 females, while an international organization reported identifying 250 victims, including 233 females, 17 males, 62 minors, and 188 adults. At least 65 victims assisted by civil society were internal trafficking victims, while the majority were exploited abroad. Civil society reported providing basic emergency assistance to 250 victims and reintegration assistance to 81 victims. In 2018, an international organization reported separating four Burundian children from armed groups in the Democratic Republic of the Congo (DRC). The media reported Kenyan officials identified 23 Burundian victims in Nairobi; the government reported collaborating with Kenyan officials on the investigation and repatriation, but no further information on law enforcement actions was available. The government reported facilitating and sometimes funding repatriations of Burundian victims abroad, but did not report how many it assisted by doing so during the reporting period. Civil society reported identifying victims in Qatar, but the government did not report providing these victims with assistance or repatriation. Immigration officials at the Bujumbura International Airport, some of whom had received training on preventing trafficking provided by civil society, continued to screen for trafficking, but did not report how many victims they identified as a result of screening. Officials stated that the screening efforts acted as a deterrent to traffickers transiting victims through the airport.

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 offered protection services to foreign and domestic victims of sexual, gender-based violence (SGBV), 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. In addition to the Seruka Center, there were four NGO-run shelters trafficking victims could utilize. Adult and child victims received assistance in the same facilities; adults and children, men and women, and foreign and domestic victims all had access to the same care.

Despite the requirements of the 2016 law for the protection of witnesses, victims, and vulnerable persons, the government did not establish a centralized unit in the Ministry of Justice to coordinate protection measures. Labor laws did not provide sufficient protection for domestic workers or employees in the informal economy, leaving that population vulnerable to trafficking. The law provided for victims, domestic and foreign, to receive housing, basic medical care, psychological treatment, and witness protection, but the government did not report providing these services during the reporting period. Burundian law did not allow trafficking victims to obtain restitution. The law provided foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution, subject to judicial decision; but the government did not report identifying any foreign victims who could benefit from this protection during the reporting period. The law allowed the government to grant temporary residency, but the government did not report identifying any foreign victims who could benefit from temporary residency during the reporting period. In the beginning of the reporting period and in previous years, there were reports the government routinely arrested victims for questioning and would sometimes inappropriately penalize trafficking victims for unlawful acts traffickers compelled them to commit by detaining them in jail for several days. However; following anti-trafficking training provided by an international organization in late 2018, there were no subsequent reports of victims being detained after identification; but, because officials did not use standard victim identification procedures, victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased prevention efforts in some areas, but overall efforts remained limited. The government established an anti-trafficking inter-ministerial trafficking committee, replacing a previous committee that had not performed its function; the new committee improved policy coordination and communication with civil society, but its ability to drive national anti-trafficking efforts remained limited by resource constraints. In consultation with international organizations and civil society, in December, the committee adopted a 2019-2020 anti-trafficking national action plan that identified improvements to some of the gaps in Burundi's response; however, during the reporting period, steps to implement the plan were limited. 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, which would take leadership over government efforts on prosecution, prevention, and protection.

The government reported that, following a briefing for the Senate and National Assembly, several parliamentarians conducted anti-trafficking awareness events with local officials, police, and community members in the Cankuzo and Gitega provinces but did not report how many people the campaigns reached. 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, while an NGO funded another hotline for reports of human trafficking and child labor; however, details regarding the number of trafficking-related calls were unavailable. The government did not have effective policies or laws regulating labor recruiters and did not hold any criminally accountable for fraudulent recruitment; no action to regulate labor recruitment has been reported since 2016. The government and civil society reported that, following the 2016 closures, recruiters operated on a more informal basis, and fraudulent recruitment and Burundian trafficking victims identified abroad remained prevalent and difficult for authorities to detect. The government did not report signing any bilateral labor agreements with destination countries during the reporting period. The government did not make efforts to reduce the demand for forced labor or child sex tourism, but did make efforts to reduce the demand for commercial sex. The government provided training on human rights and sexual exploitation, which 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, human traffickers exploit domestic and foreign victims in Burundi, and traffickers exploit victims from Burundi abroad. As the result of a complex political, economic, and security crisis that began in 2015, by May 2019 more than 346,000 Burundians remained in neighboring countries as refugees while 130,000 Burundians were internally displaced, though as refugees returned, these figures decreased. Returned refugees frequently lacked access to basic services or land and remained a highly vulnerable population. 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. In July 2015, traffickers fraudulently recruited approximately 58 children, some younger than 15 years old, and forced them 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 whom may have been trafficking victims. 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. In 2018, an international organization reported separating four Burundian children from armed groups in the DRC.

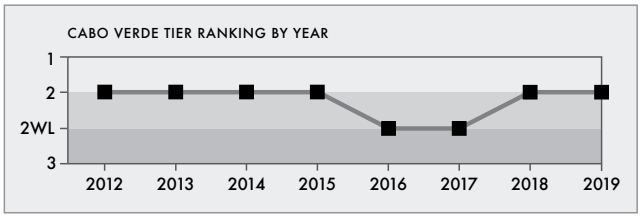
The government encouraged citizens to participate in community work each Saturday morning and the governors of various provinces sporadically fined residents who failed to participate. Both economic necessity and coercion pushed children and young adults into labor, including forced labor on plantations or small farms throughout Burundi, in gold mines in several provinces around the country, in informal commerce in the streets of larger cities, 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. Traffickers exploit children in domestic servitude and child sex trafficking via prostitution in private homes, guesthouses, and entertainment establishments; they frequently experience non-payment of wages and verbal and physical abuse. Traffickers fraudulently recruit children from rural areas for domestic work or an education and later exploit them in forced labor and child sex trafficking via prostitution. Traffickers recruit Burundian adults and children for agricultural work, particularly in Tanzania, and subject them to forced labor. Young women take vulnerable girls into their homes, eventually pushing some into prostitution to pay for living expenses. Traffickers exploit orphaned girls, often using underage males as facilitators. There were unsubstantiated allegations that male tourists from East Africa and the Middle East, as well as Burundian government employees, including teachers, police officers, military, and prison officials are complicit in child sex trafficking by procuring underage Burundian girls. NGOs reported that fishermen exploit some boys in the Lake Tanganyika fisheries in forced labor and some girls and young women in domestic servitude and sex trafficking.

International organizations reported that young Muslim women from Burundi were particularly vulnerable to forced labor and sex trafficking in Gulf countries. Traffickers fraudulently recruit some young adult Burundian women for fake jobs but instead subject them to forced labor and sex trafficking in various Gulf countries, such as Kuwait, Saudi Arabia, Oman, and Qatar; 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 more than 800 young women remain in these countries. In 2015, Rwandan officials and international and local NGOs reported that traffickers exploited Burundian refugee girls in child sex trafficking via prostitution in Uganda after transiting Rwanda; some of these girls may also have been subjected to forced labor in domestic work in Uganda. In 2017, Burundian and Kenyan recruitment agencies fraudulently recruited several adult Burundian women, who were identified in Kuwait, for work as domestic workers and receptionists; however, upon arrival traffickers subjected them 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.

CABO VERDE: TIER 2

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cabo Verde remained on Tier 2. The government demonstrated overall increasing efforts by prosecuting its first

forced labor case; creating the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons (the Observatory) to coordinate anti-trafficking efforts; and allocating a budget to the Ministry of Justice and Labor (MJT) for anti-trafficking efforts, including implementation of the anti-trafficking national action plan. However, the government did not meet the minimum standards in several key areas. Law enforcement and front-line responders remained without formal procedures to identify and refer victims to care and training for law enforcement and judiciary officials remained ad hoc. The government did not maintain comprehensive law enforcement and victim protection data, and community awareness-raising efforts on human trafficking, including child sex tourism, remained insufficient on some islands.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers—including Cabo Verdean-American sex traffickers and sex tourists. • Develop and train officials on standardized procedures to identify trafficking victims—including adults and victims among vulnerable populations—and to refer victims to services. • Train law enforcement and judiciary officials on the 2015 anti-trafficking amendment, article 271-A. • Consistently refer potential trafficking victims to government and NGO shelters to ensure all identified trafficking victims receive care and collect data on such efforts. • Increase efforts to raise public awareness of human trafficking, including child sex trafficking and domestic servitude. • Develop a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies. • Increase collaboration with foreign governments on cases of transnational trafficking and child sex tourism involving foreign nationals. • Develop procedures for victims to claim compensation from traffickers.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Article 271-A of the penal code criminalized sex trafficking and labor 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.

The government did not report comprehensive law enforcement statistics. According to news reports and international organization officials, the government initiated one new forced labor investigation (eight initiated in 2017) in addition to continuing seven investigations from the previous reporting period. The new forced labor investigation remained ongoing at the end of the reporting period. The government prosecuted nine suspects (four in 2017) and convicted two traffickers (two in 2017). The forced labor investigation led to the prosecution of three suspects, which remained ongoing at the end of the reporting period. In one case, the government prosecuted four alleged sex traffickers as a cybercrime case; two defendants were convicted and two defendants were acquitted. The two convicted traffickers received prison sentences of 35 years and 14 years. The seven investigations initiated during the previous reporting period involved suspected foreign sex traffickers and remained ongoing at the end of the reporting period. The government launched an investigation into one National Police (PN) officer during the reporting period as part of a broader forced labor investigation but did not report any prosecutions or convictions of government officials complicit in human trafficking offenses.

Law enforcement and judges lacked understanding of trafficking crimes and the 2015 anti-trafficking amendment—article 271-A, resulting in weak and inconsistent efforts to identify, investigate, and prosecute trafficking cases. While it did not provide training to such officials, the government provided modest financial support to enable 40 law enforcement and justice officials to attend nine international anti-trafficking trainings and conferences. In addition, an international organization, funded by a foreign donor, provided two five-day anti-trafficking trainings to 40 law enforcement and judicial officials on victim-centered investigations, prosecutions, and victim protection and assistance; the government provided in-kind support for these trainings. An international organization developed a module on human trafficking, including victim identification, for new police officers during standard academy training; the government trained an unknown number of new police officers on the module during the reporting period. The MJT, in partnership with a foreign donor, began development of an online training for PN officers to supplement the current training plan. Insufficient staffing and a lack of resources confined the Judicial Police's (PJ) presence to four of the country's nine inhabited islands, impeding the government's ability to identify victims, investigate crimes, and collect comprehensive data. 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 protect trafficking victims. Although it did not provide comprehensive statistics on the number of trafficking victims identified and referred to care, the government identified at least four forced labor victims in the course of human trafficking investigations. In partnership with an international organization, the MJT provided shelter, basic services, and security to these four victims. This was similar to the government's identification and assistance of five sex trafficking victims in the previous reporting period. The government did not have formal procedures for all law enforcement or social workers to identify trafficking victims nor did the government have a formal mechanism to refer trafficking victims to care. Border police had written procedures to identify trafficking victims and people vulnerable to trafficking, although they did not receive training on such procedures.

There were no shelters or services available 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. The Cabo Verdean Institute for Children and Adolescents (ICCA) operated a national network to assist child victims of sexual abuse, which could coordinate referral to care and support through 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, women to

the Cabo Verdean Institute for Gender Equality (ICIEG) or an NGO, and foreign victims to an international organization. The government acknowledged its ad hoc, informal referral system was insufficient. ICCA did not report screening for trafficking indicators among victims referred to its shelters. ICCA operated four shelters on three of Cabo Verde's nine inhabited islands that provided temporary accommodation and care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided services for children who experienced prolonged trauma, including trafficking. ICCA had staff on all nine islands. The government-funded, and police provided security for, ICCA and ICIEG shelters.

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 provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution; authorities provided these benefits to at least four Chinese forced labor victims during the reporting period. The government also employed a Mandarin-Portuguese interpreter to assist the victims during meetings with law enforcement. During the reporting period, the Cabo Verde consulate in Brazil assisted a sex trafficking victim with travel documents and repatriation back to Cabo Verde. The law provides for restitution and allows victims to file civil suits against traffickers but the government did not report using these provisions during the reporting period. There were no reports officials penalized trafficking victims for unlawful acts traffickers compelled them to commit; however, due to the lack of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased prevention efforts. In July 2018, the government launched the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons (the Observatory) to coordinate the government's efforts to combat trafficking in persons. The Observatory comprises officials from the MJT, PN, PJ, ICCA, ICIEG, Ministry of Education, Family, and Social Inclusion (MEFIS), other government institutions, NGOs, and civil society organizations. At the same event, the government formally presented the 2018-2021 anti-trafficking national action plan finalized in the previous reporting period. The Observatory held its first meeting in October 2018 and met three times during the reporting period. MJT continued to lead the government's anti-trafficking efforts and received a budget of 4 million escudos ($42,160) for anti-trafficking activities including implementation of the national action plan in 2019 in addition to 980,000 escudos ($10,330) allocated in 2018; the MJT did not receive a budget for anti-trafficking activities in the previous reporting period. The MJT produced shirts and datebooks to raise awareness of participation in an international organization's awareness campaign. The PN led community events with a foreign law enforcement partner regarding reporting crimes, including trafficking.

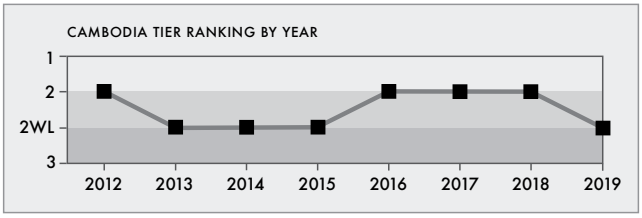
ICCA continued to operate three centers for street children through its Nos Kaza project and six day centers, all of which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including sex trafficking. ICCA operated a 24/7 hotline to report cases of violence against children, including trafficking, but it did not report receiving calls regarding trafficking among the 1,182 calls received in 2018. It was unclear if ICCA trained hotline workers to differentiate trafficking from similar crimes, such as child labor or sexual abuse. NGOs reported an unspecified number of cases in which the government charged parents with negligence for failing to protect their children from child sex tourists. The government made efforts to reduce the demand for commercial sex that equated to child sex trafficking, but it did not make efforts to reduce demand for other forms of commercial sex. Government ministries continued to implement the 2017-2019 National Plan to Combat Sexual Abuse and Violence, which included child sex tourism. The government continued to enforce the Ethics Code of Conduct for Tourism, which includes provisions countering child sex tourism. ICCA launched a new campaign called "Stop the Violence against Children and Adolescents," which included messaging against child sexual exploitation and child sex tourism. The campaign included the launch of a new hotline for sexual abuse and child sex trafficking cases, alongside events at schools and public institutions, and airing of television commercials. The government did not make broad or concerted efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cabo Verde, and, to a lesser extent, traffickers exploit victims from Cabo Verde abroad. 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. In the past, 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 to the United States 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. During the reporting period, four Chinese nationals, two girls and two men, were exploited in forced labor in the retail sector. NGOs reported Nigerian criminal syndicates exploited Cabo Verdean women in sex trafficking in Brazil during the reporting period. In a previous reporting period, there was one case of a Cabo Verdean man subjected to forced labor in Europe.

CAMBODIA: TIER 2 WATCH LIST

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 significant efforts during the reporting period, including by continuing to prosecute and convict traffickers; increasing law enforcement training; and taking steps to raise awareness on and incentivize safe migration to primary destination countries. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Authorities did not adequately collect or share key information on law enforcement efforts. Corruption continued to impede law enforcement operations, criminal proceedings, and victim service provision. Against a backdrop of insufficient government oversight and accountability measures, authorities did not investigate credible reports of official complicity with unscrupulous business owners who subjected thousands of men, women, and children throughout the country to human trafficking via debt-based coercion—particularly in brick kilns. In several high-profile cases, the government used anti-trafficking legislation and law enforcement resources to target political opposition figures and other non-traffickers attempting to document the country's trafficking circumstances. 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. Therefore Cambodia was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Respecting due process, vigorously investigate and prosecute trafficking offenses and convict and adequately penalize sex and labor traffickers, including complicit officials, with significant 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-based coercion among economically disadvantaged communities. • Increase efforts to incentivize victims' participation in criminal and civil proceedings, including by granting permission to work, temporary residency, or other relevant immigration status to foreign victims wishing to remain in country during proceedings. • Modify the law to allow restitution upon conviction of the trafficker, and establish and train the relevant officials on standard operating procedures for calculating and granting restitution. • 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. • 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.

PROSECUTION

The government maintained insufficient law enforcement efforts, and authorities wasted investigative and prosecutorial resources in furtherance of spurious, politically motivated charges against opposition figures, journalists, and other individuals attempting to document trafficking in the country. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation criminalized sex trafficking and labor trafficking and prescribed penalties of seven to 15 years' imprisonment for offenses involving an adult victim, and 15 to 20 years' imprisonment for those involving a child victim; 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. Where data were available, some government bodies were reportedly reluctant to share it internally with other key interagency stakeholders. The government reported authorities arrested 150 domestic and foreign nationals in connection with 39 cases of "non-sexual human trafficking" and 21 cases of sex trafficking (unreported in 2017). Courts prosecuted 421 trafficking cases (207 in 2017); however, observers noted the number of definitional trafficking cases within these 421 was likely much lower, as authorities did not disaggregate statistics on rape and trafficking. As with prosecutions, conviction statistics were limited due to insufficient data collection methods. The National Committee for Counter Trafficking (NCCT) reported the Phnom Penh Municipal Court convicted 125 traffickers (129 in 2017). The government did not provide data on sentencing, but courts reportedly continued to convict suspects on lesser charges and conclude sex trafficking cases with monetary settlements in lieu of prison sentences. Victims whose families received out-of-court settlements from traffickers often changed their testimony, further complicating prosecutions.

In conjunction with an NGO, Preah Sihanouk anti-trafficking police trained a network of lay monitors in the taxi, tourism, hospitality, and retail industries to detect and report incidents of trafficking; however, authorities did not report identifying or initiating investigations into trafficking cases as a result of this effort. Nationwide, law enforcement authorities often did not take appropriate action against suspected or convicted traffickers. 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 abused law enforcement resources to detain, prosecute, and convict some 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. Two journalists from an international media outlet and a former National Assembly candidate from an unjustly banned political opposition party remained in detention under spurious trafficking charges at the end of the reporting period. Authorities also filed spurious criminal charges against civilians attempting to document the country's human trafficking challenges. In December, authorities successfully extradited a Cambodian documentarian from Thailand and charged him with "incitement" for having assisted a foreign media outlet in producing a film about trafficking victims in Cambodia; he remained in pre-trial detention at the end of the reporting period, and authorities elected not to investigate the cases he was attempting to report through the documentary. Local experts continued to report that 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 maintained MOUs outlining cross-border anti-trafficking investigation with Thailand and Vietnam, as well as an extradition treaty with the former, but did not report investigating or extraditing any suspected traffickers under their auspices in 2018. Authorities 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 234 trainings to 6,321 law enforcement officers on anti-trafficking laws, investigative techniques, and evidence collection (66 trainings to 1,577 officers in 2017); for the second year, it did not report how many commune and provincial officials, judicial staff, and NGO workers participated in these sessions (7,689 in 2016). Despite these training sessions, many police—particularly in rural areas—were unaware of how to conduct anti-trafficking work, as most did not receive training on basic law enforcement techniques. 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 improve efforts to detect and combat 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. Government bodies in favor of formalizing undercover investigative authority continued formal negotiations with opposing entities on possible reforms, but they did not reach consensus, and some observers questioned the efficacy of the consultative process writ large.

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 some 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, victim identification, referral, and repatriation efforts remained disparate and underdeveloped across law enforcement agencies. Authorities did not provide complete statistics on the number of victims they assisted or referred. The government continued implementing a regulation barring NGOs from representing individuals seeking formal recognition as trafficking victims. Under this 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 70,225 migrants deported from Thailand in 2017 (70,5000 in 2017). However, it did not report identifying any victims through this center; given the high vulnerability to 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. MOSAVY reportedly maintained guidelines outlining minimum standards for residential care of trafficking victims and disseminated them among NGO shelters during the reporting period. 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. Ongoing custody issues reportedly dissuaded some NGO shelters from protecting residents' freedom of movement, contrary to best practices. Although some anti-trafficking NGOs enjoyed cooperation with the authorities, including through receipt of in-kind support, increasing restrictions on civil society hindered the operations of key anti-trafficking NGOs during the reporting period. 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. One study conducted by an international organization during the previous reporting period found only 21 percent of migrant workers sought assistance for labor abuses experienced abroad, including forced labor. The Ministry of Foreign Affairs and International Cooperation (MFAIC), which bore the primary responsibility of aiding Cambodian trafficking victims, reported repatriating and providing limited services to 8,489 Cambodians from six countries, including 330 women from Thailand, China, Malaysia, Indonesia, Saudi Arabia, and Somalia. However, unlike the previous reporting period, authorities did not specify what portion of these returnees were trafficking victims (986 from 11 nine countries in 2017). An international organization assisted in the majority of these repatriations. Observers believed these figures represented only a small fraction of the number of Cambodians subjected to trafficking abroad, particularly in the fishing industry. 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 NGOs, some returned victims had been unable to secure assistance from Cambodian consular services in China, Korea, and Thailand 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. Cambodia also maintained labor attachés at embassies in Korea, Malaysia, and Thailand—the countries with the highest number of Cambodian migrant workers—but did not provide data on their involvement in identifying or assisting labor trafficking victims.

The number of Cambodian returnees subjected to trafficking abroad was likely much higher than reported due to an increasing tendency among these groups to return via informal migration channels, and due to insufficient victim identification procedures. MOSAVY reported assisting in the repatriation of 222 Cambodians identified by foreign governments and NGOs in 2018, including 61 from Malaysia, 20 from Thailand, 89 from China, 21 from Somalia, 29 from Vietnam, and two from Saudi Arabia (243 total in 2017). Of these, 109 were victims of forced labor. According to MOSAVY, 96 of the individuals had been involved in forced or fraudulent marriages, and authorities did not report whether these cases featured corollary sex trafficking or forced labor indicators. The remainder were sex trafficking victims. MOSAVY reported referring all 222 individuals to NGOs (unreported in 2017; 62 referred by MOSAVY in 2016). MOSAVY also reported providing reintegration services to 303 Cambodian trafficking victims and referring an additional 848 individuals to NGOs for rehabilitation services; some of these cases may have been identified in a previous year, and they likely included victims of other forms of abuse. Local police referred 235 sex and labor trafficking victims to provincial social service providers and NGOs for further protections (179 in 2017 and 326 in 2016). One NGO provided assistance to 180 Cambodians who had experienced sex trafficking, forced labor or conditions indicative thereof in the fishing industry, and abuses that may have amounted to trafficking in relation to forced or fraudulent marriage.

There was no legal provision to offer work permits, temporary residency, or other immigration status to foreign victims wishing to remain in Cambodia to participate in civil or criminal proceedings. 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 would face hardship or retribution upon return to their countries of origin. MOSAVY did not repatriate any foreign trafficking victims during the reporting period (two Vietnamese victims repatriated in early 2018, three in 2017, and 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 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 allowing for video-conferencing technology as an alternative to direct cross-examination of victims in front of the accused. 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. Observers noted Cambodia lacked a standard operating procedure for determining how to calculate restitution or compensation. 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 maintained prevention efforts. An interagency committee and its secretariat coordinated anti-trafficking activities and initiated a draft 2019-2023 national action plan; however, the government had not approved the plan by the end of the reporting period. The government continued to operate on a budget of 4.9 billion riels ($1.19 million) allocated in the previous reporting period to fund this interagency committee, 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, eight out of nine of these committees created their own provincial-level action plans and submitted them to the government (six in 2017 and 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 subcommittees. Commune-level budgetary allocations for trafficking prevention increased during the reporting period; 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 NCCT continued to produce an annual report documenting the government's holistic anti-trafficking efforts; however, as

in prior years, the report was not exhaustive amid insufficient data collection. For the second year, the government hosted an interfaith forum on combating trafficking attended by high-level government officials and thousands of clerical leaders.

The Ministry of Labor and Vocational Training (MOLVT) 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, legal action, and collaboration with civil society, funded in part through the national budget. Unlike in prior years, the government did not report investigating or prosecuting labor recruiters for illegal practices that may have contributed to or involved trafficking; 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. Some of these agencies were reportedly directly involved in deceptive recruitment practices leading to trafficking.

The government continued to carry out awareness-raising activities, including through more than 33,000 NCCT information "dissemination events" and 25,000 public fora. The General Department of Immigration issued 92,081 border passes to Cambodians living in western border regions to incentivize safe labor migration to Thailand. The MOLVT also reported providing pre-departure orientation to almost 69,000 Cambodians migrating abroad for work. However, many Cambodians were reportedly unaware of how to apply for travel documentation or how much it should cost—leaving them at higher risk of travel through vulnerable means—and the government did not take sufficient steps to publicize that information. 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, a domestic worker recruitment agreement with Hong Kong, and a bilateral cooperative agreement with India. During the reporting period, the NCCT also signed an action plan with China on joint prevention, investigation, and capacity building.

Observers noted cumbersome registration requirements and government officials' close affiliation with certain employers obstructed labor inspectors' access to brick kilns and prevented kiln workers from forming organizations to advocate for their labor rights. 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 eight foreign individuals suspected of engaging in child sex tourism (five in 2017 and 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 purchased commercial sex acts with children.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers subject Cambodian men, women, and children to forced labor and sex trafficking in Cambodia and abroad. They also subject victims from other countries to trafficking in Cambodia, and they use Cambodia as a transit point to subject victims from other countries to trafficking elsewhere in Asia. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; traffickers force many to work on fishing vessels, in agriculture, in construction, in factories, and in domestic servitude—often through debt-based coercion—or subject them to sex trafficking. Migrants using irregular migration channels, predominantly with the assistance of unlicensed brokers, are at an increased risk of trafficking, although those using licensed recruiting agents also become victims of forced labor or sex trafficking. Cambodian participants in the Japanese government's guest worker program have reported conditions indicative of forced labor. 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. Undocumented Cambodian labor migrants working in Thailand—constituting up to 40 percent of the 1.5 million Cambodians there—are at high risk of trafficking due to their immigration status, as are Cambodians deported from Vietnam. Traffickers continue to recruit significant numbers of Cambodian men and boys in Thailand to work on fishing boats and subject them to forced labor on Thai-owned and -operated vessels in international waters. Cambodian victims escaping from their traffickers have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, South Africa, and Papua New Guinea. Cambodian men working on Thai-owned and -operated fishing vessels report deceptive recruitment tactics, severe physical abuse, underpayment or nonpayment of wages, restrictions on access to medical care, and confinement at sea for years at a time without permission to come ashore. Traffickers recruit a significant number of women from rural areas 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; the men force some of these women to work in factories or subject them to sex trafficking to repay this debt. Cambodian women serving willingly as illegal surrogates for Chinese families are vulnerable to confinement and domestic servitude. Although specific information is limited, violent extremists reportedly employ deceptive recruitment tactics to lure a small number of Cambodian children to armed insurgency training centers in rural Thailand. Stateless persons, namely in ethnic Vietnamese communities, are at higher risk of trafficking due to lack of identity documentation necessary for access to formal employment, education, marriage registration, the court system, or the right to own land.

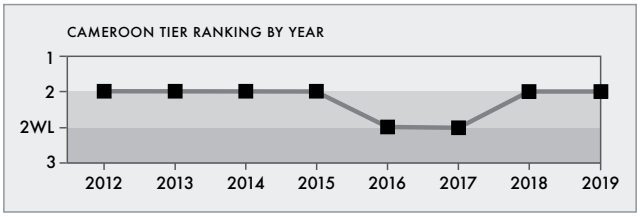
The proprietors of brick kilns subject at least 10,000 Cambodian men, women, and children—often entire families—to multigenerational debt-based coercion, either by buying off their preexisting loans, or by requiring them to take out new loans as a condition of employment or to cover medical expenses resulting from injuries incurred while working. An NGO study conducted in 2017 found nearly 100 percent of brick kilns surveyed throughout the country featured indicators of forced labor via debt-based coercion. 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. Rural farming families are at higher risk of this form of forced labor due to economic hardships ensuing from climate change; unseasonal rain patterns and subsequent loss of crops push many farmers to take out large loans for new irrigation or pesticide systems, and brick kiln owners often purchase these loans as a means of securing and retaining

their labor. Extended rainy seasons also delay the brick-drying process, reducing these bonded kiln workers' pay and forcing many to become further indebted to the kiln owners. In order to dissuade workers from fleeing abusive conditions, some kiln owners reportedly allow only select members of family units to be absent for public holidays or to seek medical care at any given time. Some workers report continued confinement and forced labor in the kilns long after they have repaid their debts. Traffickers also subject children as young as 13 to 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. Communities displaced by illegal logging operations supplying the brick kilns with timber for fuel may be at elevated risk of trafficking, including in logging itself and elsewhere as a result of concomitant economic hardships.

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 criminals subject them to sex trafficking in brothels and, more frequently, clandestine sex establishments at 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 sex trafficking; however, men from elsewhere in Asia, Europe, the United States, Australia, and South Africa travel to Cambodia to engage in child sex tourism, increasingly facilitated through social media contact. Thousands of urban children left behind by families migrating abroad for work are particularly vulnerable to sex trafficking and forced labor. Vietnamese women and children, many of whom are victims of debt-based coercion, 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 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 the Republic of Cameroon does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cameroon remained on Tier 2. These efforts included convicting more traffickers, identifying and referring trafficking victims to services, and providing repatriation assistance for more foreign trafficking victims. However, the government did not meet the minimum standards in several key areas. The government did not fully disseminate its standard operating procedures on victim identification and referral to law enforcement or first responders and did not pass draft anti-trafficking legislation from 2012 that conforms to international law.



PRIORITIZED RECOMMENDATIONS:

Train law enforcement and NGO personnel on the National Referral System and Standard Operating Procedures on victim identification and referral to increase first responders' ability to proactively identify internal trafficking cases as well as cross-border trafficking as distinct from smuggling. • Expand training for law enforcement, judicial officials, and social workers on the anti-trafficking section of the penal code as well as victim-centered approaches to increase effective trafficking investigations and prosecutions while respecting the rule of law and human rights, and administer fair and just sentences to those convicted. • Increase formal collaboration with NGOs on proactively identifying and protecting victims. • Regularly convene the anti-trafficking inter-ministerial committee (IMC) and include NGOs and international organizations working to address trafficking in persons in Cameroon. •Amend anti-trafficking laws to remove the requirement of force, fraud, or coercion for child sex trafficking offenses and to make a clear distinction between trafficking and smuggling. • 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 those complicit in trafficking.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized some forms of sex trafficking and all forms of labor trafficking. Inconsistent with international law, Cameroon's 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 10 to 20 years' imprisonment and a fine of 50,000 to 1 million Central African francs (CFA) ($83- $1,660), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. If the trafficking 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 ($170 to $16,560). The law prescribed separate penalties for debt bondage, which ranged from five to 10 years' imprisonment and a fine of 10,000 to 500,000 CFA ($17-$830) 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." Increasing the potential for conflating smuggling and trafficking in persons, Article 342 of Cameroon's 2016 Penal Code prohibited both "trafficking in persons" and "slavery in persons." Legislation drafted in 2012 to address victim and witness protection and correct

inconsistencies with international law remained pending for the seventh consecutive year.

The government did not provide comprehensive law enforcement statistics, but its IMC reported the Department of Judicial Police investigated eight suspected trafficking cases and authorities prosecuted 126 potential cases under Article 342 in 2018. Because Article 342 prohibited both "trafficking in persons" and "slavery in persons," the suspects may have included smugglers. In the previous reporting period, the government reported investigating 89 potential sex and labor trafficking cases, and prosecuting 129 suspected traffickers. The IMC reported the government convicted 13 traffickers in eight separate court decisions during the reporting period, and sentenced traffickers to verdicts ranging from 2.5 years with fines to 20 years with fines; the government convicted five traffickers in the previous reporting period. The judiciary reportedly investigated one government official for alleged involvement in trafficking offenses that occurred in 2018, compared to one such investigation the previous year.

Ongoing insecurity in the Far North Region as well as armed conflict in the Northwest and Southwest Regions between the government and Anglophone separatists hindered the government's law enforcement efforts due to the closure of courts in Bamenda and Buea and lack of official access in some areas. Some regional courts and NGOs encouraged victims to settle trafficking cases outside of court in part because of insufficient cooperation between the government and NGOs, and weak judicial administration. The government coordinated with international organizations to obtain anti-trafficking training for more than 37 law enforcement officials but did not directly train prosecutors, judges, or first responders. Because many law enforcement and judicial officials lack knowledge of the crime, some trafficking offenses may have been tried as child abuse or kidnapping, which carried lesser penalties.

PROTECTION

The government maintained efforts to identify and protect victims. The government reported identifying and referring 62 victims to government services during the reporting period, compared with identifying 136 potential victims during the previous reporting period when data may have included victims of trafficking-related crimes. In 2018, the Ministry of Social Affairs (MINAS) reported identifying 877 street children vulnerable to trafficking, and referred 307 of those children either to government-run shelters or reunited them with their families. MINAS continued its public awareness campaign that resulted in the identification of at least 21 children—aged six to 13—who may have been involved in exploitative child labor. MINAS reported identifying more than 1,100 vulnerable street children throughout Cameroon in 2017; 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. Media reported the government deported approximately 9,000 Nigerian refugees fleeing the terrorist group Boko Haram in February 2019 without screening for trafficking indicators.

NGOs reported thousands of Cameroonian workers remained in Middle Eastern countries, and many of these workers were at risk of traffickers subjecting them to domestic servitude or sex trafficking. During the reporting period, the government repatriated at least 14 trafficking victims from Kuwait and issued them special travel documents (*laisser passer*) after traffickers seized their passports. The government repatriated three trafficking victims during the previous reporting period.

While the government developed a National Referral System and Standard Operating Procedures (NRS/SOP) in 2013 to guide officials in proactive identification and referral of trafficking victims, it did not implement the NRS/SOP nor did it report training officials 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 of trafficking 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. The government did not offer trafficking-specific services for adult or child victims, but did provide services to minors at risk of trafficking 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. The government did not report providing protection for victims cooperating with trafficking investigations in spite of experts claiming trafficking networks repeatedly threatened victims during their trials. While there were no reports that the government penalized any trafficking victims for unlawful acts traffickers compelled them to commit, some victims may have remained unidentified in the law enforcement system due to the limited use of the NRS/SOP and understanding of the crime among officials. The government could grant temporary residency status to foreign victims who, if deported, may face hardship or retribution; however, it did not report providing this accommodation during the reporting period.

PREVENTION

The government decreased prevention efforts. A lack of coordination and funding impeded implementation of the 2017-2019 anti-trafficking national action plan. The Ministry of Basic Education opened an unknown number of new schools and hired over 4,000 teachers to increase academic opportunities for approximately 200,000 children at risk of exploitation. The IMC met once in 2018, compared with five times in 2017.

MINAS continued its public awareness campaign directed towards the general public and vulnerable children designed to inform Cameroonians on trafficking indicators; in 2018, the government held 5,014 community awareness sessions on trafficking and reached approximately 69,000 Cameroonians. To reduce the number of Cameroonian women exploited in destination countries in the Middle East, border police, customs officials, and gendarmerie screened individuals for trafficking indicators at airports, requiring proof of valid contracts in some cases. The government reported the Ministry of Employment and Vocational Training (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. MINEFOP officials reported annually publishing a list of licensed recruitment agencies, although the scope of dissemination was unknown. MINEFOP reported it does not have a system to prevent traffickers from exploiting workers once they have been placed in overseas employment. Increasing their vulnerability to trafficking, Cameroonians frequently used unauthorized recruiters to seek employment abroad. The government continued its negotiations

with the governments of Lebanon and Qatar to finalize anti-trafficking MOUs, initiated in 2016 by the Ministry of External Relations (MINREX). In November 2018, MINREX established a consulate in Dubai that will allow officials to more effectively respond to suspected trafficking cases.

Between 2015 and 2017, a Cameroonian diplomat posted in the United States is reported to have engaged in visa fraud related to a minor female domestic worker. Because of diplomatic immunity, the United States could not commence prosecution, nor did the government report taking any action during the reporting period to hold the diplomat accountable.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cameroon, and traffickers exploit victims from Cameroon abroad. Child traffickers often use the promise of education or a better life in urban areas to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor. Criminals subject homeless children and orphans to sex trafficking and forced labor in urban areas. Some labor recruiters lure teenagers and adolescents from economically disadvantaged families to cities with the prospect of employment and then subject victims to labor or sex trafficking. Traffickers exploit Cameroonian children 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. Traffickers exploit some children transiting the country en route to Gabon and Equatorial Guinea. Anecdotal evidence suggests some Chinese business owners fraudulently recruit young girls to work as beauticians and subsequently exploit them in sex trafficking.

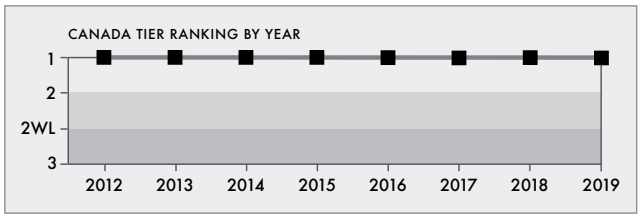
An international organization reported in December 2018 Cameroon accommodated over 437,000 internally displaced persons (IDPs) resulting from the Anglophone crisis. In addition to the IDPs, Cameroon has more than 1.1 million individuals of concern—including refugees from the Central African Republic (CAR) and Nigeria—as of December 2018. Both the IDPs and the individuals of concern are vulnerable to trafficking due to their economic instability and lack of access to formal justice. Boko Haram's activities on the border with Nigeria and instability in neighboring CAR have contributed to the displacement of many of these refugees. There continued to be reports of hereditary slavery in northern chiefdoms. Traffickers force CAR refugee children 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 to forcibly recruit Cameroonian children as porters, cooks, and scouts. The terrorist organization also uses women and girls as forced suicide bombers and sex slaves and boys as child soldiers. International organizations reported Anglophone separatists abducted children, potentially for use 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. Fraudulent labor brokers recruited some Cameroonian women for domestic work in the Middle East where traffickers then subjected the women to sex trafficking or domestic servitude upon arrival at their destination. Some economic migrants in search of opportunity became victims of trafficking in Libya, or while in transit through Niger.

Trafficking networks generally consist of local community members, including religious leaders and former trafficking victims who have transitioned to perpetrators. These networks advertise jobs through the internet as well as other media, and recruit and sell other Cameroonians directly to families in need of domestic servants. Advocates working on trafficking issues report the government's awareness-raising activities targeting fraudulent recruitment have raised awareness amongst 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 that 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. These efforts included investigating and prosecuting traffickers, including labor traffickers; convicting more traffickers than in the previous reporting period; providing funding for victim services; and identifying and assisting more victims than in the previous reporting period. Although the government meets the minimum standards, it did not provide comprehensive data on investigations, prosecutions, and convictions from all jurisdictions or on victims provided with services nationwide. The range, quality, and timely delivery of trafficking-specific services varied nationwide and the government did not fund or provide access to sufficient emergency housing specifically for trafficking victims. While the government finished consultations to develop a new national action plan, it did not publish a new plan during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Publish and implement a new national anti-trafficking action plan. • Vigorously prosecute traffickers and impose adequately strong sentences on convicted traffickers. • Amend the criminal code and Immigration and Refugee Protection Act to include a definition of trafficking consistent with international law. • Significantly increase trauma-informed specialized services and shelter available to all victims, in partnership with civil

society and through ongoing dedicated funding from federal and provincial governments. • Minimize wait times for access to government services, particularly for foreign victims. • Investigate and prosecute Canadian child sex tourists. • Implement plans to fund a national trafficking hotline. • Increase proactive identification of victims, particularly through screening among vulnerable populations and training of first responders in victim-centered techniques. • Increase nationwide trafficking data collection, including documentation of investigations, prosecutions, and convictions and numbers of identified victims and assistance provided such as the number of work permits granted to foreign victims. • Increase training for government officials, particularly for prosecutors and judges, including on seeking and ordering restitution upon trafficking convictions. • Increase use of proactive law enforcement techniques to investigate trafficking, particularly forced labor. • Increase coordination and communication among federal, provincial, and territorial actors and strengthen provincial interagency efforts. • Increase partnerships with the private sector, including financial institutions, to prevent trafficking. • Implement revised laws and policies to address trafficking in the federal supply chain.

PROSECUTION

The government slightly increased law enforcement efforts. Criminal code Sections 279.01 and 279.011 criminalized sex trafficking and labor trafficking, prescribing penalties of four to 14 years' imprisonment for trafficking adults and five to 14 years' imprisonment for trafficking children; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for 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. 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 minimum penalty of six months and a maximum penalty of 10 years' imprisonment. The Immigration and Refugee Protection Act (IRPA) established a separate offense of "human smuggling and trafficking" to mean "no person shall knowingly organize the coming into Canada of one or more persons by means of abduction, fraud, deception or use or threat of force or coercion." Inconsistent with the definition of trafficking under international law, this provision did not include exploitation as an essential element of the crime.

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 IRPA opened five new investigations but did not report whether these cases involved forced labor or sex trafficking. In 2018, federal, provincial, and municipal law enforcement officials initiated prosecutions against 116 individuals in 72 cases (one for labor trafficking), compared to 78 individuals in 47 trafficking cases (two for labor trafficking) in 2017, 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 authorities prosecuted and concluded 196 cases against 196 individuals, compared to prosecutions continued against 295 individuals (including 10 suspected labor traffickers) in 2017 and 300 individuals (including 34 suspected labor traffickers) in 2016. The government reported federal convictions of 36 traffickers in 2018, compared to federal convictions of five traffickers in 2017, including one labor trafficker, and 10 sex traffickers and no labor traffickers in 2016. Courts imposed sentences ranging from two to 12 years' imprisonment, compared to sentences ranging from six months to 9.5 years' imprisonment in 2017. The government acknowledged some sex trafficking cases resulted in convictions under other criminal code sections. Authorities argued these offenses were easier to prove in the absence of victim testimony, noting victims fear reprisal from their traffickers and may be unwilling to testify, which may reveal a lack of victim witness protection. Federal authorities collected provincial and municipal data through the Uniform Crime Reporting Program available each July for the previous calendar year and reported a total of 375 trafficking incidents and 291 individuals accused of trafficking in 2017. The federal government did not require federal, provincial, or municipal law enforcement to report data on investigations or convictions and therefore did not maintain a national database; however, it provided data from Canada's uniform crime reporting system and it provided provincial trafficking case data from the Province of Ontario where the highest number of cases were reported. 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 or decisions to pursue cases based on a greater probability of conviction varied, leading some officials to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. Federal law enforcement coordinated its seventh proactive "Northern Spotlight" operation to identify sex trafficking victims and investigate and prosecute sex traffickers, which resulted in 44 charges against suspects in 2018, compared to 21 charges against suspects in 2017. The federal government identified and reported financial transactions suspected of being linked to the laundering of proceeds from trafficking, which resulted in 191 disclosures between April 2018 and January 2019, compared to 196 in 2017 and 102 in 2016. The federal Royal Canadian Mounted Police (RCMP) included trafficking in the national academy training for all new recruits, trained 169 police officers in an online introductory human trafficking course, and trained 295 police officers in an in-depth trafficking investigators' course. The RCMP cooperated with foreign governments through the Interpol Human Trafficking Expert Group and pursued several ongoing trafficking investigations with foreign officials. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses, but media revealed a provincial police sergeant released another officer for alleged involvement in a prostitution offense in the course of a trafficking operation. Authorities charged the sergeant with misconduct related to the operation.

PROTECTION

The government increased protection efforts. Authorities identified 89 new victims in trafficking-specific cases in 2018, compared to 60 in 2017, 77 in 2016, and 99 in 2015. Of the 89 new victims identified, 81 were female and eight were male, 61 were adults and 28 were children, and 79 were victims of sex trafficking and 10 were victims of forced labor. The government

reported a total of 420 trafficking victims, which included newly and previously identified victims, in 2018 (404 sex trafficking victims and 16 forced labor victims) compared to 416 victims in 2017 and 367 victims in 2016. The government provided various handbooks, toolkits, and training to disseminate guidance on identifying trafficking victims to criminal justice officials and immigration officials specific to their roles. Immigration officials referred actual and potential cases to the RCMP for investigation and actual and potential victims to Immigration, Refugees and Citizenship Canada. At the provincial level, the government of British Colombia identified 132 potential victims through calls received by their hotline. During hearings conducted by the House Committee on Justice and Human Rights in 2018, witnesses expressed concern that many first responders, including police and medical professionals, could not properly identify trafficking victims. Witnesses argued the government's guidelines and training made assumptions all migrants and individuals in prostitution must be identified as trafficking victims thereby increasing surveillance of these communities and decreasing crime reporting.

The federal government assisted victims through its crime victim assistance regime, which relied on Justice Canada's funding to the provinces and territories. In October 2018, the federal parliament approved an additional 500,000 Canadian dollars ($367,110) to support victims of sexual exploitation and human trafficking, which brought the annual total to 1 million Canadian dollars ($734,210). Through this regime, the federal government allocated funding for 24 projects to NGOs and law enforcement agencies to provide case management, direct services, capacity building, and agency collaboration; but did not report how many victims were assisted by these projects in 2018. The RCMP Human Trafficking National Coordination Center and regional trafficking awareness coordinators operated response teams to assist victims law enforcement identified, such as during Operation Northern Spotlight and Project Griffon. Provincial governments, which have responsibility for the delivery of welfare services, 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 typically included emergency shelter, food, health services, psychological services, and legal services.

NGOs operated 629 shelters for women who were victims of violence nationwide, some of which the government funded, but only a few shelters provided beds specifically for trafficking victims. The federal government provided 2016-2019 funding to NGOs in the Atlantic provinces and in the Quebec region to develop a trafficking-specific protocol for emergency housing. Service providers expressed concern about the lack of shelters given that only a small number of beds are dedicated specifically to trafficking victims, which led to having to relocate victims to other provinces and a burden on service providers. Statistics Canada included a question in a 2018 survey on the number of individuals seeking shelter in facilities for victims of abuse due to trafficking, which may help to provide a first estimate of the number of beds needed for trafficking victims. 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 provided universal health care, emergency housing, legal aid, and social assistance at the provincial or territorial level to eligible individuals, including female and male trafficking victims, but dedicated emergency housing and specialized services primarily served female victims. Public Safety Canada continued $152,000 in funding to two multi-year projects to develop housing response models for trafficking. The Department of Justice provided 250,000 Canadian dollars ($183,550) to two NGOs for a new two-year project to provide case management and direct services to forced labor victims. The Department of Justice funded child advocacy centers that provincial or municipal governments or NGOs operated, some of which provided trafficking-specific services to child victims. The government did not report any victims who obtained restitution in 2018 for the third consecutive year.

Some provinces or territories offered trafficking-specific services through government agencies or NGOs. 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, Manitoba funded a government-NGO response team, and Ontario funded a government entity to provide coordination and services. The quality and availability 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. Manitoba provided at least 10.3 million Canadian dollars ($7.56 million) for initiatives to identify and assist those at risk of and victims of sexual exploitation, including sex trafficking. Ontario provided 18.6 million Canadian dollars ($13.66 million) for a three-year (2017-2020) strategy to improve survivors' access to services such as housing, mental health services, and trauma counseling. The federal government provided New Brunswick 201,560 Canadian dollars ($147,990) over three years (2015-2018) to develop a provincial strategy to prevent sex trafficking. 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 issued TRPs to 40 foreign victims and their dependents in 2018, compared to 32 in 2017 and 67 in 2016. The government provided foreign victims eligibility for short-term 180-day TRPs or long-term three-year TRPs, but NGOs reported long wait times to receive TRPs. TRP holders could apply for fee-exempt work permits, but the government did not report how many foreign victims received permits in 2018. NGOs also reported a need for more trauma-informed care for victims, whom the health care system sometimes re-traumatized. While victims waited to receive TRPs, they could not access publicly-funded services, including mental and physical health and welfare, but they could receive assistance from NGOs. 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, but the government did not report whether such protections were actually afforded to victims.

PREVENTION

The government maintained prevention efforts. The government held consultations to gather stakeholders' views to inform the government's anti-trafficking activities but did not publish a national action plan. During the consultations, the government acknowledged a need for dedicated anti-trafficking funding, greater cross-sectoral collaboration, increased availability of and accessibility to victim support and services, more prosecutions

and sufficiently stringent sentences, greater oversight of supply chains, and the need to engage the private sector. The government also admitted gaps in data collection and analysis of the prevalence of trafficking. The federal parliament's House Standing Committee on Justice and Human Rights also conducted consultations and published a report in December 2018, which included recommendations on a new national anti-trafficking action plan, prevention of trafficking among migrant workers, outreach to financial institutions to assist in tracking suspicious transactions, and funding for the national hotline.

Public Safety Canada (PSC) led a federal interagency task force and facilitated policy discussions. PSC hosted national teleconferences for provincial and regional governments and stakeholders to share information, trends, and best practices related to forced labor and victim services and to share its own initiatives. PSC operated a hotline for service referral for crime victims, including trafficking victims, but did not report the number of trafficking calls received in 2018. The government's 2018 budget including 14.5 million Canadian dollars ($10.65 million) over five years, beginning in 2018-2019, to establish a national human trafficking hotline to be operated by an NGO and launched in May 2019. The government funded NGOs to promote 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 regional trafficking awareness coordinators in the provinces of Alberta, Manitoba, Quebec, and Nova Scotia served as anti-trafficking points of contact for law enforcement across the country and participated in regional response teams and meetings to share local strategies, best practices, and successful cases. British Columbia's provincial anti-trafficking office coordinated the provincial strategy, services, and identified gaps and barriers, such as a need for a regular working group between RCMP, Canada Border Services Agency, the provincial crown prosecutor, and U.S. law enforcement agencies. The government of Ontario continued to implement its comprehensive, survivor-focused provincial anti-trafficking strategy and operated a 24/7 multi-lingual hotline to provide information and referral for trafficking victims. Starting in 2016, the province allocated 72 million Canadian dollars ($52.86 million) over four years to address trafficking. NGOs cited the need for better coordination among the federal, provincial, and territorial governments on anti-trafficking law enforcement.

The government strengthened the federal Temporary Foreign Worker Program by creating a federal-provincial/territorial working group and allocating 194.1 million Canadian dollars ($142.51 million) over five years and 33.9 million Canadian dollars ($24.89 million) per year to enforce laws and prevent labor exploitation and trafficking among these workers. The federal government also invested 3.4 million Canadian dollars ($2.5 million) in 2018-2019 to establish, as a pilot program, a migrant worker support network for individuals facing potential labor exploitation and trafficking by their employers. The government updated its pamphlet entitled "Temporary Foreign Workers: Your Rights are Protected," to provide information on rights and protections for such workers, including on trafficking, in eight languages. The government reported it referred three of 16 leads received related to potential trafficking cases generated by its online fraud reporting tool for temporary foreign workers. 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 vulnerable to 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 for the third consecutive year. The government provided more than 19 million Canadian dollars ($13.95 million) to support anti-trafficking initiatives in more than a dozen countries globally. Canada participated in the fifth annual trilateral trafficking in persons working group meeting with Mexico and the United States and shared best practices related to technology and trafficking. The government made efforts to reduce the demand for commercial sex and forced labor through awareness-raising and training. The government worked to revise its laws and policies to address trafficking in the federal supply chain by drafting amendments to the criminal and immigration law, a new self-certification policy in the apparel sector, and an updated debarment policy for suppliers. The government, along with Australia, the United States, New Zealand, and the United Kingdom, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains.

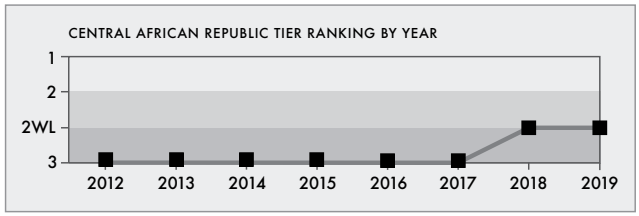
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Canada, and traffickers exploit victims from Canada abroad. Women and children from indigenous communities, migrants and new immigrants, LGBTI persons, persons with disability, at-risk youth, runaway youth, and youth in the child welfare system are especially vulnerable to traffickers. Traffickers exploit Canadian victims within the country, but traffickers have also exploited some Canadian victims abroad, mainly in the United States. Traffickers exploit foreign women, primarily from Asia and Eastern Europe, in sex trafficking in Canada. Traffickers exploit legal foreign workers from Eastern Europe, Asia, Latin America, and Africa in forced labor in a variety of sectors, including agriculture, construction, food processing plants, restaurants, and hospitality, or as domestic workers, including diplomatic households. Canadians travel abroad to engage in sex acts with children, and foreign nationals engage in sex acts with children in Canada.

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 but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by partnering with an international organization to demobilize 913 child soldiers and provide reintegration services for 1,669 children recruited by armed groups; investigating one trafficking case; increasing its awareness raising programming; and partnering with an international organization to operate shelters for potential child trafficking victims and demobilized child soldiers. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not prosecute any traffickers, has not convicted a trafficker since 2008, and did not develop

a national action plan to address all forms of trafficking in persons. Therefore CAR remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Coordinate with international organizations to demobilize and provide reintegration services to child soldiers, and increase efforts to minimize their re-recruitment by armed groups. • Hold armed groups that recruit and use children criminally accountable. • Designate a ministry or official entity to lead the government's overall anti-trafficking efforts, and empower officials to coordinate with other government offices, NGOs, and international organizations. • Increase efforts to identify trafficking victims within Bangui and train officials on victim identification standard operating procedures. • Develop and operationalize a multi-year anti-trafficking national action plan in partnership with international organizations and NGOs, and dedicate in-kind support to include government facilities and staff hours to support the plan's implementation. • Increase anti-trafficking training for the Mixed Unit for Rapid Intervention and Repression of Sexual Violence to Women and Children (UMIRR) so it can effectively identify trafficking cases and refer victims to care. • Hold court hearings—separate from informal mediation—for suspected trafficking cases and increase efforts to investigate, prosecute, and convict traffickers through independent and fair trials. • Ministry of Labor officials coordinate with international organizations to provide training for labor inspectors to increase their ability to proactively identify victims of trafficking in Bangui. • Take concrete steps in partnership with NGOs and international organizations to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims are not punished for unlawful acts traffickers compelled them to commit. •Launch an awareness raising campaign in Bangui in partnership with international organizations to increase the public's and government officials' ability to identify and refer trafficking in persons crimes to law enforcement officers.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts during the reporting period. Article 151 of the penal code criminalized sex trafficking 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 collect comprehensive anti-trafficking data, resulting in unreliable and incomplete statistics on law enforcement and victim identification efforts. The government investigated one trafficking case under Article 151 during the reporting period; however, authorities ultimately bypassed formal courts and resolved the case through mediation. As in the previous reporting period, officials did not report prosecuting any suspected traffickers in 2018, and authorities have not convicted any traffickers since 2008. NGOs reported the UMIRR may have investigated allegations of trafficking and referred an unknown number of potential trafficking cases to the Special Criminal Court.

Years of destabilizing conflict have severely limited formal judicial capacity outside the capital, leading to the frequent use of customary dispute resolution methods through which traditional chiefs or community leaders administer punishment for criminal acts. Additionally, observers stated limited judicial sector resources continued to impede prosecution of cases. The government did not report investigating, prosecuting, or convicting government officials complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes by border agents and police remained concerns and may have inhibited law enforcement action during the year. The government did not report training law enforcement officials on human trafficking in 2018, compared with coordinating with an international organization to train 99 government and civil society actors during the previous reporting period.

PROTECTION

The government maintained limited efforts to identify and protect victims. The government did not report identifying trafficking victims in 2018, compared with identifying 39 child trafficking victims in 2017.

Officials did not report training officials on the government's victim identification standard operating procedures, developed in 2016. The Ministry of Social Affairs partnered with an international organization and provided financial support to shelters for unaccompanied children, including potential trafficking victims and former child soldiers; these shelters offered medical care, food, and psycho-social support. However, officials did not disclose the number of children the government assisted at these shelters. The government could refer trafficking victims to NGOs that accept—but do not specialize in assisting—trafficking victims; however, officials did not report referring any victims of forced labor or sex trafficking 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, but it is likely given officials' lack of training on victim identification. Authorities did not report providing legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. The law allows victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no indications this occurred during the reporting period.

During the reporting period, the government partnered with an international organization to demobilize 913 children (671 boys and 242 girls) associated with armed groups, and provided reintegration services for 1,669 children (1,238 boys and 431 girls) in 2018; some children the government provided reintegration services to were demobilized in previous years. Government officials directly implemented family reunification and tracing programming, and supported

international organization-led demobilization, disarmament, and reintegration efforts. In 2017, the government partnered with an international organization and identified more than 3,000 child soldiers and referred them to reintegration services. No other specialized care was available for child or adult trafficking victims in the country.

PREVENTION

The government maintained limited prevention efforts during the reporting period, and overall anti-trafficking coordination was hindered by the lack of a designated lead governmental entity and limited trafficking knowledge among officials, as well as ongoing conflict throughout the country. Officials coordinated with an international organization to hold awareness raising programming and provide training for 1,337 individuals to increase their understanding of trafficking in persons. UMIRR continued to operate its 24-hour hotline staffed by French and local language speakers; however, the government did not provide statistics on the number of calls it received. Officials did not make progress on drafting or implementing a national action plan to combat trafficking.

Ministry of Labor officials conducted inspections in Bangui during the reporting period; however, instability and armed conflict throughout the country limited the government's ability to observe areas outside the capital, and inspectors did not monitor the informal sector where experts reported child trafficking and hazardous work conditions commonly occurred. The government did not report implementing its 2017-2021 National Recovery and Peacebuilding Plan, which aimed to re-establish peace and security through the disarmament and reintegration of child soldiers. Budgetary shortfalls, lack of security, and coordination gaps between the government and donors adversely impacted the plan's effectiveness. The government did not report any measures to reduce the demand for commercial sex acts or forced labor, and it did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in CAR, and traffickers exploit victims from CAR abroad. Observers report traffickers primarily exploit CAR nationals within the country, and transport a smaller number of victims between CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo, Sudan, or South Sudan. Traffickers—including transient merchants, herders, and armed groups—subject children to domestic servitude, commercial sexual exploitation, as well as forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending within CAR. Also within the country, some relatives subject children to forced labor in domestic work, and traffickers subject *Ba'aka* (*pygmy*) minorities to forced labor in agricultural work, especially in the region around the Lobaye rainforest. Criminal elements exploit girls in sex trafficking in Bangui and other urban areas. Some relatives or community members coerce girls into forced marriages and subsequently subject the girls to forced labor in domestic servitude, or sex trafficking.

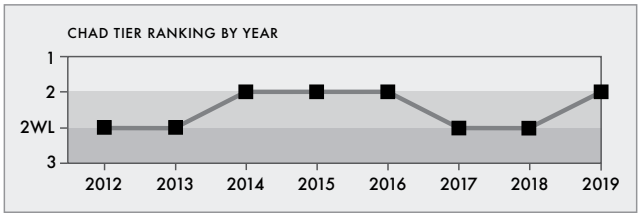
Surges in violent conflict in recent years have resulted in chronic instability and the displacement of more than one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In 2018, approximately 641,000 people remained internally displaced and vulnerable to trafficking inside the country, and 591,000 individuals sought refuge in neighboring countries. This represents an increase from 402,000 internally displaced people and 464,000 refugees the previous year.

Armed militias associated with Anti-Balaka, Ex-Seleka, Lords Resistance Army, and other armed groups forcibly recruit and use child soldiers in CAR; however, there were no verified cases of the government supporting units recruiting or using child soldiers during the reporting period. International organizations reported armed groups recruited 299 children (196 boys and 103 girls) to serve as combatants, informants, messengers, porters, cooks, and sex slaves in 2018; armed groups also subjected children to forced labor in the mining sector. Since the conflict began in 2012, armed groups have recruited more than 14,000 children; in 2018, militias primarily recruited and used child soldiers from the prefectures of Haute-Kotto, Nana-Grebizi, and Ouaka. Although some children voluntarily join locally-organized community defense groups to protect their families from opposing militias, many commanders maintain influence over these children even after they are demobilized, increasing their risk of re-recruitment. Inadequately funded reintegration programming, continuing instability, and a lack of economic opportunity throughout the country exacerbate the risks of re-recruitment among former child soldiers.

The United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) has more than 13,000 peacekeeping forces and police in CAR to protect civilians, provide security, support humanitarian operations, and promote and protect human rights, among other objectives. However, observers alleged MINUSCA peacekeepers sexually abused a CAR national during the reporting period. Observers report peacekeepers have sexually exploited over 100 victims since MINUSCA's 2014 inception.

CHAD: TIER 2

The Government of Chad does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Chad was upgraded to Tier 2. The government investigated and prosecuted more suspected traffickers; identified more victims through the course of law enforcement activities; established an anti-trafficking coordinating body; and ratified its 2018 anti-trafficking law. However, the government did not meet the minimum standards in several key areas. The government did not report referring any victims to care; provide training for officials despite a lack of trafficking knowledge being an impediment to prosecuting and convicting criminals; disseminate or implement formal victim identification and referral procedures established in 2017; or implement its national action plan.



PRIORITIZED RECOMMENDATIONS:

While respecting due process, vigorously investigate and prosecute suspected trafficking offenders according to Chad's anti-trafficking Law 006/PR/18. • Regularly convene the Inter-Ministerial Committee Against Trafficking in Persons and include civil society and NGOs in the meetings. • Coordinate with international organizations to increase familiarity of trafficking in persons amongst working-level law enforcement and judicial officials. • Disseminate to security services, law enforcement, and civil society standard operating procedures for the identification and referral of trafficking victims to care. • Work with NGOs and international organizations to increase the provision of protective services to all trafficking victims. • 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 increased law enforcement efforts. In June 2018, the National Assembly ratified Law 006/PR/2018 on Combatting Trafficking in Persons, which criminalized sex trafficking and labor trafficking. Article seven of Law 006/PR/2018 prescribed penalties of four to 30 years' imprisonment and a fine of 250,000 to 5 million Central African CFA francs ($414 to $8,280); these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

Although the government did not collect comprehensive law enforcement data, it reported investigating trafficking cases involving 82 suspects in 2018. Authorities released 80 of those suspects without charges and initiated prosecutions for two suspects. The government did not convict any traffickers in 2018. The government reported investigating one potential trafficking case and did not report prosecuting or convicting any traffickers in 2017. Authorities did not report investigating, prosecuting, or convicting government officials complicit in human trafficking offenses; however, experts noted officials were complicit in trafficking crimes during the reporting period, including reports of prison officials compelling inmates into labor on private projects, separate from the prisoners' sentences.

PROTECTION

The government increased efforts to identify victims but did not report referring victims to services and maintained overall weak protection efforts. Officials reported identifying 21 trafficking victims during the course of law enforcement activities in 2018, compared with zero victims the previous year. Authorities did not report referring any victims to shelters or care during the year and detained the 21 victims for one day during their traffickers' hearing. The government did not disseminate or implement formal victim identification and referral procedures developed in 2017.

The Ministry of Women, Family, and National Solidarity, in partnership with an international organization and local NGOs operated transit centers that served as temporary shelters 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. Officials did not report providing services to trafficking victims in these shelters during the reporting period; however, observers stated the government's Child Protection Brigades provided shelter and psycho-social care to an unknown number of child victims of trafficking in 2018. Services were limited to urban areas and largely inaccessible to much of Chad's rural population.

The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking and did not report identifying any foreign victims. While there were no reports the government penalized any trafficking victims for unlawful acts their traffickers compelled them to commit, authorities may have arrested some victims due to the limited use of the referral procedures and officials' understanding of the crime. NGOs and local officials reported negotiating settlements outside of formal courts between families and employers who may have subjected child herders to forced labor.

PREVENTION

The government maintained minimal efforts to prevent trafficking. In 2018, the government launched the National Committee to Combat Trafficking in Persons to coordinate its anti-trafficking efforts; however, the Committee did not meet during the reporting period and was not fully staffed or resourced. The Ministry of Justice created an action plan to guide the government's anti-trafficking efforts and apply the 2018 anti-trafficking law, but officials did not report executing any of the proposed actions during the reporting period.

The government made no discernible efforts to raise awareness on trafficking or reduce the demand for commercial sex or forced labor during the reporting period. A lack of identity documentation remained 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; however, officials did not widely enforce the policy due to limited resources. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

TRAFFICKING PROFILE

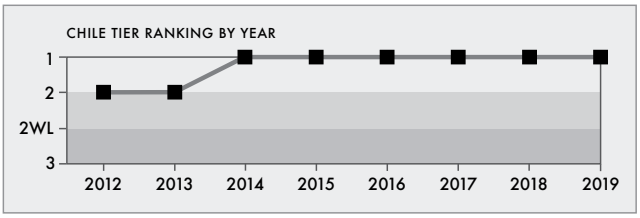
As reported over the past five years, human traffickers exploit domestic and foreign victims in Chad, and traffickers exploit Chadian victims abroad. The country's trafficking problem is primarily internal and exacerbated by high levels of poverty across the country. Families frequently entrust their children to live with relatives or intermediaries to receive education, apprenticeship, goods, or money; some of those relatives or intermediaries subsequently subject the children to forced labor in domestic service or cattle herding. Traffickers exploit children in forced labor as beggars in urban areas, agricultural laborers on farms, gold mining in the north of the country, charcoal production, and as domestic workers. In the Lake Chad region, traffickers exploit children in catching, smoking, and selling fish. Some religious leaders subject children who leave their villages to attend traditional Quranic schools—known as *mouhadjirin*—into forced begging, street vending, or other forced labor.

Cattle herders subject some children to forced labor as they follow traditional routes for grazing cattle and, at times, cross ill-defined international borders into Cameroon, the Central African Republic, Sudan, and Nigeria. Traffickers in rural areas sell children in markets for use in cattle or camel herding. In some cases, military or local government officials exploit child herders in forced labor. Traffickers subject some rural Chadian girls who travel to larger towns in search of work to child sex trafficking or domestic servitude. Criminals may exploit refugees and internally displaced people in Chad to child sex trafficking.

Experts reported prison officials used inmates as forced labor on private projects, separate from the prisoners' sentences for their crimes. According to an international organization, Chad hosts more than 450,000 refugees and more than 130,000 internally displaced persons; populations vulnerable to trafficking based on their economic instability and lack of access to support systems. International organizations report the Nigerian terrorist group Boko Haram and its offshoot Islamic State-West Africa forcibly abducted minors to serve as child soldiers, suicide bombers, child brides, and as forced laborers. Community-based vigilante groups tasked with defending people and property in rural areas may recruit and use 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. These efforts included investigating more cases, identifying more victims, improving male victims' care, increasing legal representation for child victims, and sentencing two labor traffickers to the longest prison term to date under the trafficking law. Although the government meets the minimum standards, courts issued lenient sentences, with the vast majority of convicted traffickers receiving only probation with no time in prison, creating potential safety concerns for trafficking victims, weakening deterrence, and undercutting nationwide efforts to fight trafficking. The government did not provide adequate resources for victim protection efforts, and available care was particularly lacking for male victims and victims outside of the capital.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to penalize traffickers with adequate sentences, which should include significant prison terms. • Vigorously investigate, prosecute, and convict all forms of human trafficking, including domestic child sex trafficking, under Article 411 of the penal code. • Increase training on application of Article 411 for judges and prosecutors. • Increase funding and services for victim protection efforts. • Expand access to specialized shelters for victims, including male and minor victims and victims outside the capital. • Develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities to ensure no trafficking victims are penalized for unlawful acts their traffickers compelled them to commit. • Increase legal representation to victims who wish to seek restitution.

PROSECUTION

The government increased prosecution efforts. Article 411 of the penal code criminalized sex trafficking and labor trafficking, prescribing penalties ranging from five years and one day to 15 years' imprisonment, plus fines. 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 the prostitution of minors," but penalties for this crime ranged from five to 20 years' imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

Anti-trafficking police units opened 39 new investigations (23 for sex trafficking and 16 for labor trafficking), compared with 21 cases in 2017 (13 for sex trafficking and eight for labor trafficking) and 23 cases in 2016 (four for sex trafficking and 19 for labor trafficking). Authorities prosecuted 19 individuals (13 under Article 367 and six under Article 411), compared with 17 cases in 2017 (14 under Article 367 and three under Article 411). The government convicted nine traffickers (four under Article 367 and five under Article 411 for labor trafficking), compared with 29 convictions in 2017 (26 under Article 367 and three under Article 411) and eight convictions (three under article 367 and five under Article 411) in 2016. Two labor traffickers received 10-year prison sentences, the longest effective sentences since Article 411's inception; these individuals also received fines of 2.35 million Chilean pesos ($3,390). However, seven of nine convicted traffickers did not serve any time in prison; three labor traffickers received four years' probation and four convicted child sex traffickers received between three and five years of probation.

During 2018, the National Public Prosecutor's office developed a new protocol for prosecutors and attorney advisors for the investigation of crimes related to the commercial sexual exploitation of children and adolescents, including sex trafficking. The government cooperated with Argentina, China, and Colombia on three investigations. The government provided training to the governments of El Salvador, Guatemala, Honduras, Panama, and Peru to strengthen international prosecutions. The Metropolitan Brigade to Investigate Trafficking in Persons provided specialized training to 440 police cadets, senior officers, and prosecutors across the country. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. In 2018, the government instituted a new software system to track the complicity of government officials in trafficking crimes.

PROTECTION

The government increased victim protection. The government's interagency task force on trafficking (MITP) identified 41 trafficking victims (30 women and 11 men; 33 for labor trafficking and eight for sex trafficking), compared with 21 victims in 2017, 23 in 2016, and 65 in 2015. The National Service of Women and Gender Equality (SERNAMEG) assisted 12 women of the 41 victims of trafficking; the SERNAMEG shelter directly assisted eight female victims and sent the remaining four victims to other shelters due to its capacity limit. SERNAMEG assigned three of the victims with pro-bono attorneys. The MITP's protocol on victim assistance entitled victims to safe housing, health services, psychological services, legal assistance, employment assistance, and regularization of migratory status. However, provision of victim services remained uneven across the country and NGOs reported funding was inadequate to provide necessary services, especially shelters for minors and male victims. The government did not fund most NGOs that provided victim assistance; agencies did not have specific line items in their budgets for victim assistance. Reintegration services such as education and job placement

assistance were insufficient, and officials reported access to adequate mental health services was expensive and limited.

SERNAMEG allocated 140 million Chilean pesos ($202,000) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and their children, an increase compared to 133 million Chilean pesos ($191,900) allocated in 2017. The government also had domestic violence shelters that housed trafficking victims, although these shelters did not necessarily provide specialized services for trafficking victims. The Ministry of Interior created official agreements on adult men victims' care with the Ministry of Justice; these services were administered by a local NGO. However, there were no shelters for male victims. The National Service for Minors (SENAME) provided basic services to child sex trafficking victims through its national network of 18 NGO-operated programs and opened one additional program during the reporting period. There was an ongoing investigation into mistreatment and abuse leading to death and neglect of children and adolescents at SENAME-affiliated residential and non-residential care facilities. SENAME provided 3 billion Chilean pesos ($4.33 million) for victim services, compared to 2.95 billion Chilean pesos ($4.26 million) in 2017. SENAME assisted 1,459 children in 2018, compared with 1,350 children in 2017 and 1,341 in 2016. Although it noted 148 children or adolescents were identified by the Worst Forms of Chile Labor (WFCL) registry as victims of commercial sexual exploitation. The Ministry of Interior increased legal representation for child victims through Chile's "My Lawyer program."

In partnership with an international organization, the Ministry of Health developed a technical guide on victim identification and assistance and trained more than 300 public health and municipality officials. Authorities provided training on victim assistance and identification to more than 1,000 law enforcement, judicial staff, labor inspectors, SENAME staff, and first responders. The Department of Migration continued to provide no-fee visas for foreign trafficking victims and issued 17 in 2018 (nine in 2017). The visa is valid for up to one year, renewable for up to two years if the victim reported the trafficking crime to the prosecutor's office. Foreign victims received the same victim services and methods of participation in court—such as teleconference, witness protection, and video testimony—as Chilean victims. The government reported challenges in encouraging victims to participate in a full trial. The government did not report granting any victims restitution through civil or criminal cases in 2018. An international organization has expressed concern that striking workers in certain industries could be imprisoned and forced to work.

PREVENTION

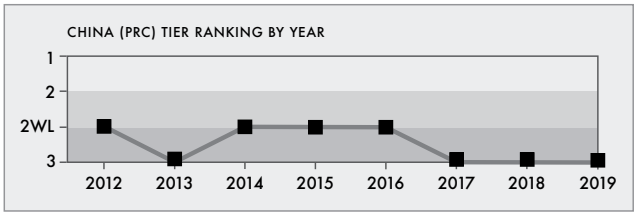
The government increased prevention efforts. The Ministry of Interior continued to lead the MITP—which included government agencies, international organizations, and local NGOs—and its three sub-commissions. The government created, published, and began implementation of a new national action plan (2019-2022). Instead of continuing a specific line item budget for anti-trafficking efforts, the government authorized MITP and partner NGOs to draw from a transnational organized crime budget line under the government's "Safe Borders Program;" the government claimed this would improve collaboration on prosecutions and increase coordination across agencies. While there was improvement in interagency cross-referencing and sharing of data, more robust coordination was needed. The government conducted multiple awareness campaigns and distributed materials, including brochures, at various public venues across the country. Several agencies operated hotlines that could take calls on trafficking victims. The government provided training on trafficking for operators of the labor directorate's hotline. The National Tourism Service, in collaboration with SENAME, continued its certification of tourism organizations and establishments that adhere to norms for the prevention of child sex trafficking. The government released its 2011-2017 statistics report on trafficking in Chile. The government made efforts to reduce the demand for commercial sex acts but did not make efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Chile, and traffickers exploit victims from Latin American and Asian countries abroad. Traffickers exploit Chilean women and children in sex trafficking within the country as well as women and girls from other Latin American countries and Asia. Some traffickers may recruit children staying in child protection centers. Traffickers exploit men, women, and children—primarily from other Latin American countries, as well as Asia—in forced labor in Chile in mining; agriculture; construction; street vending; the hospitality, restaurant, and garment sectors; and domestic service. Traffickers subject Chinese and Haitian immigrants to sex trafficking and forced labor, and Korean women 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. Traffickers subject Chilean men to labor trafficking in Peru and Chilean women to sex trafficking in Argentina, as well as other countries. Police often frequented brothels in small towns, 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 continuing to cooperate with international authorities to address forced and fraudulent marriages in China, a key trafficking vulnerability for foreign women and girls, and by continuing to seek accountability for officials complicit in commercial sex crimes that may have included sex trafficking. However, state-sponsored forced labor intensified under the government's mass detention and political indoctrination campaign against members of Muslim ethnic minority groups in Xinjiang, and authorities reportedly subjected Tibetans and other ethno-religious groups to similar conditions. For the second consecutive year, 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 without screening for trafficking, and often forcibly returned foreign victims to their traffickers after they escaped and reported their abuses.



PRIORITIZED RECOMMENDATIONS:

End forced labor in government facilities, in nongovernmental facilities converted to government detention centers, and by government officials outside of the penal process. • Abolish the arbitrary detention and forced labor of persons in internment camps in Xinjiang and immediately release the individuals detained therein. • Cease discriminatory hiring and targeted displacement policies putting Muslim and other minority communities at risk of trafficking. • Respecting due process, vigorously investigate, prosecute, and impose prison sentences on perpetrators of forced labor and sex trafficking, including complicit government officials. • Update the legal framework to fully criminalize all forms of trafficking, including the facilitation of "prostitution" involving children younger than the age of 18. • Institute and systematize proactive, formal procedures to 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 on "prostitution" charges—and train front-line officers on their implementation. • Cease penalization of victims for unlawful acts their traffickers compelled them to commit. • Immediately screen individuals suspected of prostitution offenses for sex trafficking indicators and refer identified victims to protection services. • Ensure authorities do not subject trafficking victims to extended detention, punishment, or deportation. • 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. • 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 decreased law enforcement efforts. The criminal code criminalized some forms of sex trafficking and labor trafficking. Various provisions of the criminal code could be used to prosecute sex trafficking offenses. Article 240 criminalized "the abduction and sale of women or children," which included abduction by deceit, kidnapping, purchasing, selling, sending, receiving, and transferring for the purpose of sale; however, unlike the definition of trafficking in persons under international law, Article 240 did not explicitly link these acts to a purpose of exploitation. Article 240 prescribed penalties of five to 10 years' imprisonment and fines for the abduction and sale of women and children. If an abducted woman was then forced into prostitution, the penalties increased to 10 years to life imprisonment, fines, and confiscation of property. These penalties were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 241 criminalized the purchase of abducted women or children and prescribed a maximum penalty of three years' imprisonment, short-term detention, or controlled release; like Article 240, it did not require that the purchase be for the purpose of exploitation. Penalties under this provision were not alone sufficiently stringent; however, Article 241 stipulated that if an individual purchased an abducted woman or child and then subjected them to "forcible sexual relations," they would face additional penalties under the criminal code's rape provisions. Article 358 criminalized forced prostitution and prescribed penalties of five to 10 years' imprisonment; if the offense involved a child under the age of 14, the penalties increased to 10 years to life in addition to fines or confiscation of property. These penalties were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 359 criminalized harboring prostitution or luring or introducing others into prostitution, and it prescribed a maximum of five years' imprisonment and a fine; if the offense involved a girl under the age of 14, it prescribed a minimum of five years' imprisonment and a fine. These penalties were sufficiently stringent; however, the penalties prescribed for offenses involving girls 14 to 17 years of age were not commensurate with the penalties prescribed for other serious crimes, such as rape. Labor trafficking offenses could be prosecuted under Article 244, which 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 central government did not capture or report comprehensive law enforcement data, and it continued to report statistics for crimes outside the definition of trafficking according to international law (including migrant smuggling, child abduction, forced marriage, and fraudulent adoption), making it difficult to assess progress. For the second consecutive 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 suggested authorities continued to investigate some cases. Data published by the Supreme People's Court (SPC) indicated it prosecuted and concluded at least 634 trafficking cases (1,146 in 2017), culminating in 1,252 individuals convicted (1,556 in 2017 and 1,756 in 2016); this included 1,252 convictions for the trafficking of women and children, 833 convictions for forced prostitution, and 35 convictions for forced labor. Authorities did not disaggregate conviction data by the relevant criminal code statutes. As in prior years, courts prosecuted the vast majority of these cases under Article 358—especially for those involving commercial sexual exploitation—rather than under Article 240. The government did not provide sentencing data, but media reports indicated penalties imposed in at least one forced labor case ranged from one to six years' imprisonment. In previous years, media reported penalties ranging from five months' imprisonment with fines of 74,000 renminbi ($10,760) to life imprisonment.

The government handled most cases with indicators of forced labor as administrative issues through the Ministry of Justice and seldom initiated prosecutions of such cases under anti-trafficking statutes. Authorities engaged in law enforcement cooperation with foreign governments, investigating cases of Chinese citizens subjected to trafficking in Burma, Cambodia, Cyprus, Macau, and Singapore; as part of similar efforts in previous years, Chinese authorities attempted to extradite—and criminally charge—Chinese and Taiwanese individuals subjected to forced labor in Europe. During the reporting period, the government increased its consultative partnerships with Lao, Mongolian, 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, while others reported China's cumbersome law enforcement bureaucracy hindered joint operations.

The government did not provide data on specific law enforcement trainings, unlike in prior years. However, according to an international organization, the government allocated increased funding to co-host capacity-building training for law enforcement and judicial officials on investigating and prosecuting trafficking cases. During the reporting period, China launched a nationwide campaign to investigate corrupt local officials and police officers allegedly using their influence to shield or profit from criminal organizations engaged in prostitution rings; this included efforts to address sex trafficking. Officials found guilty through this process reportedly faced expulsion from the Chinese Communist Party, termination of their official positions, fines, and referral to the judicial system. However, authorities did not provide statistics on the number of investigations, prosecutions, or convictions resulting from this campaign. Despite continued reports of law enforcement officials benefiting from, permitting, or directly facilitating sex trafficking and forced labor, the government did not report any investigations, prosecutions, or convictions of law enforcement officials allegedly involved in the crime. Central, provincial, and local government officials were also reportedly complicit—with impunity—in forced labor as part of China's mass detention and political indoctrination campaign against members of Muslim ethnic minority groups, and authorities reportedly subjected Tibetans and members of other ethno-religious groups to similar abuses.

PROTECTION

The government decreased efforts to protect victims. For the second consecutive year, the government did not report how many victims it identified, although media reports indicated authorities continued to remove some victims from their exploitative situations. In conjunction with an international organization, authorities co-sponsored and participated in trainings on victim identification and assistance for consular officials and law enforcement, shelter best practices, regulation of marriage migration, and interagency implementation of the national referral mechanism. MPS maintained written instructions promulgated in 2016 for law enforcement officers throughout the country aiming to clarify procedures for identifying trafficking victims among individuals in prostitution and forced or fraudulent marriage. MPS officials reportedly maintained a procedure to screen for trafficking indicators among individuals arrested for alleged prostitution. 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 sex trafficking—sometimes for as long as four months—before deporting them for immigration violations. In some cases, rural border officials received reports involving the sex trafficking and forced labor of Burmese and Mongolian women and girls via forced and fraudulent marriage to Chinese men, then provided them with temporary shelter and helped to fund and escort their repatriation. However, observers noted this assistance was ad hoc and 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"—sometimes in exchange for bribes from the men's families. Because authorities did not universally implement the national referral mechanism across law enforcement efforts, it was likely police arrested and detained unidentified Chinese trafficking victims for unlawful acts their traffickers compelled them to commit.

In prior years, the government reported maintaining at least 10 shelters specifically dedicated to care for Chinese 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; it did not provide information on these shelters in 2018. The Ministry of Civil Affairs, a nationwide women's organization, and grassroots NGOs could provide victims with shelter, medical care, counseling, social services, and—in some cases—rehabilitation services. Access to specialized care depended heavily on victims' location and gender; male victims were far less likely to receive care. The government did not report how many victims benefited from these services, and contacts noted widespread stigma against victims of sex trafficking likely continued to discourage many from accessing protection services. 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. Foreign embassies in China reportedly provided shelter or other protective services to victims. Authorities did not condition access to victim care on cooperation with law enforcement, but they did require victims to provide information to police. The law entitled victims to request criminal prosecution and claim compensation 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.

The efficacy of the government's previously reported victim assistance abroad—including its eight border liaison offices with Burma, Laos, and Vietnam, along with victim funds, hotlines, and government-to-government agreements to assist victims—was unclear. Authorities reported repatriating a number of victims in 2018 but did not provide further information, including whether they were Chinese or foreign. International civil society groups reported China's diplomatic missions were often unresponsive to complaints filed by Chinese victims of forced labor overseas, particularly in Japan. The government did not undertake efforts to identify trafficking victims within its highly vulnerable North Korean migrant population, nor did it 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; the government did not report screening these individuals for indicators of trafficking. In compliance with an UN Security Council Resolution, the government reportedly repatriated some North Korean labor migrants; Chinese authorities did not screen them for trafficking indicators or offer options to legally remain in the country.

PREVENTION

The government maintained minimal efforts to prevent

trafficking and carried out policies that perpetuated widespread forced labor. Authorities held a sixth annual inter-ministerial meeting to coordinate anti-trafficking efforts. MPS continued to coordinate the anti-trafficking interagency process and led interagency efforts to implement the National Action Plan on Combatting Human Trafficking, including ongoing research into the efficacy of national efforts to combat the crime. For the second consecutive year, the government did not report the extent to which it funded anti-trafficking activities in furtherance of the action plan (more than 55 million renminbi ($8 million) in 2016). It 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. The municipal government of at least one major city funded anti-trafficking films. Academics and experts noted the gender imbalance created by the previous One-Child Policy likely continued to contribute to trafficking crimes in China. 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 abroad. The government continued to address some of these vulnerabilities by requiring local governments to provide a mechanism for migrant workers to obtain residency permits. However, these residency permits were disproportionately unavailable to China's minorities, exacerbating their constrained access to employment and social services. The government made some efforts to reduce the demand for commercial sex. The government reported efforts to reduce forced labor by including language in written agreements with foreign businesses and countries explicitly prohibiting trafficking, but authorities were generally unresponsive to allegations of ensuing forced labor. The government did not report investigating or prosecuting any Chinese citizens for child sex tourism, despite widespread reports of the crime.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers subject domestic and foreign individuals to trafficking in China, and they subject Chinese individuals to trafficking abroad. Traffickers also use China as a transit point to subject foreign individuals to trafficking in other countries throughout Asia and in international maritime industries. Well-organized criminal syndicates and local gangs subject Chinese women and girls 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. China's national household registry system (*hukou*) continues to restrict rural inhabitants' freedom to legally change their workplace or residence, placing China's internal migrant population—estimated to exceed 180 million men, women, and children—at high risk of forced labor in brick kilns, coal mines, and factories. Some of these businesses operate illegally and take advantage of lax government enforcement. African and Asian men reportedly experience conditions indicative of forced labor aboard Chinese-flagged fishing vessels operating in the Atlantic Ocean; men from other regions may be in forced labor aboard these vessels as well. Women and girls from South Asia, Southeast Asia, and several countries in Africa experience domestic servitude, forced concubinism leading to forced childbearing, and sex trafficking via forced and fraudulent marriage to Chinese men. Traffickers target adults and children 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 bodies subject members of Muslim minority groups to forced labor as part of arbitrary mass detention and political indoctrination schemes.

State-sponsored forced labor is increasingly prevalent in China. In 2013, the National People's Congress ratified a decision to abolish "Re-education through labor" (RTL), a punitive system that subjected individuals 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 civil society and media reports, forced labor continues.

State-sponsored forced labor is intensifying under the government's mass detention and political indoctrination campaign against Muslim minorities in the Xinjiang Uighur Autonomous Region (Xinjiang). Authorities have arbitrarily detained more than one million ethnic Muslims, including Uighurs, ethnic Kazakhs, and Kyrgyz, in as many as 1,200 "vocational training centers"—internment camps designed to erase ethno-religious identities. According to civil society reports derived from interviews with survivors and family members of current detainees, the government subjects many of these individuals to forced labor in on-site or adjacent factories producing garments, carpets, cleaning supplies, and other goods for domestic and possibly international distribution. Authorities offer subsidies incentivizing Chinese companies to open factories in close proximity to the internment camps, and local governments receive additional funds for each inmate forced to work in these sites at a fraction of minimum wage or without any compensation. A small number of Han Chinese individuals may also be in detention within this system. Reports indicate the government has begun transporting thousands of people arbitrarily detained in Xinjiang to other provinces for forced labor.

Authorities in some localities also subject the families of men arbitrarily detained in Xinjiang to forced labor in their absence. Authorities are increasingly placing the young children of interned Muslims in Xinjiang in state-run boarding schools, orphanages, and "child welfare guidance centers," and forcing them to participate in political indoctrination activities and report on their families' religious activities. Authorities reportedly place older children among these groups in vocational schools, where some may be victims of forced labor. Some Kazakhstani and Kyrgyzstani citizens are arbitrarily detained while visiting family in Xinjiang; their children, now unaccompanied abroad, are also at elevated risk of trafficking.

Xinjiang authorities issued a notice in 2017 abolishing rural obligatory labor under the *hashar* system, in which thousands of Uighur adults and children were reportedly subjected to forced labor in government infrastructure projects and agriculture each year. Despite this policy change, similar forms of state-sponsored forced labor continue in Xinjiang, including under the auspices of the Xinjiang Production and Construction

Corps (*Bingtuan*)—an economic and paramilitary organization with administrative control over several areas in the province. *Bingtuan* regiments manage at least 36 agricultural prison farms throughout Xinjiang; unlike the aforementioned mass detention campaign, this system primarily subjects Han Chinese inmates—many of whom may be victims of arbitrary detention—to forced labor. *Bingtuan* authorities also force inmates to build new prison facilities in several areas of the province and may subject inmates to forced labor in coal and asbestos mining. There are also reports of children in forced cotton picking under direction of the *Bingtuan*. The impact of formal discriminatory employment policies barring Uighurs from jobs in many sectors—including in the annual cotton harvest—reportedly drives thousands of Uighur farmers out of their communities in search of alternative work, placing them at higher risk of forced labor. The same is true of the government's targeted forced-displacement programs, including the *Bingtuan*'s construction of new settlements designated for ethnic Han internal migrants, which reportedly disperses Uighur communities and disrupts their livelihoods.

The government reportedly subjects some Tibetans to arbitrary detention featuring similar political indoctrination and forced prison labor practices in the Tibet Autonomous Region (Tibet) and in neighboring provinces. Authorities also reportedly subject some Buddhist clerics to political indoctrination activities and forced labor in monasteries repurposed as factories. Elsewhere, religious and political activists held in legal education facilities continue to report forced labor occurring in pretrial detention and outside of penal sentences. The government subjects Christians and members of other religious groups to forced labor as part of detention for the purpose of ideological indoctrination; survivors report having been forced to work in brick kilns, food processing centers, and factories manufacturing clothing and housewares. Law enforcement officials detain some Chinese and foreign women on prostitution charges without due process in "custody and education" centers, where they are subjected to forced labor. International media report local authorities force children in some government-supported work-study programs to work in factories.

Traffickers subject Chinese men, women, and children to forced labor and sex trafficking in at least 60 other countries. They force Chinese men, women, and girls to work in restaurants, shops, agricultural operations, 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. Traffickers subject Chinese women and girls to sex trafficking throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers. Chinese traffickers operating abroad also subject local populations to forced prostitution in several countries in Africa, the Mediterranean region, and South America. Chinese men reportedly engage in child sex tourism in Cambodia and Mongolia.

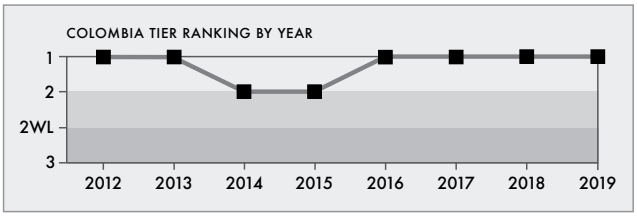
Chinese traffickers subject women and children from neighboring Asian countries, Africa, and the Americas to forced labor and sex trafficking within China. Traffickers promise African and South American women legitimate jobs in China and force them into prostitution upon arrival. The Chinese government's 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 continues to drive the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. Traffickers kidnap or recruit women and girls through marriage brokers and transport them to China, where some are subjected to sex trafficking or forced labor. Illicit brokers increasingly facilitate the forced and fraudulent marriage of South Asian, Southeast Asian, Northeast 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 compelling them into 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 involving rape leading to forced pregnancy. In cases where this forced concubinism leads to childbirth, the men and their parents sometimes use the children as collateral to retain the women's forced labor or sexual slavery, or use the women's immigration status as coercion to dissuade them from reporting their abuses to the authorities.

Many North Korean refugees and asylum-seekers living illegally in China are particularly vulnerable to trafficking. Traffickers lure, drug, detain, or kidnap some North Korean women upon their arrival in China and compel them into prostitution in brothels, through internet sex sites, or in relation to forced marriage. Traffickers also subject these women to forced labor in agriculture, as hostesses in nightclubs and karaoke bars, in domestic servitude, and at factories. According to media and a 2018 NGO report, the North Korean government subjects North Korean citizens to forced labor in China as part of its proliferation finance system, possibly with the knowledge of Chinese officials; this includes forced labor in hotels, restaurants, and in remote cyber operations.

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. These efforts included investigating more trafficking cases, launching a new national anti-trafficking information system, investigating and prosecuting officials allegedly complicit in trafficking crimes, and convicting the first case of domestic servitude. In addition, the government conducted a study on the vulnerability of Venezuelan victims, and began developing a strategy to assist municipalities on prevention, protection, and prosecution of trafficking cases. Although the government meets the minimum standards, it did not provide adequate services to all identified victims, and a large number of victims, including Venezuelans, and child sex trafficking victims in cities like Cartagena, did not receive adequate protection services or adequate reintegration assistance. The government did not sufficiently fund civil society actors, and interagency

coordination efforts to combat trafficking were inadequate. The Ministry of Labor (MOL) made insufficient efforts to identify or investigate cases of forced labor.



PRIORITIZED RECOMMENDATIONS:

Provide services for all victims of trafficking and develop a case management database to ensure all victims are referred to care. • Fund civil society actors to increase specialized services for all victims, including adults. • Proactively investigate and criminally prosecute labor trafficking cases, and increase efforts to identify victims. • Provide comprehensive and specialized care for all victims, including financial support, shelter, and assistance beyond emergency care for adequate reintegration of victims to avoid re-trafficking. • Increase efforts to combat child sex trafficking in the tourism sector, especially in coastal cities. • Develop a new national anti-trafficking strategy that includes present challenges, such as the mass migration of Venezuelans, prevalence of child sex tourism, and the forced recruitment of children into illegal armed groups. • Train labor inspectors on trafficking and finalize the identification protocol. • Ensure all 32 regional committees dedicate specialized funding for victim services and develop an implementation partnership with civil society actors. • Screen for trafficking indicators among incoming Venezuelan migrants, and provide adequate services for those identified. • Strengthen efforts to provide adequate services to women and children released from the ranks of illegal armed groups and to prevent new patterns of recruitment. • Vigorously investigate, prosecute, and convict trafficking cases, including cases involving members of illegal armed groups or organized criminal groups involved in forced child recruitment or forced criminal activity. • Continue to hold criminally accountable public officials complicit in trafficking. • Implement the newly developed national trafficking information system. • Revise the definition of human trafficking under Article 188A to ensure force, fraud, or coercion are essential elements of the crime as established under the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. Article 188A of the penal code criminalized sex trafficking and labor trafficking and prescribed punishments of 13 to 23 years' imprisonment plus fines up between 800 and 1,500 times the monthly minimum salary. Penalties under Article 188A were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 188A of the penal code is inconsistent with the definition of trafficking under international law, as the law did not include force, fraud, or coercion as an essential element of a trafficking crime. Authorities sometimes charged traffickers with lesser crimes, such as induction into prostitution or pimping. The law criminalized forced child recruitment and forced criminal activity by illegal armed groups under separate statutes.

The Attorney General's Office (AGO) opened 222 cases (164 in 2017 and 150 in 2016), prosecuted 26 suspects (31 in 2017 and 59 in 2016), and convicted 19 of trafficking and trafficking-related crimes (21 in 2017 and 25 in 2016). Additionally, police arrested 70 suspects for trafficking or trafficking-related crimes (30 in 2017 and 29 in 2016). During the reporting period, the government secured its first conviction for domestic servitude and sentenced the convicted trafficker to 13 years' imprisonment. In other cases, the government reported sentences for traffickers ranged from 13 to 23 years; however, authorities did not provide sufficient details on penalties prescribed for trafficking cases. In 2018, authorities investigated a case against a large sex trafficking ring that led to the arrest of 18 alleged traffickers and the identification of more than 250 victims, most believed to be underage. The case remained open at the end of the reporting period. In another case, the AGO and the Cartagena police opened an investigation into a suspected child sex trafficking case, in which traffickers advertised a hunting tour to alleged child sex tourists, used drugs to control the victims, and transported them to remote locations to be hunted and raped by individuals purchasing sex.

Although Colombian law prohibited forced child recruitment and forced criminal activity by illegal armed groups or organized criminal groups, such crimes are not considered to be human trafficking, and government officials investigated these cases as other crimes. The AGO reported investigating 1,104 cases of forcible use of children in the commission of criminal activities, and 388 cases of forcible recruitment. The government did not provide updates on the status of the 1,872 cases that were under investigation in 2017 for trafficking-related crimes tied to illegal armed groups, and did not report whether new cases were opened in 2018.

The MOL did not report having a protocol to connect labor inspectors with police. Despite the MOL's efforts to strengthen inspections and enforce labor laws more broadly, it did not make efforts to proactively investigate cases or increase inspections of forced labor.

Corruption and official complicity in trafficking crimes remained significant concerns, although the government made progress on three cases reported during the year. In 2018, authorities opened investigations into three police officers; one for his alleged role in a child sex trafficking ring and the other two for accepting bribes to overlook an extensive sex trafficking ring operating in Cartagena. At the end of the reporting period, one case was in the trial phase and officials associated with second case were indicted. The government provided the venues for international organizations to conduct two capacity building workshops on investigative techniques and victim identification reaching 170 officials, including police, armed forces, and prosecutors. Authorities collaborated with the United States and other Latin American countries on law enforcement operations.

PROTECTION

The government identified and assisted an increased number of victims; however, protection efforts were cursory and inadequate. In 2018, authorities reported identifying 114 possible victims (96 in 2017 and 68 in 2016). Of these, 67 were possible victims of sex trafficking, 17 in forced labor, four in forced begging, eight in servile marriage, and 13 were unknown. The Colombian Family Welfare Institute (ICBF) identified 24 children exploited in trafficking in 2018 (7 on 2017 and 46 in 2016). Authorities reported following a national trafficking victim assistance plan to refer the 114 identified victims to services; however, NGOs and some local officials asserted government-funded victim assistance was cursory and

insufficient. The government reported that law enforcement officials used a victim identification protocol developed by an international organization; however, it was unclear whether officials received training on its implementation.

Despite a modest increase in the reported number of victims identified, in one highly publicized case involving more than 250 women and girls, many who were victims of trafficking, the government did not provide adequate services for those identified as victims. Authorities provided an orientation for victims on services available, including information on immigration protections for foreign victims, and ways to participate in the prosecution against their traffickers. The government reported one victim chose to cooperate with law enforcement in the prosecution of her traffickers. Some experts indicated that in some cases, law enforcement officials retrieved data from victims' phones for evidentiary purposes and released them without referring them to adequate services. Despite the government's concern with forced labor in areas such as illegal mining, domestic servitude, agriculture near the coffee belt, cattle herding, and crop harvesting, the MOL did not have inspectors trained on victim identification. In 2018, with the support of an international organization, the MOL worked to finalize a victim identification protocol for labor inspectors.

Under Colombian law, the government was responsible for providing victims with emergency assistance and medium-term assistance. Emergency assistance included a medical and psychological examination, clothing, hygiene kits, issuance of travel and identity documents, and shelter for five days with a maximum extension of five additional days. Medium-term assistance included educational services, skills training, assistance with job placement, and economic support for six months with a maximum extension of three additional months. In practice, some observers indicated that there were not enough specialized services available for victims of trafficking, including employment assistance and reintegration services. Government officials indicated that survivors receiving medium-term assistance were also eligible to receive shelter; however, Colombian policy did not stipulate shelter as part of medium-term assistance. The national government did not have dedicated funding for specialized victim services, and it relied solely on individual departments for the provision of services. The ICBF funded emergency assistance for children, but in many parts of the country, it did not fund physical spaces where child victims could go. As a result, there were reports that coordination for adequate services was left to the last minute, making it unreliable and difficult to obtain. The ICBF partially funded six shelters for child and adolescent victims, at least one of which had a multi-disciplinary team trained to work with victims of sexual abuse, including sex trafficking; however, funding was insufficient to provide the comprehensive assistance victims needed. Authorities sometimes placed victims in hotels on a case-by-case basis. The government did not fund other civil society organizations specialized on working with victims of trafficking.

Of the 114 identified victims, the government provided emergency assistance to 114 victims and medium-term assistance to 62, compared to 96 victims in 2017 (37 with emergency assistance and 59 with medium-term assistance). Of those receiving medium-term assistance, 50 received employment assistance, 16 received shelter, 17 medical assistance, 18 psychological assistance, and five received legal advice. The ICBF began restoring the rights of 24 child victims of sex trafficking. According to officials, the process included an evaluation of each case and the provision of mental and physical health services depending on each victim's needs. In 2018, the government adopted two resolutions to guide officials on actions to guarantee the rights of child victims of trafficking. The government did not provide shelter to victims of forced labor or male victims of trafficking.

The Office of the Ombudsman had 25 trained staff known as *duplas*; they provided psychological and pro-bono legal assistance to victims of gender-based violence, including trafficking. In 2018, *duplas* assisted roughly 50 victims. The Ministry of Interior (MOI) reported coordinating with the departmental, municipal, and district committees to provide services for adult victims of trafficking, but did not report if it assisted beyond emergency care. NGOs expressed concern with the lack of financial support from the government and insufficient coordination and communication among agencies to provide care. Civil society organizations reported a case where staff from a domestic violence shelter turned a trafficking victim away because they could not provide specialized care, allegedly leaving the victim unprotected and vulnerable to re-trafficking.

Authorities penalized victims for unlawful acts traffickers compelled them to commit. In a case involving 49 victims of trafficking, including 23 Venezuelan women and girls, the government determined the individuals were not victims of trafficking when they did not self-identify. Authorities reported initiating deportation proceedings to return victims back to Venezuela. In this case, traffickers allegedly forced women to have sex with tourists using debt-based coercion, confiscating their identification documents to control their movements. The victims were living in the same place they were working. The government assisted five trafficking victims 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. In a separate case involving 10 Venezuelan victims of forced criminality, government officials reported providing some psycho-social assistance to victims.

In 2018, the government earmarked 400 million pesos ($123,270) for repatriation assistance, compared with 222.8 million pesos ($68,660) in 2017. The government provided repatriation assistance to seven victims (compared with 35 in 2017), and the ICBF reported providing emergency assistance, birth registration, and school enrollment to the 24 child victims it identified. Under the law, prosecutors could seek restitution for victims; however, the government did not report seeking restitution on any case. The department of Guaviare allocated 215.2 million pesos (approximately $66,320) for its restitution program, but did not report whether it used it. In coordination with an international organization, the government registered and assisted 196 children and adolescents demobilized from illegal armed groups and criminal organizations. NGOs reported some officials working with victims of the armed conflict may not have enough training on victim identification; therefore, some victims may be unidentified and vulnerable to trafficking and new patterns of recruitment.

PREVENTION

The government maintained prevention efforts. The Interagency Committee for the Fight Against Trafficking in Persons (ICFTP), chaired by the MOI and comprising 16 government entities, conducted 44 technical advisory meetings that sought to improve coordination between the ICFTP and its regional committees and make recommendations for the preparation of territorial action plans. Observers expressed concerns

about insufficient interagency communication and absence of high-level decision makers at ICFTP meetings who could help expedite services for victims identified. The government continued the implementation of the 2016-2018 national anti-trafficking strategy, which expired at the end of the year. Authorities appropriated 2.3 billion pesos ($708,780) for the implementation of the anti-trafficking strategy. In 2018, the government began implementing a national information system (SNITP) to collect and analyze data from the interagency and the 32 regional committees. In response to the Venezuelan migration crisis, the government developed a strategy aimed at implementing tools for the protection of victims, prevention of the crime, and prosecution of traffickers preying on this vulnerable population.

The government established a national mechanism to study prevalence, trends, and root causes of trafficking domestically; in 2018, the focus was the nexus of Venezuelan migration and trafficking. For the first half of the reporting period, the MOL maintained an awareness campaign from previous years focused on educating potential job seekers on the dangers of fraudulent job opportunities; the campaign reached 85 individuals.

Authorities conducted anti-trafficking awareness and activities, including a campaign to educate the public on the dangers of fraudulent employment opportunities internationally and domestically. Government officials participated in a public forum to raise awareness on trafficking in persons and the commercial sexual exploitation of children. Through an international organization, the ICBF trained 125 family members and service providers on the restoration of a child's rights, including child survivors of trafficking. The government made some efforts to prevent child sex trafficking, including signing a memorandum of understanding among relevant government agencies in Cartagena to address the pervasive problem with child sex trafficking in the tourism sector. The government did not report other efforts to reduce the demand for commercial sex or forced labor.

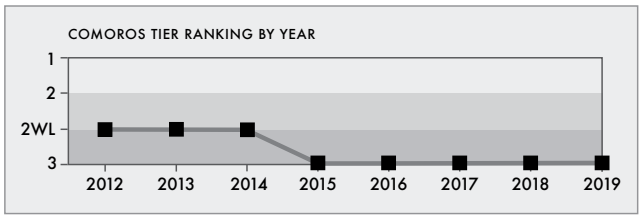
CIPRUNNA was the interagency commission for the prevention of child recruitment by armed groups and child sexual exploitation. The government did not report whether CIPRUNNA officials referred any cases to the AGO during the reporting period. Through the Special Jurisdiction for Peace (JEP), a transitional justice mechanism established as part of the 2016 peace accord, officials began investigating the historical recruitment of children for armed conflict. An NGO reported forced child recruitment by illegal armed groups increased to 50 in 2018, compared to 24 in 2017. However, recruitment of children remained significantly lower than pre-peace accord levels. In collaboration with a foreign government and an international organization, authorities coordinated activities to aid reintegration and prevent future recruitment. Although the Colombian military continued to engage in some civic-military activities, there were no reports of the use of children among its ranks. With the support of international organizations, the government conducted awareness campaigns in 167 municipalities and 22 departments to prevent the forced recruitment of children. Colombia's 24-hour anti-trafficking hotline received 971 calls and authorities identified 18 victims. Through the hotline, the government provided advice on job offers abroad, including corroborating the veracity and legality of employers.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Colombia, and traffickers exploit victims from Colombia abroad. Traffickers exploit Colombian men, women, and children in sex trafficking and forced labor in Colombia and throughout Latin America, Asia, and Europe. Groups at high risk for trafficking include Venezuelan migrants, internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous persons, and Colombians living in areas where illegal armed groups and criminal organizations are active. Sex trafficking of Colombian women and children occurs within the country and around the world. Colombian women and children are victims of sex trafficking within Colombia 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. Traffickers exploit Colombian nationals in forced labor, mainly in mining, agriculture, begging in urban areas, and domestic service. Traffickers exploited Colombian children working in the informal sector, including street vendors, in forced labor. Illegal armed groups forcibly recruit children, including Venezuelan youth, to serve as combatants and informants, harvest illicit crops, and to exploit them in sex trafficking. Women, children, and adolescents who separate from the ranks of illegal armed groups are vulnerable to trafficking. Venezuelan migrants are particularly vulnerable to trafficking; in 2018, media sources reported a case where an alleged trafficker who disguised himself as a friar was operating a shelter for migrants exploiting them into sex trafficking. Venezuelan women and girls made up a significant portion of victims identified in sex trafficking during the year.

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 opening one additional government-run listening center that worked to identify and provide care to victims of crime, which could include trafficking victims. The government also hired additional personnel at the listening centers and continued to fund the salaries of existing personnel. Government officials on Anjouan conducted several anti-trafficking public awareness campaigns, including discouraging certain cultural practices that left children vulnerable to trafficking and conducting home visits to oversee the well-being of hosted children. While the scale of trafficking crimes appeared to be especially limited, nonetheless, the government did not investigate, prosecute, or obtain convictions for any sex trafficking or forced labor crimes. The government lacked formal procedures to identify trafficking victims or refer them to care, and had not identified or referred any trafficking victim to protective services since 2013. Authorities continued to lack an understanding of trafficking, and the government did not provide adequate resources or training to law enforcement officials, including the offices charged with identifying trafficking victims and investigating the crime. The Anti-trafficking Task Force was no longer operational, anti-trafficking public awareness campaigns did not occur on all three islands, and the government had no national action plan.



PRIORITIZED RECOMMENDATIONS:

Significantly increase anti-trafficking training, including victim identification, to all front-line officials, including law enforcement, social workers, health service providers, prosecutors, judges, and civil society. • Develop standard operating procedures for the identification of victims, especially among vulnerable groups, including children in domestic work and at Koranic schools, and a process for victims' subsequent referral to care. • Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials. • 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. • Reinvigorate the coordination committee to drive national anti-trafficking efforts. • End the practice of returning trafficking victims to their exploiters. • Continue efforts to engage French officials to prevent the trafficking of unaccompanied Comorian youth in Mayotte. • In coordination with local and international partners, improve the provision of protective services to trafficking victims, including providing appropriate care to victims nationwide. • Expand anti-trafficking public awareness campaigns to all three islands. • Develop national level data collection on law enforcement efforts and trafficking victims. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not make anti-trafficking law enforcement efforts. Comorian law criminalized most forms of human trafficking. Article 13 of the 2014 Law to Combat Child Labor and Trafficking in Children criminalized all forms of child labor trafficking and some forms of child sex trafficking and prescribed penalties of 10 to 20 years' imprisonment and a fine of 30 million Comorian francs ($70,070). These penalties 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 13 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, all forms of child sex trafficking, including those that did not include such means, could be addressed under Article 8, which criminalized child sexual exploitation and prescribed penalties of five to 10 years' imprisonment and a fine of one to two million Comorian francs ($2,340 to $4,670); these penalties were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Comorian law did not explicitly criminalize adult trafficking. However, Article 323 of the penal code criminalized forced prostitution of adults and prescribed punishments of two to five years' imprisonment and a fine between 150,000 and two million Comorian francs ($350 to $4,670); these penalties were sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Articles 2.1 and 260 of the Comoros Labor Code criminalized forced or compulsory labor of adults and prescribed penalties of three months' to three years' imprisonment or a fine of 250,000 to 750,000 Comorian francs ($584 to $1,750), which were not sufficiently stringent. 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, despite reports that one listening center recorded many cases that may have been 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; however, corruption and official complicity in crimes at all levels of government remained significant concerns, inhibiting law enforcement action in previous years. The judicial system in Comoros remained weak and there were reports that criminals were frequently convicted and sentenced, but then released without explanation, creating a culture of impunity. While discouraged by the government, families or village elders continued to settle many allegations of sexual violence, possibly including sex trafficking and child domestic servitude, informally through traditional means, without recourse to the formal court system. While many rural families still preferred informal arrangements with host families, on Anjouan, judicial officials coordinated with prosecutors and a victim care provider to address and discourage the cultural practice of sending children from rural areas to urban host families for access to an education; children in these arrangements were particularly vulnerable to trafficking. These government officials regularly traveled to rural villages on the island to enforce the legal requirement for the child's family to sign an agreement with the host family regarding the care of the child. In previous years, judges were known to negotiate agreements between a child's parents and his or her trafficker, often returning the child to trafficking situations. Some police reportedly returned sexually abused children to their exploiters, sometimes due to a lack of shelters or an alternative form of care.

The police lacked basic resources, including vehicles, fuel, and equipment, which limited their operations. 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. The absence of a clear understanding of trafficking may have resulted in the misclassification of cases as other crimes, such as child labor, abuse, and rape.

PROTECTION

The government maintained minimal protection efforts. The government did not identify any trafficking victims during the reporting period and has not identified a victim since 2013. The government did not develop or employ systematic procedures to identify trafficking victims or refer them to the limited care available. The government continued to provide financial support and office space to the listening centers, also called Service d'Ecoute, alongside support from an international

organization; the listening centers, with assistance from an NGO, offered medical care, psycho-social counseling, and legal assistance mostly to women and children who were victims of abuse and violence, including trafficking victims, if identified. The government opened an additional listening center in Foumbouni on Grande Comore, now totaling four locations—two on Grande Comore, one on Anjouan, and one on Moheli. The government continued to provide the salaries for the employees of the listening centers; in 2018, the number of total employees on Grande Comore increased from six to seven, while Anjouan maintained three employees and Moheli maintained one employee. However, the government did not provide anti-trafficking training to any staff of the listening centers. In 2018, the listening center on Grande Comore reported providing medical care for 255 cases of abuse of women and children, compared to 133 in 2017; while the listening center recorded these persons as victims of abuse, because of inadequate training on trafficking victim identification, some of these victims may have actually been trafficking victims. The government did not report assisting in the repatriation of any victims during the reporting period. On all three islands, the listening centers generally coordinated with the Morals and Minors Brigade on cases. Judicial, prosecutorial, and health service officials on Anjouan coordinated efforts to visit host families that had taken in children from rural families to ensure the children were healthy, attending school, and there were no signs of trafficking or abuse; the government did not report finding any cases of trafficking during these inspections. In an effort to investigate, identify, and assist the 3,000 to 4,000 unaccompanied Comorian minors on the island of Mayotte, a French department, the National Human Rights Commission in Comoros requested visas from the French embassy, which France denied. There were no shelters available, for short or long-term use, for adult or child victims. A possible site for a temporary shelter was identified, but the government did not report making any progress during the reporting period. The Morals and Minors Brigade reported identifying approximately 10 foster homes on Grande Comore, but did not report whether any children were assisted during the reporting period or whether the government provided financial or in-kind assistance to those homes. In the absence of adequate funding and shelter, listening center staff and police sometimes provided temporary shelter in their private homes; however, government officials often returned children to their parents or guardians where they might have originally faced the abuse. There were no reports the government inappropriately penalized victims for crimes traffickers compelled them to commit; however, because there were no standard victim identification procedures, victims may have remained unidentified in the law enforcement system. Despite requirements of the 2015 child labor law, the government did not establish a support fund for children vulnerable to trafficking.

PREVENTION

The government increased efforts to prevent trafficking on one island, but maintained inadequate efforts to prevent trafficking overall. The interagency Anti-trafficking Task Force, comprised of representatives of relevant government agencies, the listening centers, and international organizations, was no longer active. The government did not have an anti-trafficking national action plan. Officials on the island of Anjouan coordinated several anti-trafficking public awareness campaigns, including traveling to rural villages to discourage families from sending their children to host families where they are vulnerable to abuse and domestic servitude. These campaigns included a televised conference, organized by government officials, where a panel of experts discussed abuse and trafficking. Because of the known vulnerability, government officials on the island of Anjouan also visited a number of Koranic schools around the island to discourage leaders from allowing child labor in lieu of payment for school fees. However, despite requirements in the 2015 child labor law, the government did not report any public awareness campaigns being conducted on Grande Comore or Moheli. The government continued to fund toll-free emergency lines for all three islands, which were used to report crimes to the listening centers. The listening centers assisted in the identification of victims of abuse and exploitation; however, the government did not report any further information on the use of these emergency lines during the year.

The government did not have effective policies or laws to govern labor recruiters and did not report holding anyone civilly or criminally liable for fraudulent recruitment during the reporting period. In 2016, the labor ministry signed an agreement with several labor recruitment agencies to facilitate review of the transnational recruitment processes and to monitor job advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment; however, the government made no efforts to regulate labor recruitment agencies since then. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not make efforts to reduce demand for commercial sex acts or forced labor. Comoros is not a party to the 2000 UN TIP Protocol.

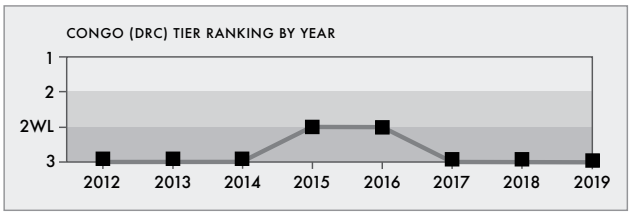
TRAFFICKING PROFILE

As reported over the past five years, human traffickers may exploit domestic and foreign victims in Comoros, and traffickers may exploit victims from the Comoros abroad. Traffickers may subject Comorian women and Malagasy women who transit Comoros to forced labor in the Middle East. Traffickers may subject Comorian women and children to forced labor in Mayotte, a French department. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are vulnerable 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; these children are vulnerable to domestic servitude and physical and sexual abuse. Most Comorian children aged 3 to 7 (and some as old as age 14) study at informal neighborhood Koranic schools headed by private instructors, where they are vulnerable to exploitation through coercion and forced labor 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, a French department, 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 human 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 significant efforts to do so; therefore the 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 convicting two complicit officials for child soldier recruitment. The government continued efforts to certify mines to prevent the use of forced and child labor. In partnership with international organizations, the government also continued to undertake measures to prevent and end the use of child soldiers, including separating child soldiers from armed groups, conducting age verification screening of recruits, and securing written pledges from fourteen armed group commanders to renounce child recruitment. For the fourth consecutive year, there were no cases of child recruitment by the Congolese National Army (FARDC). While the government did not establish a formal anti-trafficking inter-ministerial committee during the reporting period, they undertook concrete steps by drafting a decree and consulting with various stakeholders on institutional reforms to address trafficking. However, during the reporting period, there were two cases, verified by an international organization, of the FARDC using—and subsequently removing—children in support roles, including for sexual slavery and forced labor. There were reports that the FARDC collaborated with proxy militias that recruited and used child soldiers. As in previous years, the government did not comprehensively report on efforts to identify, refer, or assist victims of sex and labor trafficking more broadly and did not make vigorous law enforcement efforts directly targeting labor trafficking crimes beyond child soldiering offenses. Although the government filed more cases of sexual violence, it did not disaggregate law enforcement efforts directly targeting sex trafficking from other sexual violence crimes. The government did not develop standard operating procedures for the identification and referral of victims, adopt comprehensive legislation criminalizing all forms of trafficking, or adequately hold accountable complicit officials. Widespread corruption combined with the lack of an anti-trafficking framework continued to hinder efforts to combat all forms of human trafficking throughout the country.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to address all forms of trafficking, including sex trafficking and forced labor of both adults and children. • Cease unlawful use of children by the FARDC and collaboration with armed groups that unlawfully recruit and use children. • Improve measures to proactively identify trafficking victims, including providing training for front-line officials to do so among vulnerable groups, including women and children exploited in prostitution, street children, and men, women, and children in artisanal mining, and to refer victims to appropriate care. • Enact a decree formally establishing an inter-ministerial anti-trafficking committee and adopt an anti-trafficking national action plan. • Develop legislation that criminalizes all forms of trafficking and prescribes penalties which are sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes. • In partnership with civil society, 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. • Continue to cooperate with civil society to end the unlawful recruitment and use of child soldiers by all governmental and non-governmental armed groups and identify, remove, demobilize, and refer all children associated with armed groups to appropriate care. • Use existing legislation to increase efforts to investigate, prosecute, convict, and adequately sentence traffickers, including complicit officials. • In partnership with international experts, develop national standard operating procedures for the identification and referral of victims. • Develop and implement procedures for collecting and reporting data on cases of sex trafficking, as distinct from other sexual violence crimes, and forced labor. • Protect activists documenting trafficking in persons crimes, and when sufficient evidence exists, criminally prosecute persons complicit in such abuses. • Raise awareness about human trafficking among the public.

PROSECUTION

The government made uneven 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. Article 174(j) of the 2006 Sexual Violence Law criminalized child sex trafficking and prescribed penalties of 10 to 20 years' imprisonment. Section 174(e) criminalized sexual slavery and prescribed penalties ranging from five to 20 years' imprisonment as well as a fine of 200,000 Congolese franc ($123). These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes. Article 174(c), which criminalized the "forced prostitution" of adults, prescribed penalties of three months to five years' imprisonment; these penalties were sufficiently stringent but not 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 "procurement" 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 franc ($4.91 to $613), 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 franc ($61 to $123); these penalties were not sufficiently stringent. Article 326 of the 2002 Labor Code criminalized adult forced labor and prescribed penalties of up to six months or a fine of 30,000 Congolese franc ($18); this penalty was not sufficiently stringent. However, the government did not criminalize fraudulent labor recruitment under Congolese law. The enlistment of persons younger than 18 years old into the armed forces and the police carried penalties of 10 to 20 years' imprisonment.

The judicial system in the DRC remained weak. While the government increased the number of military court cases involving sexual violence, which likely included trafficking crimes, it did not report directly targeting sex or labor trafficking crimes, beyond child soldiering offenses, as trafficking-specific law enforcement efforts. The government made insufficient efforts to investigate sex trafficking of women and children,

or forced labor in artisanal mining, even though the scale of these crimes was significant. The government did not report comprehensive data on trafficking investigations, prosecutions, and convictions. The government continued to work towards implementation of national data collection tool to report comprehensive data; but it did not deploy the system during the reporting period. The government reported investigating and initiating prosecution of 14 suspects involved in child soldier recruitment. In addition, the government reported investigating an unknown number of suspects for fraudulent recruitment of girls for jobs that did not exist in Kuwait and Lebanon. The government stated it shut down the recruiting operation but did not report arresting any suspects. The government reported filing 584 cases of sexual violence in military court in 2018, compared with 547 in 2017, 496 in 2016, and 68 in 2015; however, as in years past, the government did not report if the cases involved sex trafficking. In addition, the government did not report the number of trafficking prosecutions in criminal courts. The government reported convicting four traffickers in 2018, compared with six traffickers in 2017. Of these, the government reported convicting two armed group leaders for child solider recruitment, among other crimes, and sentenced them to 15 years and life imprisonment; in addition, it convicted two complicit officials—a Colonel and Lieutenant Colonel—for sexual servitude, among other crimes, and sentenced them to 20 years' and life imprisonment. In contrast, no such high-level prosecutions occurred in 2017. The Government of the Republic of the Congo reported arresting a suspected trafficker of one boy from the DRC, while another trafficker reportedly stayed in DRC; the Republic of the Congo released the one suspect from prison and deported him to DRC; but the government did not report investigating or prosecuting either suspected trafficker during the reporting period.

Despite convicting two officials, the government did not make adequate efforts to hold complicit officials accountable, and corruption remained a significant concern, inhibiting justice for victims 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. Additionally, the government remained complicit in harboring escaped convicted trafficker Gedeon Kyungu, who recruited child soldiers; he escaped from jail in 2011 and was placed under a form of house arrest in Lubumbashi in 2016. During the reporting period, there were two cases, verified by an international organization, of children used—but not recruited—in support roles by the FARDC, one for sex slavery and domestic servitude and the other for forced labor; the government redeployed one commander allegedly responsible for these crimes to a different regiment and did not report holding him or other allegedly complicit officials accountable. The Ministry of Interior facilitated an anti-trafficking workshop that included 35 senior and mid-level government officials. In addition, the government organized, but did not fund or lead, trainings to 578 police and military personnel on preventing child soldiering, protecting human rights, and preventing sexual violence.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government continued efforts to identify and refer child soldiers to international organizations for assistance but did not comprehensively report on efforts to identify, refer, or assist victims of sex and labor trafficking more broadly. 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 armed groups operating in eastern DRC, but it reportedly did not take the lead on these efforts. The government worked with an international organization to identify and separate at least 2,253 children from armed groups in 2018, compared with 2,360 in 2017. Procedures were in place for referring child soldiers to an international organization for specialized care, which most but not all of the children received. However, the government did not have national standard operating procedures to systematically identify and refer all trafficking victims to appropriate care. The government did not proactively identify victims among vulnerable groups, such as street children, women, and children exploited in prostitution, and men, women, and children in artisanal mining, even though the scale of these problems was significant. The government funded the repatriation of 12 trafficking victims from Kuwait to the DRC and the repatriation of one child forced to commit crimes from the Republic of the Congo. Upon their return to the DRC, the Ministry of Interior reportedly provided the 12 Congolese women exploited in Kuwait with medical treatment and coordinated family reunification; however, 36 Congolese trafficking victims remained in Kuwait and efforts to assist them were ongoing. The Republic of the Congo identified one child victim of forced criminality who it repatriated back to DRC; however, there was reportedly another child forced to commit crimes that stayed in DRC, but the government did not report assisting this child. The government reported continuing to provide social services, including lodging and medical attention, to 19 persons vulnerable to trafficking who were repatriated from Libya in the prior reporting period.

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 children separated from armed groups and support for socio-economic integration of sexual violence victims; however, the government did not report the number of children that were provided with these services during the reporting period. The government partnered with NGOs to provide the vast majority of services to trafficking victims, which reported providing assistance to 272 trafficking victims during the reporting period, including medical and psychological services, legal assistance, and reintegration services such as literacy and vocational training. The Ministry of Interior reported coordinating with officials of the Government of Angola on identifying cross-border trafficking victims in the Kongo Central province. The government also reportedly cooperated with the Government of the Republic of the Congo to address cross-border trafficking by preventing all unaccompanied minors from entering into the country; however, the government did not report screening children for trafficking indicators or identifying any victims as part of these efforts.

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 2018, the FARDC and Congolese National Police arrested 58 children because of their alleged association with armed groups; officials released these children after periods ranging from three days to two years. Due to a lack of training on victim identification, the absence of measures to screen for trafficking among vulnerable populations, and the frequency of arbitrary arrest in the country, victims likely remained unidentified in the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued efforts to prevent the recruitment and use of children into the FARDC, and forced labor in mining. At the end of the reporting period, the government remained without a national action plan to combat trafficking and a formal anti-trafficking inter-ministerial committee. However, representatives from the Ministries of Labor, Justice, Interior, Gender, Health, Social Affairs, as well as law enforcement and the judiciary, continued to participate in meetings of an unofficial inter-ministerial anti-trafficking working group with local NGOs and international organizations. The unofficial working group discussed strategies to draft comprehensive anti-trafficking legislation and took steps to establish an anti-trafficking agency by drafting a decree.

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 was comprised of 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 national-level JTWG, with locations in nearly every region including two new locations during the reporting period, met monthly, and with collaboration from an international organization, held seven workshops on age verification and the child solider action plan. There were no confirmed cases of child soldier recruitment by the FARDC for the fourth consecutive year. In partnership with NGOs, the government screened more than 2,164 new FARDC recruits to verify their ages; through the screening process, the government prevented more than 146 children from joining the FARDC in 2018. However, there were two cases, verified by an international organization, of the FARDC using children—but not recruiting—in support roles, including for sexual slavery and forced labor. The FARDC also continued to collaborate with the Nduma Defense of Congo Renove (NDC-R), a proxy militia that recruited and used child soldiers, as well as the Bana Mura proxy militia that used 64 children in sexual slavery. However, during the reporting period, the government facilitated the logistics to allow an international organization to successfully negotiate with 14 armed group commanders, including the commander of NDC-R in November, to sign pledges renouncing future recruitment of children and requiring the release of children currently among their recruits. 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 initiated an anti-trafficking public awareness campaign on sexual slavery in Kinshasa and Goma during the reporting period. The government continued the operation of a hotline to report crimes but did not report whether it received any calls on trafficking. The government did not make efforts to reduce the demand for commercial sex. 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 2018, the government continued its efforts, in cooperation with an international organization, to validate and certify an additional 154 artisanal mining sites in eastern DRC as conflict-free and child labor-free, bringing the total to 465 tantalum mines and 106 gold mines. 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 to its diplomatic personnel. The government did not provide anti-trafficking training for FARDC troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

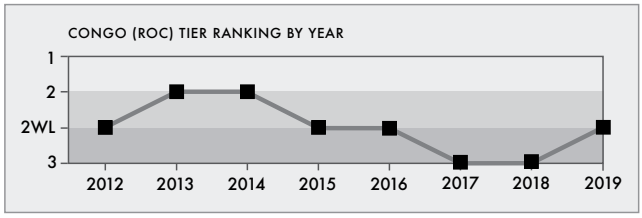
As reported over the past five years, human traffickers exploit domestic and foreign victims in DRC, and traffickers exploit victims from DRC abroad. Some traffickers were individuals or family members who promised victims or victims' families educational or employment opportunities but instead exploited trafficking victims by forcing them 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, or child recruitment by armed groups or sex trafficking through forced prostitution. In February 2018, an international organization estimated that there were more than 150 different armed groups in the DRC. In 2018, 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 and in 2018, traffickers forced children across the border into the Republic of the Congo where they were forced to commit theft. The Government of the Republic of the Congo identified 33 females, reportedly some were minors, from DRC and deported them for prostitution without screening. In 2018, armed groups in eastern DRC used women and children as soldiers and human shields with documented incidents of gang rape and sexual enslavement and there were 631 confirmed cases of new child recruitment by armed groups. At least 15 Rwandan, Ugandan, and Burundian children were separated from armed groups in DRC in 2018. 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. There were no confirmed cases of child soldier recruitment by the FARDC for the fourth consecutive year. An international organization verified the FARDC used children in support roles, including for sexual slavery and forced labor, in 2017 and 2018. Additionally, the FARDC continued to collaborate with proxy militias that recruited and used children in armed conflict. An international organization reported ongoing collaboration between the FARDC and NDC-R, which recruited at least 10 and used at least 38 children until November of 2018. Collaboration

included the provision of ammunition and uniforms by FARDC officials, NDC-R's free movement throughout their territory, and coordinating strategies and battlefield tactics against other armed groups. However, the NDC-R's recruitment and use of child soldiers reportedly ceased after its leader signed a pledge renouncing future recruitment of children and requiring the release of children currently among their recruits. The FARDC also continued to broadly collaborate with the Bana Mura proxy militia, which used at least 64 children in sexual slavery during the reporting period.

Traffickers subject some men, women, and children working in artisanal mines in eastern DRC to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, and armed groups. Traffickers subject some children 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. 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. From January to August 2018, reports indicate at least 893 women and girls were victims of sexual and gender based violence, with primary perpetrators including armed groups followed by FARDC, police, and intelligence agents. Some traffickers force Congolese women and girls into forced marriages where they 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 traffickers exploit them in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some traffickers may fraudulently recruit women and force them into domestic work abroad through false promises of education or employment opportunities.

CONGO, REPUBLIC OF THE: TIER 2 WATCH LIST

The Government of the Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so; therefore the Republic of the Congo was upgraded to Tier 2 Watch List. These achievements included identifying and assisting more trafficking victims than the previous reporting period; increasing training for law enforcement and diplomats; and making efforts to adopt a comprehensive anti-trafficking law. The government reinvigorated a federal-level inter-ministerial committee, though efforts were limited. Despite these achievements, law enforcement efforts remained weak, as the government convicted fewer traffickers and deported trafficking suspects without prosecution. Previous allegations of official complicity remained uninvestigated and traffickers and complicit officials largely operated with impunity. The government did not dedicate specific funding to the inter-ministerial committee, the coordinating committee in Pointe-Noire, or to NGOs that provided care to trafficking victims. The government did not proactively screen for trafficking among vulnerable populations. The lack of a current national action plan and a clear understanding of anti-trafficking laws among government officials continued to hinder countrywide efforts.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, and impose adequate penalties, and fully investigate, and as required prosecute, allegations of officials complicit in trafficking. • Increase efforts to proactively identify victims, including screening for trafficking indicators, especially among vulnerable populations, including child laborers, illegal immigrants, women and girls exploited in prostitution, unaccompanied minors, and indigenous persons. • Drastically improve the provision of protective services to trafficking victims that provide appropriate care to victims nationwide. • While respecting due process, expedite hearings and consider prosecuting trafficking cases in the low court in the interim. • Develop and implement standard operating procedures to guide government officials, including police, immigration, labor, and military authorities, in victim identification and referral to protective services. • Increase anti-trafficking training for all law enforcement, prosecutors, and judges. • Complete passage and enactment of 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. • Allocate a specific budget and adequate funding to the federal-level Inter-Ministerial Committee, the Pointe Noire based Anti-Trafficking Coordinating Committee, the national action plan, and protective services including victim shelters. • Extend anti-trafficking efforts beyond Pointe-Noire and Brazzaville. • Provide adequate security and supervision for victims placed in foster families and with anti-trafficking activists and partners. • Increase effectiveness of the anti-trafficking inter-ministerial committee to drive concrete national anti-trafficking efforts. • Further bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the DRC. • Consider establishing an anti-trafficking law enforcement unit. • 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 most forms of sex trafficking 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 franc (CFA) ($1,660 to $16,560). 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 of imprisonment or fines of 50,000 to 500,000 CFA ($83 to $830). Article 4 of the country's labor code criminalized forced or compulsory labor and Article 257 prescribed a fine of 600,000 to 900,000 CFA ($994 to $1,490) as the penalty. 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 334 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 ($1,660 to $16,560). The penalties for forced prostitution were sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Congolese law did not criminalize all forms of trafficking of adults, including the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. During the year, the government made progress to strengthen its legal framework and criminalize all forms of human trafficking. Draft anti-trafficking legislation, completed in partnership with an international organization in 2014, remained pending without enactment for the sixth consecutive year; however, at the end of the reporting period, the law remained with the Senate for further consideration.

The government initiated the investigation of at least six traffickers in 2018, compared to three the prior year. The government reported prosecuting four and convicting zero suspected traffickers in 2018, compared to one prosecution and conviction in 2017. In one case, the government reported investigating a suspected Cameroonian trafficker who allegedly subjected at least seven children to child sex trafficking; however, the government did not prosecute the suspect, but rather deported him without holding the suspect accountable. In another case, the government reportedly arrested a suspected trafficker of one boy from the DRC, but the government released this suspect from prison and deported him without prosecution. An NGO reported conducting investigations into eight additional trafficking cases during the reporting year; of these, the NGO worked with victims in two cases to reach out of court settlements and the public prosecutor filed charges in at least four cases, but the government did not report arresting any suspects by the end of the reporting period. Frequently traffickers of these children operate in West Africa, making Congolese prosecution action difficult. Additionally, in the prior reporting period, an NGO alleged that a 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; however, the government did not report investigating this network. Despite efforts to address complicit officials the previous year, during the reporting period, the government did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking offenses. Low-level corruption and limited intra-governmental coordination limited the government's ability to investigate, prosecute, and convict suspected traffickers, inhibiting law enforcement action during the year. The government did not report investigating an allegedly bribed Congolese official involved in the facilitation of the escape of a convicted trafficker during the last reporting period. Due to inadequate funding, police continued to require the payment of transportation stipends from NGOs or other stakeholders prior to conducting law enforcement investigations, including those related to human trafficking and removing victims identified by NGOs from situations of trafficking. Many cases continued to languish, some without progress since the courts stopped functioning in 2014 and because of a significant backlog in the high court. The government did not report the outcomes of any languishing cases, making it unclear if older cases had been dismissed.

The government continued to include anti-trafficking training in the standard academy training for new police and immigration officers. The government also conducted two, three-day, high-level anti-trafficking trainings for 50 government officials in Brazzaville and Pointe-Noire, including law enforcement officers; 10 diplomats; 25 civil society members; and 15 religious officials. However, despite increased training efforts, limited understanding of the anti-trafficking laws among law enforcement officials, prosecutors, judges, and labor inspectors persisted and continued to hinder anti-trafficking law enforcement efforts and allowed traffickers to continue operating with impunity. The government did not work to implement the law enforcement provisions within its 2011 bilateral agreement with the Government of Benin or otherwise coordinate with Beninese law enforcement officials on any investigations or the extradition of any suspected traffickers, despite most traffickers and their victims originating from Benin.

PROTECTION

The government increased efforts to identify and assist victims; however, lack of proactive screening for trafficking victims among vulnerable groups, failure to identify adult or indigenous victims, and inadequate availability of assistance, remained serious concerns. The government's ability to address trafficking remained difficult due to a lack of adequate funding for anti-trafficking governmental agencies, a dearth of trained personnel, limited transparency, and a lack of statistics. In Pointe Noire, the government continued to focus the majority of its efforts on West African children in forced labor, including domestic servitude. The government did not identify or assist Congolese victims or foreign victims exploited in other cities. During the reporting period, the government identified at least eight trafficking victims, an increase from zero the prior year. In one case of child sex trafficking, the government reported it provided at least seven victims with vocational retraining, medical assistance, and psycho-social services, including family and psychological counseling in Brazzaville. In another case, the government temporarily detained one child from the DRC; it later identified the child as a victim of forced criminality and facilitated the child's repatriation to his parents, but it did not report providing care. In one police operation, the government identified three adult women in prostitution from the DRC and in another operation, the media reported that the government allegedly arrested 30 females from the DRC and 41 female citizens—potentially including children—in prostitution; however, the government did not report assisting any of these 74 individuals, nor did it report screening any of them for trafficking indicators, including those it later deported to the DRC. Despite the continued exploitation through forced labor of the indigenous population, the government did not adequately address this internal trafficking problem. An NGO identified an additional nine victims, compared to the 15 it identified in the previous reporting period. Once identified by the NGO, law enforcement would generally assist in removing the victim from the exploitative situation, dependent on funding for transportation from the NGO. The government did not have a formal national mechanism to identify and refer all trafficking victims to care—including adults, child laborers, irregular migrants, women and girls exploited in prostitution, and indigenous persons—but did have a procedural manual for child trafficking victims. Instead, the government traditionally relied on NGOs and international organizations to assist with the identification, referral, assistance, investigation, and negotiation of compensation for the majority of victims.

The Trafficking in Persons Coordinating Committee in Pointe-Noire, which was responsible for assigning identified West

African child trafficking victims to foster homes and conducting family tracing, did not report the number of trafficking victims referred to the five available foster families; but it did report funding the foster homes during the reporting period. A local NGO also funded and referred child victims to foster families if repatriation, family integration, or local reinsertion options were unavailable. The government funded three public shelters that at-risk victims, including child trafficking victims, could access, but did not report referring any trafficking victims to the shelters during the reporting period. During the year, the government did not provide a specific operating budget for the Coordinating Committee and has not since 2014. The government did not report identifying any adult trafficking victims and did not operate shelters for adult victims. For the majority of services provided to victims, the government continued to rely on partnerships with NGOs, but it did not provide funding to them. Other than one NGO in Pointe-Noire, the government did not facilitate NGO partnerships to provide protective services elsewhere in the country. The government facilitated the repatriation of two trafficking victims during the year, including funding one of the repatriations. The government facilitated the repatriation of one foreign trafficking victim from Egypt to the Republic of the Congo and funded the repatriation of another to the DRC, compared to zero repatriations in 2017.

There were reports authorities temporarily detained child trafficking victims for unlawful acts traffickers compelled them to commit until parental identification and repatriation was completed. There were also reports that police arrested individuals in prostitution but did not report screening for indicators of sex trafficking. The government provided the same availability of care to both national and foreign victims. Foreign adult victims were provided a choice between repatriation to their country of origin or reintegration into the local community. 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 during the reporting period.

PREVENTION

The government maintained insufficient efforts to prevent trafficking. The government's federal inter-ministerial committee met at least twice during the reporting period and worked to increase coordination between ministries, but did not report on concrete actions taken to drive countrywide efforts. At the department level in Pointe Noire, the anti-trafficking coordinating committee also met at least twice but did not report concrete actions taken during the reporting period. However, the government did not directly fund either of these committees. The government did not have a current national action plan. The government conducted a public awareness campaign on radio and television, which focused on the provisions under the pending anti-trafficking legislation. The government operated an emergency assistance line for victims of crime; however, it was unclear whether it received any calls to report trafficking specific crimes during the year. The government did not have effective laws or policies regulating labor recruiters nor did they investigate or prosecute any despite ongoing concerns of fraudulent recruitment involving such entities. The government worked with officials from the Government of the DRC to address cross-border trafficking by preventing all unaccompanied minors from entering the country; however, the government did not specifically screen for trafficking indicators and did not report identifying any victims as part of these efforts. The government used the 2011 bilateral agreement with the Government of Benin to a limited degree when it issued temporary travel documents to a Beninese trafficking victim and a local NGO continued to provide care for Beninese victims and facilitated the repatriation of a Beninese trafficking victim with the Beninese government. The government made efforts to reduce the demand for commercial sex but did not make efforts to reduce demand for forced labor. The government has signed but has not acceded to the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol. The government provided anti-trafficking training to a limited number of its diplomatic personnel.

TRAFFICKING PROFILE

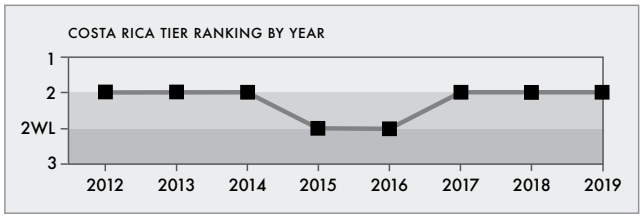
As reported over the past five years, human traffickers exploit domestic and foreign victims in the Republic of the Congo, and traffickers exploit victims from the Republic of the Congo abroad. Forced labor involving adults and children of both genders continues to be a primary type of trafficking within Congo. Most trafficking victims in the Congo originate from Benin and the DRC, and to a lesser extent from other neighboring countries. Traffickers subject most foreign victims to forced labor in domestic servitude and market vending. Both adults and children are victims of sex trafficking in the Congo, with most between the ages of 9 and 11. Traffickers exploited girls and women from both the Republic of the Congo and the DRC to sex trafficking, with clients among Chinese and Malaysian construction workers who had been building a highway near the cities of Nkayi and Pointe-Noire. Parents in foreign countries, mostly West African, sometimes send their children to the Republic of the Congo with the expectation that the child will send remittances or receive an education, but instead traffickers exploit the children in child sex trafficking or forced labor.

Internal trafficking involves recruitment from remote rural areas for exploitation in cities. The indigenous populations are vulnerable to traffickers for forced labor in the agricultural sector; some reports suggest that some servitude might be hereditary. According to an NGO, members of indigenous communities often incur significant debts, which must be worked off, sometimes leading to debt bondage. NGOs in Bambama, Sibiti, and Dolisie reported the majority population, called Bantus, force adult indigenous people to harvest manioc and other crops without pay and under the threat of physical abuse or death. Most children exploited by traffickers within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Traffickers subject some child trafficking victims to forced labor in market vending, 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. In 2018, there were reports of domestic prostitution networks exploiting children in child sex trafficking.

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. These efforts included investigating and convicting more traffickers, taking law

enforcement action against complicit government officials, amending the law to establish force, fraud, and coercion as essential elements and remove movement as a required element of the offense, and providing more funding for services to victims. However, the government did not meet the minimum standards in several key areas. Disbursement of government-funded resources to address trafficking fell short of allocations and remained insufficient overall. Civil society organizations reported authorities did not always implement referral mechanisms in an effective or timely manner or in coordination with them.



PRIORITIZED RECOMMENDATIONS:

Intensify efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers. • Reduce the significant backlog of trafficking cases in the judicial system. • Increase victim identification and referral, particularly in coordination and collaboration with civil society. • Conduct thorough and transparent criminal investigations of alleged government complicity in trafficking offenses and prosecute, convict, and punish complicit officials. • Increase disbursement of funds for victim services and provide specialized shelter and services for trafficking victims in partnership with civil society organizations. • 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. • Improve data collection on law enforcement and victim protection efforts.

PROSECUTION

The government increased law enforcement efforts. Article 172 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of six to 10 years' imprisonment for offenses involving an adult victim, and eight to 16 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The law defined trafficking broadly to include labor exploitation and illegal adoption without the purpose of exploitation. In May 2018, the Legislative Assembly amended the law to establish force, fraud, and coercion as essential elements and remove movement as a required element of the offense. In addition to Article 172, officials used trafficking-related offenses to prosecute trafficking cases, including aggravated pimping (Article 170) and coerced pimping (Article 171), both of which prescribed penalties ranging from two to 10 years' imprisonment. Article 189 criminalized forced labor or services and prescribed penalties of six to 10 years' imprisonment.

Costa Rica had two police forces involved in trafficking investigations—the Judicial Investigation Police (OIJ) and the Professional Migration Police. The Attorney General's Office supervised both investigative units. The Attorney General's Office reported investigating 74 cases total—45 cases of sex trafficking (article 172), 18 cases of aggravated pimping (article 170), and 11 cases of forced labor or services (article 189)—compared to 62 cases in 2017. The government initiated 12 prosecutions and convicted 10 traffickers under article 172 to sentences ranging from five to 60 years' imprisonment, compared to 41 new prosecutions and five convictions under article 172 in 2017. The most notable case involved a large-scale transnational labor trafficking case investigated by Costa Rican and Panamanian officials where alleged traffickers recruited adults and children from China and India with false promises of stable jobs and legal status. Traffickers charged these individuals upwards of $20,000 for transportation and subsequently forced at least 14 victims to work in restaurants, bars, and markets to pay off their debts. The investigation resulted in the arrest of 31 individuals, including 12 government officials who allegedly accepted bribes to allow victims to enter the country without proper documentation. Five of these officials remained in custody at the close of the reporting period and seven were released on bond pending trial. Authorities also convicted and sentenced a police officer to three years' imprisonment for assisting a trafficking network operating out of a bar; the officer appealed the sentence. The government reported the former mayor indicted for establishing a trafficking network in 2011 still awaited trial. The government continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in 22 convictions in 2018, compared with three convictions in 2017 and at least one conviction in 2016; however, officials noted data was incomplete in previous years.

Observers noted improvements in coordination between the Attorney General and OIJ, but a significant backlog of criminal cases, including trafficking cases, slowed prosecutions. The Supreme Court approved and dedicated funds for the implementation of a judicial branch action plan, which prioritized capacity building for the Attorney General, OIJ, and judicial authorities and public awareness-raising on how to identify trafficking. The government provided anti-trafficking training to law enforcement, prosecutors, immigration officials, labor officials, child welfare officials, educational professionals, and civil society members. The government's interagency anti-trafficking body, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT), invested 133 million colones ($220,430) in a program to improve coordination between immigration officials and other law enforcement officials, which resulted in an increase in investigations by immigration officials.

PROTECTION

The government maintained victim protection efforts. The government identified 20 trafficking victims (eight sex trafficking, four forced labor, one both sex trafficking and forced labor, three domestic servitude, and four both domestic servitude and sexual exploitation) under the trafficking law, compared to 34 in 2017 and three in 2015. Four of the victims were Costa Rican, six were Nicaraguan, three were Honduran, two were Colombian, one was Venezuelan, two were Dominican, one was Chinese, and one was Panamanian. The government provided shelter and health, legal, and psychological services to 20 victims and 10 dependents during the reporting period, including 11 women, five men, 12 girls, and two boys. Law enforcement and immigration authorities used written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, and referred identified victims to CONATT to coordinate service provision. Public officials used the "Institutional Protocol for the Care of Minors and Survivors of Trafficking in Persons" and the "Interagency Manual of Attention of Minors in Sexual Trafficking, Child Labor, and

Dangerous Work" which established the steps officials must take when identifying a possible case of trafficking.

CONATT coordinated assistance to victims, including emergency, short-term, and long-term assistance, which could include food, lodging, healthcare, financial, legal, and psychological services. CONATT secured lodging in either the government's emergency shelter dedicated to trafficking victims, a safe house operated by civil society, or a longer-term shelter for women and children. The government did not provide dedicated shelters to male trafficking victims, although the emergency shelter and safe houses could accommodate male victims, and the government worked to ensure male victims received adequate services. The government assisted minor victims through a dedicated network of shelters for minors and a government-funded NGO. 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 authorities did not always implement referral mechanisms in an effective or timely manner and recommended the government provide transportation for victims to institutions providing assistance. Through the National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), the government disbursed 429.6 million colones ($711,860) for victim services, 583 million colones ($966,030) for prevention programs, and 150 million colones ($248,550) for investigations and prosecutions in 2018, compared to 132 million colones ($218,720) to fund trafficking victim services in 2017 and 122 million colones ($202,150) 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 160.3 million colones ($265,560) to NGOs providing services to trafficking victims in 2018, compared to 97.4 million colones ($161,390) in 2017 and 91 million colones ($150,790) in 2016. Observers reported that, despite dedicated government resources to anti-trafficking efforts, including victim services, the failure to disburse all of the allocated resources hindered the country's ability to address its trafficking problem. Costa Rican law allowed victims to obtain temporary residency status and work permits, leave the country, file civil suits against their traffickers, and provide testimony outside of court proceedings. Authorities granted 10 victims temporary residency status and work permits, and three victims refugee status in 2018 compared to two victims granted temporary residency status and work permits in 2017. Authorities reported several victims who testified outside of court proceedings in 2018 compared to 17 victims who testified outside of court proceedings in 2017. The government facilitated the repatriation of two victims in 2018, compared to one in 2017.

PREVENTION

The government maintained prevention efforts. CONATT, chaired by the Migration Authority, integrated and coordinated anti-trafficking efforts among 22 public institutions, key NGOs, and international organizations, and maintained sub-commissions focused on attention to victims, prevention, justice, investigation and analysis, and project management. CONATT met periodically to review progress in the areas of research, protection, prevention, and prosecution; and it presented a public report on its accomplishments every four months. CONATT funded and cooperated with an international organization to develop a national anti-trafficking strategy and national action plan, but it did not officially adopt or publish either one during the reporting period. In 2018, the government disbursed 583 million colones ($966,030) for trafficking-specific prevention programs, including a community security program; capacity building for health, immigration, and labor officials, municipal officials, law enforcement, teachers, and community leaders; and awareness-raising. The government engaged in multiple awareness-raising programs, including advertisements, a binational fair and walk with Panama, and workshops, symposia, and training for community and business leaders on how to identify and prevent trafficking. The Judiciary Police operated a hotline to receive confidential criminal complaints, which received approximately 100 calls related to potential trafficking and pimping cases in 2018. The Judiciary Police also operated the 9-1-1 hotline available for general crime reporting, but did not specifically report receiving trafficking calls through that mechanism. 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, integrated the international code of conduct related to commercial sexual exploitation in the travel and tourism industry into its national tourism program, and provided training in seven tourist zones. Working in collaboration with international partners, the government reported denying entry to 75 foreign-registered sex offenders who attempted to travel to Costa Rica as tourists in 2018.

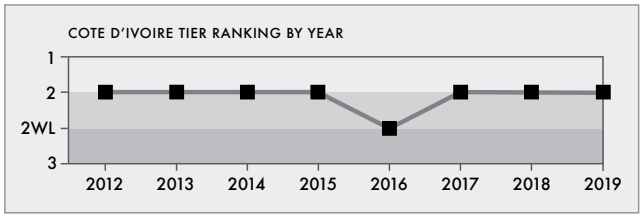
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Costa Rica, and traffickers exploit victims from Costa Rica abroad. Traffickers subject Costa Rican women and children 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. 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. Traffickers subject migrant men, women, and children, primarily from Nicaragua, to forced labor in agriculture and domestic service or sex trafficking. Migrants from other Central American countries, the Caribbean, China, and South America remained vulnerable to trafficking, some en route to the United States. 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 vulnerable to forced labor in agriculture in Costa Rica. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe.

COTE D'IVOIRE: TIER 2

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cote d'Ivoire remained on Tier 2. These efforts include increasing investigations, prosecutions, and convictions; coordinating with an NGO to open and operate a shelter for child victims of exploitation, including child trafficking victims; convening the first anti-trafficking committee meeting; and financing and distributing a film at

14 events on the vulnerability to trafficking faced by irregular migrants. However, the government did not meet the minimum standards in several key areas. During the reporting period, a government official exploited his niece in labor trafficking and coordinated an armed abduction, with assistance from other government officials, from the shelter where she was receiving care. The government continued to lack formal mechanisms to identify adult trafficking victims or refer trafficking victims to care. Despite the convening of the anti-trafficking committee, government coordination to implement the 2016-2020 national action plan continued to be weak. The government did not provide sufficient resources to law enforcement to investigate trafficking cases.



PRIORITIZED RECOMMENDATIONS:

Continue increasing efforts to investigate, prosecute, and convict traffickers following due process, including complicit officials, and apply significant prison terms as prescribed by law to those convicted. • Ensure law enforcement respects the security of NGOs providing services to victims and enforce trafficking victims' right to receive care free from violence and intimidation. • 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. • Increase funding and in-kind resources, as feasible, for the police anti-trafficking units to investigate trafficking cases nationwide, and delineate responsibilities between the units. • 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, including adults, and continue to 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 intermediaries that recruit Ivoirians for work abroad and investigate allegations of fraudulent recruitment. • Improve data collection on anti-trafficking efforts.

PROSECUTION

The government increased law enforcement efforts, although official complicity remained a concern. Law No.2016-111 on the Fight Against Trafficking in Persons criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and a fine of 5 million to 10 million West African CFA francs (FCFA) ($8,790-$17,590) for adult trafficking and 20 to 30 years' imprisonment and a fine of 10 million to 50 million FCFA ($17,590-$87,930) 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 and labor trafficking with 10 to 20 years' imprisonment and a fine of 5 million to 20 million FCFA ($8,790-$35,170). 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 of 1 million to 10 million FCFA ($1,760-$17,590).

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 Ministry of the Interior and Security's Sub Directorate of the Criminal Police for the Fight against Child Trafficking and Juvenile Delinquency (also known as the anti-trafficking unit or ATU) and transnational organized crime unit (UCT); Brigade Mondaine—the police unit charged with investigating prostitution and sex trafficking; the Ministry of Women, Families, and Children (MWFC); and the Ministry of Justice and Human Rights (MOJ). With data from Abidjan and all departments, the government reported investigating 147 cases, prosecuting 56 suspects, and convicting 47 traffickers. This is compared to 59 investigations, 27 prosecutions, and 20 convictions with data from Abidjan and 33 departments in the previous reporting period. Of the 51 prosecutions, the government initiated 38 in the current reporting period and continued 13 from the previous period. Entities reported 27 sex trafficking investigations and 88 for child labor trafficking and did not report the types of trafficking for the remaining investigations; alleged traffickers included suspects from Cote d'Ivoire, China, Cameroon, and Nigeria. 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. Judges levied both fines and prison sentences to all convicted traffickers; prison sentences ranged from six months to 20 years and fines ranged from 500,000 to 10 million FCFA ($880-$17,590). Of the 47 convictions, 11 traffickers each received sentences of 10 months' imprisonment which was below the sentences prescribed in the 2016 anti-trafficking law and articles 335 and 336 of the penal code. Judges acquitted four alleged traffickers. The government did not report any cases of adult forced labor. In April 2018, French law enforcement investigated a trafficking network in Herault, France and Daloa, Cote d'Ivoire that smuggled Ivoirians to France for sex and labor trafficking; Ivoirian authorities coordinated with French investigators in the investigation, which remained 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; however, official corruption and complicity in trafficking remained concerns. During the reporting period, an NGO alleged five *gendarmes* and two military firefighters, including the victim's trafficker, abducted at gunpoint a 14-year-old rape and trafficking victim from the NGO shelter where she was receiving care. The Research Brigade of the *Gendarmes* completed its investigation into the aforementioned case in March 2019 and passed the report to the military tribunal. The NGO filed an official complaint with the military tribunal, which was pending at the end of the reporting period. During the previous 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

report investigating either government official for trafficking-related corruption or complicity during the reporting period.

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. 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 had national jurisdiction over transnational organized crime, including a specialized human trafficking department. 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. 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. The ATU trained three new police officers on identifying child trafficking victims. International organizations hosted two trainings for border police, prosecutors, judges, and other law enforcement officials on human trafficking; the government did not provide financial or in-kind support to these trainings.

PROTECTION

The government maintained efforts to identify and protect victims. The government identified 45 trafficking victims and 53 victims of child labor or child trafficking during the reporting period, compared with 57 trafficking victims and 167 potential trafficking victims in the previous reporting period. Victims included 10 adult victims, nine Burkinabe child victims exploited in forced labor in gold mining, 16 Nigerien child sex trafficking victims, and 16 Nigerian female sex trafficking victims. While the government did not have formal mechanisms to proactively identify adult trafficking victims or refer trafficking victims to care, the UCT had operational procedures to refer victims to care. Government ministries lacked coordination, which in some cases hindered the provision of services. The government referred 18 child victims to NGOs for care; it was unclear whether the other 35 identified victims received care. In July 2018, the government split the then-Ministry of Women, Child Protection, and Social Affairs, which led to the division of the government's victim protection efforts between the Ministry of Women, Families, and Children and the Ministry of Solidarity, Social Cohesion, and the Fight against Poverty. As a result, it was unclear which ministry was responsible for the different aspects of trafficking victim protection. Despite the lack of a formal referral mechanism, in practice officials referred trafficking victims to one of 90 government-run social centers for victims of abuse to receive 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. During the reporting period, the government, with funding from an NGO, opened a government-run shelter for child victims of exploitation (including child labor and child trafficking) in Soubre; the shelter assisted the nine Burkinabe child labor trafficking victims identified during the reporting period. The government remained in partnership with this NGO to build two additional shelters for child victims of exploitation in Ferkessedougou and Bouake. The government provided in-kind support including clothing, food, and hygiene kits to NGOs where it referred the victims. Foreign and domestic victims reportedly had the same access to care. In some cases, the government depended on foreign victims' home embassies to provide shelter and care to sex trafficking victims prior to repatriation. 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 prevented some victims from accessing adequate services and rendered many victims vulnerable to re-victimization. With donor funding and in partnership with an international organization, the government provided 165,000 FCFA ($290) and hygiene and food kits to each of the approximately 2,856 migrants returned from Libya and North Africa, some of whom were trafficking victims, during the reporting period. The Ivoirian embassy in Libya, since moved to Tunisia, coordinated with an international organization to provide travel documents to returning migrants.

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. Trafficking victims could file civil suits against their traffickers. While victims could obtain damages from traffickers, many victims were not aware of the provision. During the reporting period, a victim filed a civil suit and the trafficker was ordered to pay 600,000 FCFA ($1,060). The government did not report how many victims received damages following a civil suit during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts traffickers compelled them to commit; 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 efforts to prevent trafficking. In February 2019, the prime minister convened the first meeting of the anti-trafficking committee after it was created in April 2017, as mandated in the 2016 anti-trafficking law. The committee had the lead for anti-trafficking prevention efforts, including implementation of the 2016-2020 anti-trafficking national action plan; however, due to the late convening of the anti-trafficking committee, poor communication and coordination among ministries continued to hinder progress during the reporting period, and implementing agencies did not have a clear understanding of their role in combating trafficking. For the third consecutive year, the government did not take concrete steps to implement its action plan. The government allocated 2.2 billion FCFA ($3.87 million) to implement the national action plan in 2018 but did not report how much of the allocated budget was disbursed; the government allocated 1.5 billion FCFA ($2.64 million) during the previous reporting period. In part due to delayed implementation of the 2016-2020 anti-trafficking national action plan, the government is conducting a review of the plan. The National Monitoring Committee and the Inter-Ministerial Committee continued to coordinate child labor and child trafficking efforts. Several government ministries organized awareness-raising campaigns on child labor regulations and the 2016 anti-trafficking law. In addition, the Ministry for African Integration and Ivoirians Abroad organized 14 awareness-raising events throughout the

country, including in Daloa—a source for irregular migration—to highlight irregular migrants' vulnerability to trafficking. As part of the campaign, the ministry financed and distributed a film about the vulnerability of irregular migrants to trafficking. 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 and other West African women in domestic servitude internally and abroad. In 2018, labor inspectors conducted limited inspections of the informal sector—where most children worked—but did not identify child forced labor cases through these inspections. The government continued to operate several hotlines for child protection and human rights; one of the hotlines received 674 calls reporting human rights violations that were referred to the relevant government ministries; it is unknown if any calls were regarding trafficking. 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.

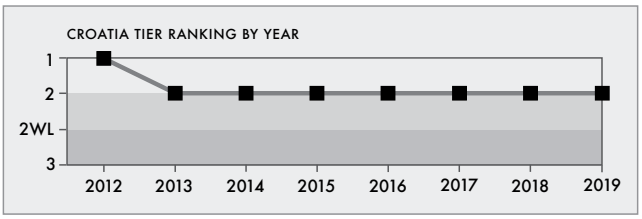
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cote d'Ivoire, and traffickers exploit victims from Cote d'Ivoire abroad. 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 *talibés* (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 force Chinese women into prostitution in Cote d'Ivoire.

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 Gulf countries, 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. Officials identified an uptick in Ivoirian migrants in Libya and Tunisia who were vulnerable to trafficking. Authorities also noted an increase in male trafficking victims among migrants to Europe. Migrants commonly depart from Daloa and proceed via airplane to Tunisia; overland 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. During the reporting period, NGOs and international organizations identified 621 potential Ivoirian trafficking victims in Tunisia. Due to their irregular status, illegal Ivoirian migrants in Algeria are vulnerable to trafficking. During the reporting period, French authorities broke up an Ivoirian trafficking network based in Daloa that provided Ivoirian minors with fake documents and facilitated their travel to France through Libya and Italy. Kuwaiti employers increasingly recruit domestic workers from Cote d'Ivoire who may be vulnerable to domestic servitude in Kuwait. Authorities previously identified Ivoirian female trafficking victims in Iraq, Israel, Cyprus, France, and Morocco.

CROATIA: TIER 2

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Croatia remained on Tier 2. These efforts included investigating, prosecuting, and convicting more traffickers and identifying more victims, particularly victims of forced criminality. The government conducted operations to proactively screen for trafficking indicators, increased funding to NGO-run shelters, and adopted the 2018-2021 national action plan. However, the government did not meet the minimum standards in several key areas. Despite conducting operations to proactively identify victims, the government did not consistently screen migrants and asylum seekers, and alleged police abuse strongly discouraged victims within this population from cooperating or self-identifying. Judges continued to issue light sentences and dismissed victim testimony as unreliable due to a lack of understanding of trafficking, while a large backlog of criminal cases caused long delays and police experienced difficulties in encouraging victims to cooperate with investigations.



PRIORITIZED RECOMMENDATIONS:

Institutionalize and implement screening procedures for migrant flows, including asylum seekers and unaccompanied minors. • Increase capacity and training to accurately screen for victims

and consistently implement screening procedures for vulnerable populations, particularly migrants, refugees, asylum seekers, seasonal workers, and Roma. • Vigorously investigate, prosecute, and convict traffickers, and impose strong sentences. • 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. • Continue to encourage victims' participation in investigations and prosecutions by providing alternative methods to testify, including remote testimony or funding for travel and other expenses for victims to attend court hearings. • Further reduce the judiciary's backlog of cases, including trafficking cases. • Implement efforts to address the vulnerability of children placed in child care institutions. • Allocate additional resources and staff for the Office for Human Rights and Rights of National Minorities to enable it to more effectively combat trafficking.

PROSECUTION

The government increased law enforcement efforts. Article 106 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of one to 15 years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Law enforcement investigated seven cases involving 22 suspects (nine cases involving 17 suspects in 2017). The government initiated the prosecution of 15 defendants (12 in 2017). The government continued to prosecute 33 defendants in ongoing cases. Courts convicted five traffickers (four in 2017). Judges issued one trafficker an appealable sentence of one year and six months' imprisonment and three traffickers final sentences of imprisonment ranging one year and five months to three years and eight months. Judges also issued one trafficker a final sentence of one year suspended sentence with five years' probation, below the trafficking statute's minimum penalty, acquitted two suspected traffickers, and issued "correctional measures" for two juvenile traffickers. Observers reported a substantial backlog of criminal cases causing long delays in court proceedings.

Law enforcement personnel under 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 increased spot checks of suspicious vehicles for signs of trafficking and illegal migration attempts of migrant smuggling. The government maintained institutionalized training programs on trafficking for law enforcement, including prosecutors, border police, traffic police, juvenile police, and organized crime police. In addition, the government, in cooperation with NGOs and international organizations, trained police, prosecutors, and judges. The government cooperated with law enforcement in Taiwan and other foreign governments, but it did not specify details. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. The government identified 73 victims (29 in 2017). Of these, 60 were victims of forced criminality, 10 of sex trafficking, three of forced labor, and one unknown (eight of sex trafficking, seven of forced criminality, three of forced labor, and eleven of multiple types of exploitation in 2017); two were minors (14 minors in 2017); 26 women and 46 men (six women and nine men in 2017); and 62 were foreign victims (10 in 2017). The government conducted three large operations to screen for indicators of trafficking: police cooperated with the Ministry of Labor to screen 14,792 people, 8,523 vehicles, and 372 locations for indicators of forced labor; police screened 86,268 people, 38,793 vehicles, and 958 locations for indicators of child trafficking; and police separately screened 131,037 people, 49,172 vehicles, and 7,991 locations for indicators of sex trafficking and forced criminality. However, none of these efforts led to the identification of a victim. Civil society reports indicated government efforts to screen migrants and asylum seekers, including unaccompanied children, were seriously lacking. While the government denied allegations of police abuse against migrants, international organizations criticized the government for violent pushbacks of illegal migrants, and civil society reported border police assaulted and harassed migrants, including vulnerable persons such as asylum seekers, children, persons with disabilities, and pregnant women, which strongly discouraged victims from self-identifying or cooperating with authorities.

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 travelled to assess the potential victims in person and coordinated victim care and placement. The MOI officially identified all victims in cooperation with first responders and the regional mobile team and specialized police officers responsible for child protection were called for potential child victims. The government trained police officers, border police, social workers, and members of the regional mobile teams on victim protection. 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 two new adults and one adult who arrived the previous year (one child and seven adults in 2017). The Ministry of Demography, Family, Youth and Social Policy (MDFYSP) organized a foster family for one minor victim (nine in 2017) and the Center for Social Welfare supervised two minors who were living with their families and one minor who lived independently after becoming an adult. The Center for Missing and Exploited Children (CMEC) provided a range of educational and psycho-social services for unaccompanied minors and exploited children, including child trafficking victims. The government moved toward implementation of foster care and away from using state child care institutions to mitigate traffickers targeting children from state orphanages. MDFYSP allocated 609,055 kunas ($96,520) to support the NGO-run shelters, compared to approximately 360,000 kunas ($57,050) in 2017. In addition, the government allocated 365,386 kunas ($57,910) to CMEC and the Office for Human Rights and Rights of National Minorities (OHRRNM) allocated 20,000 kunas ($3,170) for direct cash subsidies to victims in both 2017 and 2018.

Foreign victims had access to the same services as domestic victims, but foreign victims without work permits at the time of their exploitation could not receive compensation for lost wages. Foreign victims could receive a temporary residence permit after a 60-day reflection period for adults and 90 days for minors; government reported one victim received a temporary stay based on humanitarian concerns. The Office of the Chief

State Prosecutor maintained written instructions on non-penalization of victims. Seven victim and witness support offices at county courts provided assistance during criminal proceedings, including requests to testify via video link, referrals to specialized institutions, logistical assistance, and measures to prevent re-traumatization. None of the victims entered witness protection in 2018 (none in 2017). Children provided testimonies to specialized professionals in child interview rooms. In previous years, 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, in previous years experts reported 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 victim testimony as unreliable. Police reported some difficulties in encouraging victims to cooperate with investigations, particularly sex trafficking cases or cases involving potential foreign victims. State prosecutors were obliged to inform victims in criminal proceedings of their right to compensation, however the government reported that no trafficking victims filed for such compensation.

PREVENTION

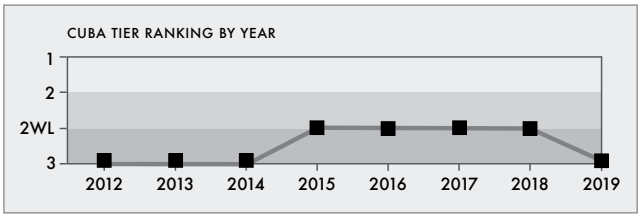
The government increased prevention efforts. OHRRNM served as the secretariat for the senior-level national coordinating committee and added an NGO and the Labor Inspectorate into the committee; the national committee met in July 2018 (one session in 2017). The committee's working-level operational team held monthly meetings and adopted the 2018-2021 national action plan. OHRRNM allocated 137,320 kunas ($21,760) for prevention efforts, compared to 197,000 kunas ($31,220) in 2017. In addition, OHRRNM allocated 4,085 kunas ($650) for the NGO-run hotline, compared to 4,000 kunas ($630) in 2017. Observers reported the NGO-run hotline operated only from 10:00 a.m. to 6:00 p.m. due to inadequate financial support; the hotline received 280 calls leading to four investigations. The MOI operated a specific unit consisting of 80 officers for crime prevention, including trafficking, and OHRRNM organized roundtables on preventing traffickers' recruitment through the internet. The government held awareness campaigns targeting students and teachers, distributed informative materials and continued to organize awareness-raising events for social workers, NGOs, government officials, and workers from the tourism industry. The government monitored its anti-trafficking efforts, produced annual reports, and posted information on ministries' websites. The government continued to distribute materials from the "If You Are a Man, You Will Not Buy a Woman" anti-prostitution campaign.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Croatia, and traffickers exploit victims from Croatia abroad. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia. Traffickers subject Croatian women and girls to sex trafficking within the country and elsewhere in Europe. Although there were no official reports this year of traffickers exploiting marginalized Romani children in forced begging in Croatia, this was reported in previous years. Traffickers subject Croatian, Bosnian, and Romanian women and men to forced labor in the Croatian agricultural sector. Migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries traveling or being smuggled through Croatia are vulnerable to trafficking, particularly women and unaccompanied minors. In 2018, Taiwanese women and men were subjected to forced labor and forced criminality in an illegal call center.

CUBA: TIER 3

The Government of Cuba does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Cuba was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including prosecuting sex traffickers and one labor trafficker and imprisoning sex tourists engaged in child sex trafficking. However, the government did not take action to address forced labor in the foreign medical mission program, despite persistent allegations Cuban officials threatened and coerced some participants to remain in the program. The government did not criminalize all forms of forced labor or sex trafficking of children ages 16 and 17. The government lacked procedures to proactively identify forced labor victims, lacked a comprehensive package of services to include housing and physical protection, and detained or charged potential sex trafficking victims for unlawful acts their traffickers coerced them to commit.



PRIORITIZED RECOMMENDATIONS:

Implement policies to prohibit force, fraud, or coercion by foreign labor recruiters and state-owned or controlled enterprises, including foreign medical missions in recruiting and retaining employees. • Draft and enact a comprehensive anti-trafficking law that prohibits and prescribes significant prison terms for 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. • Proactively identify trafficking victims, including among vulnerable populations. • Adopt policies and programs that provide trafficking-specific, specialized assistance for male and female trafficking victims. • Ensure participants in the foreign medical missions program retain control of their passports. • Screen individuals charged or detained for prostitution-related offenses for sex trafficking and refer victims to care providers. • Educate all Cuban workers about trafficking indicators and where to report trafficking-related violations. • Establish a permanent inter-ministerial anti-trafficking committee and implement the 2017-2020 national anti-trafficking action plan in partnership with international organizations. • Provide specialized training on trafficking indicators for hotline staff and interpretation for non-Spanish speakers.

PROSECUTION

The government maintained law enforcement efforts. While the penal code criminalized some forms of trafficking, it 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, younger than 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 312.1 considered violence or intimidation, among other factors, as aggravating factors for which the penalty 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 noted its efforts to amend the criminal code to address trafficking as defined in international law, but as of March 31, 2019, the criminal code did not prohibit all forms of trafficking.

In December 2018, the government published official data for calendar year 2017 on prosecutions and convictions of traffickers, the most recent data available. Authorities reported 20 prosecutions in 2017, compared to 21 in 2016 and 10 in 2015, and 20 convictions (19 sex traffickers and one trafficker for forced child labor), compared to 39 in 2016 and 17 in 2015. The average sentence was 9.2 years' imprisonment, compared to 10.5 years in 2016 and 12 years in 2015. Authorities imprisoned eight foreign nationals for purchasing sex from child sex trafficking victims. The Cuban government organized and sponsored numerous trainings, postgraduate courses, scientific forums, and a national video conference for prosecutors, law enforcement and court officers, medical staff, and employees of the government-organized NGO Federation of Cuban Women (FMC). Authorities educated participants about trafficking victim protection and assistance and procedures related to transnational organized crime and trafficking. The government maintained more than 20 bilateral cooperation agreements or memoranda of understanding with 15 other countries that included trafficking, which resulted in the identification of Cuban victims abroad and the conviction of a trafficker in Cuba. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking, despite persistent allegations officials threatened and coerced some participants in the foreign medical missions to remain in the program.

PROTECTION

The government maintained some efforts to identify and protect trafficking victims, but provided services to only five child victims and penalized some victims for unlawful acts their traffickers coerced them to commit. Authorities identified at least 24 victims in 2017 (seven child sex trafficking victims, 16 adult sex trafficking victims, and one child forced labor victim), compared to 27 victims in 2016 (17 child sex trafficking victims, nine adult sex trafficking victims, and one child forced labor victim) and 11 victims in 2015 (seven child sex trafficking victims and four adult sex trafficking victims). Of the 24 victims, 23 were female and one was male. The government reported having procedures to proactively identify and refer sex trafficking victims; police, social workers, educators, 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. Government-organized NGOs, like the FMC, the Prevention and Social Assistance Commission, and the Committees for the Defense of the Revolution, could identify and refer trafficking victims to state authorities and provide victim services.

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, but did not report whether it provided services to children in 2017. 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 could provide services such as psychological treatment, health care, skills training, and assistance in finding employment, but they did not report whether the 16 adult female victims associated with reported prosecutions received services. Observers noted despite existing social services that victims may be able to access, the government did not offer a comprehensive package of services, particularly housing and physical protection. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for adult male victims. 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.

Police encouraged child sex trafficking victims younger than the age of 16 to assist in prosecutions of traffickers by gathering testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. Observers reported law enforcement did not proactively screen for indicators of trafficking as police may have detained individuals in prostitution or charged them with crimes such as "social dangerousness," thereby potentially penalizing some victims for unlawful acts their traffickers coerced them to commit. Cuban law permitted courts to order restitution be paid to victims, but the government did not report any such orders in 2017. The government did not identify any foreign trafficking victims in Cuba in 2017.

PREVENTION

The government did not make efforts to prevent forced labor, but did make efforts to prevent sex trafficking. The government reported it continued to implement its national anti-trafficking action plan for 2017-2020, which included some efforts to prevent trafficking, protect victims, investigate and prosecute traffickers, and promote international cooperation. The plan required the government to establish indicators to assess progress and an overall assessment in 2020, but such indicators were not made public. The government published its sixth annual report of anti-trafficking efforts in December 2018, covering 2017 and the first quarter of 2018. International observers noted challenges in coordination across the government and with civil society, but the government did not report whether it had established a permanent interagency committee. The Ministry of Justice led an informal working group to combat trafficking comprising various ministries and law enforcement. As in prior years, 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 2017 led to trafficking investigations or identifying victims, or whether it implemented the UN special rapporteur's recommendation for specialized trafficking training and multilingual staff.

State media continued to produce newspaper articles and television and radio programs, including a new public service announcement, to raise public awareness about sex trafficking. The FMC raised public awareness through workshops and training with social workers, educators, and students, and the distribution of materials explaining trafficking and risks associated with it. 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 reported training law enforcement officials assigned to the tourism sector to identify cases during inspections of state-owned hotels and tourist facilities, but authorities did not identify any cases in 2017. 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, but the ministry identified no such employees in 2017. The Ministry of Labor and Social Security offered training to labor inspectors to detect trafficking, but the ministry did not identify forced labor among the 1,573 labor violations in 2017. The government reported taking steps to identify and prevent young people who might be vulnerable to traffickers from traveling abroad. The government did not implement policies to prohibit force, fraud, or coercion by foreign labor recruiters and state-owned or controlled enterprises in recruiting and retaining employees, despite persistent allegations Cuban officials threatened and coerced some participants to remain in the foreign medical mission program.

TRAFFICKING PROFILE

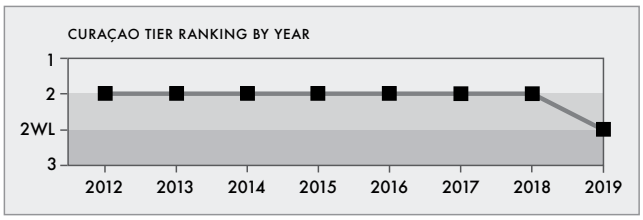
As reported over the past five years, human traffickers exploit domestic and foreign victims in Cuba, and traffickers exploit victims from Cuba abroad. Sex trafficking and sex tourism, including child victims, occur within Cuba. Traffickers exploit Cuban citizens in sex trafficking and forced labor in South America, the Caribbean, and the United States. Traffickers exploit foreign nationals from Africa and Asia in sex trafficking and forced labor in Cuba to pay off travel debts. According to statements from government officials, the government employed between 34,000-50,000 healthcare professionals in more than 60 countries in Africa, the Americas, Asia, the Middle East, and Portugal in foreign medical missions through contracts with foreign governments and, in some countries, with international organizations serving as intermediaries. In November 2018, Cuba ended the five-year-old "*Mais Medicos*" medical mission program in Brazil, which was facilitated by a UN-affiliated organization, following demands from Brazil's then president-elect to improve the treatment and employment conditions of Cuban healthcare professionals after allegations of coercion, non-payment of wages, withholding of passports, and restrictions on their movement. In November 2018, Cuban healthcare workers filed a class action in the U.S. District Court Southern District of Florida under the Trafficking Victims Protection and the Racketeering Influenced and Corrupt Organization Acts alleging the Cuban government profited from the export of healthcare professionals; the case remains pending. In Brazil, the Cuban government collected revenue for each professional's services and paid the worker a fraction of the revenue depositing a large percentage of the worker's wages in an account in Cuba only accessible upon completion of the mission and return to Cuba. The Cuban government collected approximately 7.2 billion pesos ($7.2 billion) in annual revenue from the export of services, including foreign medical missions in 2017. Some participants in foreign medical missions as well as other sources allege 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. Observers report the government does not inform participants of the terms of their contracts, making them more vulnerable to forced labor. The Cuban government acknowledges that it withholds passports of overseas medical personnel in Venezuela; the government provided identification cards to such personnel. Some Cuban medical personnel claim they work long hours without rest and face substandard working and living conditions in some countries, including a lack of hygienic conditions and privacy. Observers note Cuban authorities coerced some participants to remain in the program, including by withholding their passports, restricting their movement, using "minders" to conduct surveillance of participants outside of work, threatening to revoke their medical licenses, retaliate against their family members in Cuba if participants leave the program, or impose criminal penalties, exile, and family separation if participants do not 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 voluntary.

CURAÇAO: TIER 2 WATCH LIST[†]

The Government of Curaçao does not fully meet the minimum

[†] *Curaçao is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, Curaçao 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 Curaçao would be assessed if it were a separate, independent country.*

standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating more cases, including one for official complicity, and identifying and assisting more victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Authorities detained and deported victims, including Venezuelans, who did not immediately agree to cooperate in the case against their traffickers and did so without referring them to care services or without consideration of possible abuse in their home country. The government did not vigorously prosecute trafficking cases and did not convict any traffickers. Therefore Curaçao was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Provide potential victims who chose to not cooperate with law enforcement in the case against their traffickers with legal alternatives to deportation, especially where victims face harm or abuse in their home country. • Amend the National Action Plan to allow assistance provision to victims even when they choose to not cooperate with law enforcement in the case against their traffickers. • Refer victims to care services where they can begin rehabilitation before requiring victims assist a criminal investigation. • Vigorously prosecute trafficking cases and convict and punish traffickers, including government officials complicit in trafficking, with adequate penalties, which should include significant prison terms. • Provide services for potential victims of sex trafficking and forced labor, even when they choose to not cooperate in the prosecution of their traffickers. • Amend existing legislation to prescribe penalties for sex trafficking offenses to be commensurate with penalties prescribed for other serious crimes, such as rape. • Increase proactive victim identification among vulnerable populations, such as migrants, individuals in prostitution, and those in detention facilities. • Provide foreign victims easier access to work permits to incentivize them to stay and assist law enforcement. • Disseminate standard operating procedures for victim identification and referral to law enforcement and detention facility staff and train officials on their use. • Provide specialized care and assistance for trafficking victims, including male victims. • Allocate sufficient resources for anti-trafficking efforts, including protection services and funding for the implementation of the national anti-trafficking action plan. • Provide targeted training and resources for local officials to conduct outreach to vulnerable migrant communities through awareness campaigns focused on workers' rights, trafficking indicators, and available resources.

PROSECUTION

The government maintained prosecution efforts. Article 2:239 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to nine years' imprisonment or a fifth category fine of up to $56,000 for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment or a fine for those involving a victim under the age of 16. These penalties were sufficiently stringent; however, with respect to sex trafficking these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Authorities investigated four cases of potential trafficking, compared with zero in 2017; three of the four investigations remained active at the end of the reporting period, while prosecutors indicted the individual in the fourth case for providing employment to undocumented migrants and sentenced him to community service and a fine. Despite strong indicators of forced labor, authorities did not collect sufficient evidence to prove trafficking and the case was not convicted under the trafficking statute, compared with two individuals prosecuted and convicted in 2017 who received suspended jail sentences and three years of probation. The government investigated a case involving a police officer believed to be complicit in the alleged trafficking of 18 Venezuelan nationals; the case remained open at the end of the reporting period. The government folded its trafficking unit into a newly created unit tasked with combating transnational crime. The Office of the Attorney General provided training for all members of the Public Prosecutor's Office on investigations and the legal challenges of trafficking cases. Law enforcement officials, including police and immigration personnel participated in an annual regional training event focused on investigations of trafficking crimes. As customary, participants signed an MOU reaffirming their commitment to combat trafficking and to conduct a minimum of four trafficking investigations a year; authorities reported difficulty meeting this benchmark due to lack of personnel.

PROTECTION

The government increased the number of victims identified, but protection efforts were inadequate. In 2018, there was a mass influx of Venezuelan migrants and refugees overstaying their visa and working illegally, which likely affected Curaçao's efforts to combat trafficking. During the reporting period, the government conducted an increased number of immigration and law enforcement operations that led to the detention of undocumented individuals, many identified as potential victims. Authorities identified 44 potential victims (five in 2017): 16 potential victims of sex trafficking, 10 of forced labor, and 18 of both. Forty three of the potential victims identified were Venezuelan, and one was Jamaican. Assistance for victims was contingent on cooperation with law enforcement in the case against their traffickers. Eleven chose to assist law enforcement with investigations while authorities detained and deported 33 to their country of origin. Of the 11, nine received shelter and residency permits, and authorities deported two who withdrew their willingness to cooperate, despite expressing fear of reprisal and frustration over their inability to work. Through a separate administrative process, victims were eligible to apply for temporary work permits; however, many victims could not afford the cost. Front-line responders used standard operating procedures on victim identification and referral; however, it was unclear if detention facility staff received training on their use. The government did not operate any specialized shelters for trafficking victims; however, authorities provided some funding to NGOs and international organizations to assist victims in need of care. NGOs could host female trafficking victims in shelters for women victims of domestic violence, which restricted victims' movements if authorities deemed their safety was at risk. During the reporting period, authorities reported placing victims who received temporary residence in short-term government-funded apartments since existing shelter facilities had reached maximum capacity. The government referred child victims of trafficking to guardianship councils for placement in boarding school or foster care; the government did not report how many children it identified or assisted. Authorities

reported difficulty finding shelter services for male victims due to budget constraints. The government detained and deported identified victims who were in the country illegally and did not cooperate with law enforcement in the case against their traffickers for crimes traffickers compelled them to commit, including Venezuelans nationals.

PREVENTION

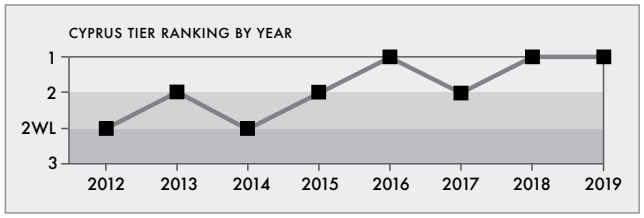
The government maintained insufficient prevention efforts. The government continued to use the 2017-2021 national action plan but did not establish a dedicated budget for its implementation. The Public Prosecutor's Office and the Ministry of Social Affairs began research on the prevalence of child trafficking, including risk factors and recruitment tactics used by perpetrators. The government continued the awareness campaign meant to dissuade Venezuelan women from traveling to Curaçao to work in bars and dance venues where they were vulnerable to trafficking. The government operated a victim assistance hotline but did not receive any trafficking tips during the reporting period. The government continued to regulate the open-air brothel, Campo Alegre, and it kept an official registry of individuals working there. The government provided routine medical screenings, residency, and work permits. The government did not report efforts to reduce demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Curaçao. Traffickers exploit Curaçaoan and foreign women and girls, mainly Dominicans and Venezuelans in sex trafficking, as well as migrant workers from other Caribbean countries, South America, China, and India in forced labor in construction, landscaping, minimarkets, retail, and restaurants. Undocumented migrants are at particular risk, including the influx of Venezuelan nationals.

CYPRUS: TIER 1

The Government of Cyprus fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Cyprus remained on Tier 1. These efforts included prosecuting more traffickers and increasing funds to the government-run shelter. The government strengthened child protection measures by opening a children's house to provide support services to child victims and allocating funds to an NGO to operate a day care center for children of trafficking victims. The government also strengthened prevention efforts by admitting four NGOs into the Multidisciplinary Coordinating Group and commissioning a study to identify gaps in prosecutions. Although the government meets the minimum standards, it did not convict any traffickers for sex trafficking or forced labor and court proceedings continued to face delays. Administrative issues, particularly within the Social Welfare Service, hindered victim assistance measures, such as slow responses to referrals of potential trafficking victims and delays in financial assistance.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Law 60(I) and impose significant prison terms on convicted traffickers. • Reduce delays in accessing assistance, including rental disbursements and financial assistance. • Respond to referrals of potential trafficking victims in a timely manner and increase access to support for victims identified outside of business hours of support service providers. • Proactively identify victims among vulnerable populations, including migrants, asylum-seekers, and agricultural workers. • Provide legal tools and capacity for police to collect sufficient evidence. • Reduce delays in court proceedings. • Strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor. • Improve victim-centered investigations and prosecutions and implement witness protection measures when necessary. • Adopt a national action plan. • Develop a robust monitoring and evaluation framework for anti-trafficking policies and efforts.

PROSECUTION

The government maintained law enforcement efforts. Law 60(I) of 2014 criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment for offenses involving an adult victim and up to 20 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The police investigated 32 suspected traffickers (38 in 2017); 26 suspects and a company for sex trafficking and six for forced labor, including four for forced begging (29 suspects for sex trafficking, five for forced labor, and four for both sex and labor trafficking in 2017). The government also investigated eight suspects for forced marriage (four in 2017), which authorities considered to be trafficking under their law. The government prosecuted 30 defendants (three in 2017), 27 defendants and two companies for sex trafficking and three for forced labor. The government also prosecuted 16 defendants for forced marriage. Courts convicted three traffickers prosecuted under the trafficking article with other offenses, including money laundering, exploitation of prostitution, and maintaining a brothel (eight in 2017 and one in 2016). Courts also convicted one perpetrator for forced marriage, which authorities considered to be trafficking under their law.

The Ministry of Justice and Public Order maintained an anti-trafficking unit (ATU) that conducted proactive investigations. ATU reported the absence of legislation allowing the use of electronic surveillance hampered their ability to collect sufficient evidence and corroborate victim-witness testimonies. ATU and the Internal Affairs Unit arrested and prosecuted four immigration police officers on suspicion of aiding a criminal network involved in trafficking. The Police Academy continued to train police officers on trafficking issues, including new recruits, immigration police, and community police. The government, separately and with technical assistance from international organizations and NGOs, organized 29 training

programs for police officers. The government extradited one suspected trafficker to Israel and one to Belarus and conducted joint investigations with Cameroon, China, Poland, and the United Kingdom. The government and Israel signed a cooperation agreement on public security issues, including trafficking.

PROTECTION

The government maintained victim protection efforts. The government identified 31 victims (27 victims in 2017); 21 victims of sex trafficking, eight victims of both sex trafficking and forced labor, and two victims of forced labor (18 victims of sex trafficking, eight victims of forced labor, and one victim of both sex trafficking and forced labor in 2017); 30 female victims and one male victim (21 female victims and six males in 2017); no child victims (one victim was a boy in 2017). The government also identified five victims of forced marriage, which authorities considered to be trafficking under their law. 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 government approved a standardized form for referrals to SWS. However, NGOs reported SWS sometimes did not respond in a timely manner to referrals of potential trafficking victims, leading to delays in their formal identification, and some lacked access to adequate accommodations and financial assistance during this time. In addition, a lack of communication between law enforcement and SWS caused tension between the two agencies and slowed victim identification procedures. The ATU interviewed 111 potential victims through SWS (80 in 2017); the government referred 74 potential victims and NGOs referred 37 potential victims (the government referred 64 potential victims, NGOs referred 10, two self-identified, and the public identified five in 2017). Observers reported the ATU lacked transparency in the identification process, while 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 continued to report potential forced labor victims remained undetected; government and NGOs referred six agricultural workers as potential victims. Observers also reported a lack of proactive identification efforts at the Kofinou Reception Center and reported anecdotal accounts of exploitation; government and NGOs referred 48 asylum-seekers as potential victims. SWS assigned an on-call officer outside of working hours during weekends to provide emergency accommodation and financial support to potential victims, but observers noted the NRM was not fully functional on weekends and the on-call SWS officer did not deem potential trafficking cases as an emergency. The government, in cooperation with an NGO, trained social welfare officers on proactive identification.

The government allocated €280,000 ($321,100) to operate the SWS-run shelter, compared to €265,770 ($304,790) in 2017. This amount did not include salaries for the SWS-run shelter staff. The government allocated €213,420 ($244,750), compared to €263,550 ($302,230) in 2017, for rent allowances and financial assistance to trafficking victims through a public benefit scheme known as Guaranteed Minimum Income. In addition, the government allocated €25,000 ($28,670) for emergency rent and assistance to cover urgent needs. 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 female sex trafficking victims with the capacity to accommodate 15 victims; the SWS-run shelter accommodated 69 official and potential victims (30 in 2017). 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. The government maintained a memorandum of cooperation with an NGO to manage an open house for female sex trafficking victims, which accommodated recognized sex trafficking victims while searching for permanent residence after leaving the state-run shelter and also provide longer-term accommodation for female victims in apartments. The government allocated €62,000 ($71,100) to the NGO, compared to €60,000 ($68,810) in 2017. The government allocated another €10,000 ($11,470) to the NGO to operate a day care center for children of trafficking victims. The government also provided a rent subsidy and a monthly allowance for all victims and partnered with NGOs to provide apartments for male victims; however, victims experienced delays in rent disbursements resulting in the eviction of one victim and landlords' threats of eviction for other victims.

The law entitled victims to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. The government trained health care professionals on the mental health care for sex trafficking victims and all staff at the government-run shelter participated in monthly training sessions from Ministry of Health clinical psychologists. Observers reported good quality of service at the government-run shelter, health care services, and labor offices; however, victims continued to rely heavily on NGOs to help navigate cumbersome SWS procedures to access support services. Employment counselors trained to handle sensitive cases sought suitable employment for each victim. The government opened a children's house in 2018 to provide education, placement into foster homes, and specialized medical and psycho-social care for child victims of sexual abuse and exploitation, including trafficking. In the previous years, the government streamlined the process for providing financial support to victims and prioritized public benefit applications from trafficking victims; however, observers reported victims still waited approximately four months to receive benefits with no retroactive payments. Victims received emergency financial assistance in cases of delayed distribution of monthly allowances, but the amount was insufficient to cover basic necessities. 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 six victims (three in 2017) and granted asylum to two victims (four in 2017).

Twenty-seven victims assisted law enforcement in investigations (26 in 2017). The government permitted victims to leave Cyprus and return for trial, and police remained in contact with victims while they were abroad; no victims left Cyprus and returned to testify in trial in 2018 (two in 2017). The law entitled victims to witness protection through a request made by the police to the Attorney General; no requests were made in 2017 or 2018. Police officers escorted victims to court proceedings, but in previous years, police sometimes did not share information and updates on court procedures or did not keep appointments

at promised times, creating anxiety among victims. Observers reported key witnesses left the country before trial due to long delays, hindering prosecution efforts. The law allowed courts closed-door trials, a partition to separate victims from their traffickers, remote testimony, and the use of video-recorded testimonies for child victims; however, courts used none of the methods in 2017 or 2018. Prosecutors and judges did not seek restitution in criminal cases and required victims to pursue compensation through civil suits; 10 victims applied for legal aid to pursue civil suits.

PREVENTION

The government increased prevention efforts. The Multidisciplinary Coordinating Group (MCG) to combat trafficking, comprising relevant government agencies and NGOs, met twice (once in 2017) and admitted four NGOs into the group. The government did not adopt the 2019-2021 national action plan. The Ministry of Justice and police commissioned a study with a university to identify gaps in investigating and prosecuting trafficking cases. The Ombudsman accepted the role of external evaluator of the government's anti-trafficking policies in response to observers reporting a need for an independent evaluation of anti-trafficking policies and programs but had not assumed the role pending a formal amendment to the trafficking law. The government continued to print and distribute brochures in 11 languages aimed at potential victims on their rights and assistance available to them. The Ministry of Labor (MOL) inspected 128 employment agencies (122 in 2017) and revoked the licenses of six employment agencies for labor violations (10 in 2017). MOL also imposed a fine on one employment agency for fraudulent recruitment (three in 2017) and police separately investigated one case involving an employment agency (three in 2017). The Ministry of Interior implemented a new contract for employment of domestic workers and defined the process by which the employee or the employer could terminate the contract. In addition, the contract set a €309 ($354) minimum salary for domestic workers and required employers to be responsible for accommodation, medical insurance, meals, visa fees, travel expenses, and repatriation ticket. 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, human traffickers exploit domestic and foreign victims in Cyprus. Victims identified in Cyprus in 2018 were from Bulgaria, Cameroon, China, Cyprus, Ethiopia, The Gambia, India, Latvia, Moldova, Ukraine, Nigeria, Romania, Russia, Uzbekistan, and Vietnam. Traffickers subject women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, 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. Traffickers recruit some female sex trafficking victims with false promises of marriage or work as barmaids or hostesses. Traffickers subject foreign migrant workers—primarily from South and Southeast Asia—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-based coercion, threats, and withholding of pay and documents. Domestic workers from India, Nepal, the Philippines, and Sri Lanka are vulnerable to forced labor. Traffickers subject asylum seekers from Southeast Asia, Africa, and Eastern Europe 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. If the "TRNC" were to be assigned a formal ranking in this report, it would be Tier 3. 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. Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters 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 via-a-vis trafficking and stipulated nightclubs may only provide entertainment such as dance performances. "Parliament" passed the 2000 UN TIP Protocol in April 2018. Additionally, trafficking-related cases could 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 2017, "police" arrested the owner of a nightclub and tried him for "encouraging prostitution" and "living off the earnings of prostitution," and in October 2018, the "Ministry of Interior (MOI)" prevented five nightclub owners with criminal records from recruiting women on hostess and barmaid "permits." Additionally, in February 2018, the Mayor of Nicosia Turkish Municipality closed four nightclubs, citing the absence of established "legal" frameworks and reports of sexual exploitation, and continued to deny "permit" renewals to the four nightclubs. After a "court" denied the nightclub owners' lawsuit against the municipality, two of the "nightclubs" moved to other localities and the other two ceased operating. 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" did not receive training 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. The "government" reportedly allowed trafficking victims serving as material witnesses against a former employer 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 deported all foreign victims. If the police requested a victim to stay to serve as a witness, the "law" required the "police" to provide temporary accommodation; however, the only shelter for trafficking victims closed in July 2016.

During the reporting period, "TRNC" authorities issued 1,605 six-month "hostess" and "barmaid" "work permits" for individuals working in nightclubs and two pubs operating in the north (1,084 in 2017). As of March 2019, there were 319 women working under such "permits" (400 as of January 2018). Nightclub owners hired female college students 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 Belarus, Moldova, Morocco, 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 638 women (331 in 2017) 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 prostitution. 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 "MOI" regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. The "Nightclub Commission" reportedly inspected approximately five nightclubs every two weeks and followed up on complaints; however, in practice, inspections focus on the sanitation of kitchens and interviews with women working in nightclubs always took place in front of nightclub bodyguards or staff, preventing potential trafficking victims from speaking freely. 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. Authorities deported 40 female nightclub workers after having sought help from the authorities due to complaints regarding their working conditions (47 in 2017). During the reporting period, the "TRNC" issued 3,143 work permits to domestic workers (945 in 2017). Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor.

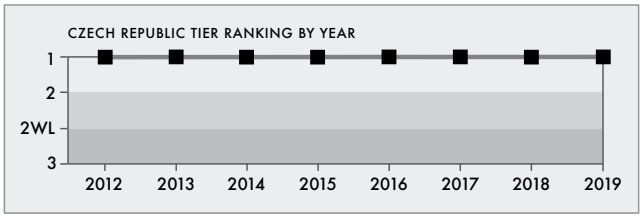
As reported over the past five years, human traffickers exploit domestic and foreign victims in "TRNC." Traffickers subject women from Central Asia, Eastern Europe, and Africa whom traffickers subject to sex trafficking in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a source of tax revenue for the Turkish Cypriot administration; media reports in 2015 estimated nightclub owners paid between 20 million and 30 million Turkish lira ($3.79 million and $5.68 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 China, Nigeria, Pakistan, Philippines, Turkey, Turkmenistan, Vietnam, and Zimbabwe. 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. Romani 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 that a number of women, some of whom may be trafficking victims, entered the "TRNC" on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta. 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 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. • 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. These efforts included convicting more traffickers, issuing significant prison terms to most convicted traffickers, providing comprehensive care for victims, and enhancing coordination among law enforcement and officials at regional and local levels. Although the government meets the minimum standards, judges and prosecutors continued to enforce the trafficking law unevenly and sometimes prosecuted trafficking crimes under the pimping statute, which resulted in no prison time for the majority of convicted offenders under that statute. The government did not obtain a labor trafficking conviction. The government did not effectively screen vulnerable populations for trafficking and failed to adequately identify domestic or foreign victims. Data collection by law enforcement was insufficient; police reported the lowest number of victims identified since 2008. In some cases, the courts suspended the sentences of convicted traffickers, weakening the deterrent effect of the penalties. Labor inspectors remained underutilized in victim identification efforts.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to effectively screen vulnerable populations and identify domestic and foreign victims and refer them to services. • Continue training 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. • Vigorously investigate and prosecute suspected offenders of both sex and labor trafficking using the anti-trafficking statute, and sentence convicted traffickers to significant prison terms. • Improve and reform law enforcement data collection efforts, including by disaggregating sex and labor trafficking case data, and comprehensively report victim data, particularly on victims who do not participate in the Ministry of Interior (MOI) program. •Streamline identification procedures and specialized crisis and long-term case management and increase availability of services for children. • 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 significant sentences. • Train prosecutors and judges on the irrelevance of a victim's initial consent when proving a trafficking crime and utilize victim protection programs for trafficking victims. • Enhance collaboration between the labor inspectorate and police in order to effectively identify potential labor trafficking cases. • Improve victims' ability to access court-ordered restitution in criminal cases and compensation through civil proceedings.

PROSECUTION

The government increased law enforcement efforts. Section 168 of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of 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; this occasional misapplication of the law was inconsistent with its international commitments. 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. Section 204 of the old criminal code prescribed penalties for at most three years, which were significantly lower than the penalties prescribed under Section 168.

In 2018, police initiated 13 trafficking investigations (16 in 2017 and 22 in 2016). Authorities prosecuted 18 defendants under section 168 (16 in 2017 and 19 in 2016). Courts convicted 16 traffickers—all for sex trafficking (nine total convictions for sex and labor trafficking in 2017, eight in 2016, and 19 in 2015); 15 perpetrators were Czech and one was Slovak. Courts sentenced three traffickers to prison terms ranging from one to five years and 10 traffickers to prison terms ranging from five to 15 years. Judges suspended the prison sentences of three additional convicted traffickers (three for three years' imprisonment with five years' probation); two of these also had to pay financial penalties of 500,000 koruna ($22,790) and 200,000 koruna ($9,120) respectively. Courts convicted 48 perpetrators (23 in 2017) of pimping; it was not clear whether any of these cases involved sex trafficking crimes. Three convicted perpetrators received prison sentences (one sentence of one to five years and two of five to 15 years). Two received no sentence and 43 received suspended sentences (42 under section 189 and one under sections 204). The government seized 26,000 koruna ($1,180) in assets from suspected traffickers, compared to 630,000 koruna ($28,710) in 2017. Authorities collaborated with foreign governments on four ongoing transnational investigations. The government trained approximately 300 law enforcement officials, labor inspectors, prosecutors, and judges on investigating and prosecuting trafficking crimes, on par with training efforts in 2017.

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 achieve a conviction. Law enforcement officials said they more easily identified sex trafficking cases than labor trafficking cases. Observers reported prosecutors and judges pursued trafficking cases unevenly due to lack of familiarity with the elements of the crime. Judges were apt to view labor cases as simple fraud, given the subtle use of coercive practices by perpetrators. The MOI had an online version and distributed 1,200 copies of an updated manual with indicators for identification and available services to police and labor inspectors. MOI organized a meeting of 150 law enforcement, asylum and migration officials, minority liaison officers, and state prosecutors to encourage collaboration and share information on trafficking cases and trends in specific Czech regions. The national labor inspectorate conducted 8,300 inspections, and identified approximately 4,580 illegally employed persons (2,900 in 2017), but did not identify any trafficking victims. The government amended the law to expand the authority of labor inspectors to go beyond inspection of labor documents. Experts reported inconsistent collaboration between regional police and labor inspectors, as well as a need for enhanced training for inspectors on labor trafficking indicators. 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 had chronic weaknesses in data collection. The national police changed its data collection methodology in 2017 making it difficult to compare data on victims. Police reported identifying 11 victims (14 in 2017, 38 in 2016, and 92 in 2015, and 67 in 2014), all female children, representing the lowest number of identified victims reported by the police since 2008; it was unclear whether the children were referred for services. However, the MOI reported a different set of police data; according to the MOI, the police referred 10 adult victims to the assistance program, the largest number since 2013. NGOs referred seven (19 in 2017 and 13 in 2016). There were 17 new victims total (five labor trafficking, two sex trafficking, and 10 both sex and labor trafficking) in the program for victim services (24 in 2017, 14 victims in 2016, four in 2015, and 43 in 2014). Of the victims in the program, nine women were from the Philippines, one woman from Sierra Leone, one man from Romania, and six people—three men and three women—from Czech Republic. The government did not officially recognize victims who did not participate in the MOI's victim assistance program. In 2018, government-funded NGOs provided services to 180 potential

victims (137 in 2017). While the government made some effort to identify foreign victims of labor trafficking among the increasing number of illegally employed foreigners from non-EU countries, observers noted there were persistent weaknesses. The government informed foreign worker populations of their rights, requirements and available job offers all around the country in nine different languages on the Ministry of Labor and Social Affairs' (MLSA) official webpage; however, the webpage lacked awareness information on potential trafficking indicators and available services. Border police and asylum and migration officials did not always proactively screen migrants for indicators of trafficking.

The MOI program, which was administered by an NGO, was available to both foreign and Czech adult male and female victims of sex and labor trafficking regardless of their legal status, and required victims to assist law enforcement if they want to stay in the program after 60 days of support, unless subject to a serious health issue. Foreign victims accepted into the program could receive temporary residence and work visas for the duration of relevant legal proceedings, and apply for long-term residency; two new victims received long-term residency in 2018 (none in 2017). The program provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services. Victims could voluntarily withdraw from the program at any time. Victims unwilling to assist 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. During legal proceedings, victims often received a free legal advocate. Although there was a unique national referral mechanism for child and youth victims, observers reported identification procedures, crisis support, and long-term services 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. Child victims received MLSA-funded welfare benefits, such as shelter, food, clothing, and medical and psychological counseling.

The MOI allocated approximately 1.6 million koruna ($72,920) for the victim assistance program and voluntary returns, the same amount as in 2017; the program spent 1.4 million koruna ($63,810). An international organization used some of this funding to repatriate three victims (six in 2017). The MLSA provided an additional 36.37 million koruna ($1.66 million) to support the integration of foreigners and victims of trafficking, compared to 27.5 million koruna ($1.25 million) in 2017, 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.

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 designed a process where potential victims identified in an entrance interview for asylum-seekers would be housed in a guarded facility or, if in immediate danger, referred to NGOs for services; the RFA did not identify any victims in the transit zones in 2017 or 2018.

Victims had the legal option of seeking court-ordered compensation from their traffickers through civil suits and obtaining restitution in criminal proceedings. However, courts rarely issued restitution to victims in criminal cases, and compensation was rare, as victims 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 ordered one convicted trafficker to pay 50,000 koruna ($2,280) to a victim. NGOs reported concern about potential trafficking victims in custody going unidentified.

PREVENTION

The government increased 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 in June 2018. 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 victim assistance program were available for prevention campaigns and field work; the government funded an NGO to conduct a public awareness campaign targeted at individuals vulnerable to labor trafficking and exploitation and to implement a project to raise awareness among secondary students. The MOI, along with the national organized crime agency and civil society groups, organized three trainings on combating trafficking for 200 social workers, crime prevention and minority liaison officers, municipal police officers, labor inspectors, and other local government representatives. The MLSA and the labor inspection office websites published information in multiple languages about foreign workers' rights and laws governing the employment of foreigners, and the MLSA organized a series of free one-day trainings for foreign laborers on how to enter the Czech labor market, which were attended by 400 migrant workers. The website also included a registry of available jobs offered by registered recruitment agencies in nine languages. The government trained 40 consular officers before departing for embassies abroad. The government temporarily stopped issuing authorizations for domestic employees of accredited diplomatic personnel in November because several diplomatic households violated their contracts with their domestic employees.

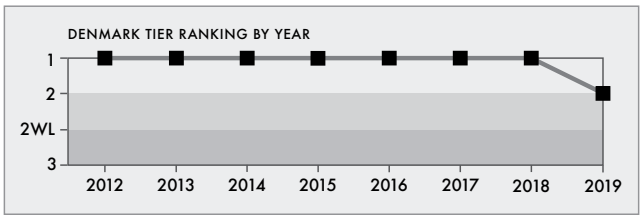
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Czech Republic, and traffickers exploit victims from Czech Republic abroad. Traffickers exploit women, girls, and boys from Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam in sex trafficking in Czech Republic and also transport victims through Czech Republic to other European countries for 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-based coercion, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work. Most identified victims in the country are Czech. Law enforcement reported an increase in non-EU victims. NGOs report labor trafficking was more prevalent than sex trafficking. Traffickers subject Romani women from Czech Republic to forced prostitution and forced labor internally and in destination countries, including the United Kingdom. Most traffickers are Czech citizens, and foreign traffickers

often recruit victims from their home countries and work in cooperation with local Czech citizens. Law enforcement report an increase in "marriages of convenience" where Czech women are recruited through sham marriages with non-EU men and then subjected to sex trafficking and/or forced labor. Private, unregistered labor agencies often used deceptive practices to recruit workers from abroad as well as from inside the country.

DENMARK: TIER 2

The Government of Denmark does not fully meets the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included adopting a three-year national action plan and producing guidelines for businesses on preventing forced labor. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government initiated only one trafficking investigation during the reporting period, largely due to a reduction in the number of officers responsible for investigating human trafficking crimes. Additionally, courts convicted only one trafficker, the lowest number in more than a decade. The government continued to focus on the undocumented status of some foreign victims rather than screening for indicators of trafficking, often incarcerating them during review of their status. Furthermore, lack of incentives for victims to cooperate in investigations, such as residence permits, inhibited successful prosecutions and left victims vulnerable to re-trafficking and reluctant to come forward and work with police. Therefore Denmark was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking cases under the trafficking statute and sentence convicted traffickers to significant prison terms. • Increase the number of police officers investigating trafficking crimes. • Increase incentives for all victims to cooperate in the prosecution of traffickers, including by permitting temporary residency for victims while they assist law enforcement. • Strengthen and streamline victim identification procedures, including by 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. • Allow victims receiving assistance to seek employment or temporary work.

PROSECUTION

The government decreased law enforcement efforts. Section 262(a) of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments 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. Since 2016, the government reassigned a large number of police units to counterterrorism, gang violence, and border security duties, shifting police attention away from trafficking and reducing the number of officers available to conduct investigations. Additionally, in 2018, the head of the police's anti-trafficking unit resigned due to the lack of resources; subsequently, the police folded the unit into the homicide division. Furthermore, police adopted a reactive approach to investigations and were more likely to investigate and charge suspected traffickers for crimes other than trafficking, such as pimping. As a result, during the reporting period, authorities investigated one trafficking case, a decrease from four in 2017, 25 in 2016, and three in 2015. Officials prosecuted three trafficking suspects, compared with two in 2017, three in 2016, and 58 in 2015. Courts convicted one trafficker in 2018, the lowest number of convictions in more than a decade (nine in 2017, 17 in 2016, 12 in 2015), and imposed a sentence of seven years' imprisonment. Experts reported authorities prosecuted limited trafficking cases because of the lack of incentives for victims to cooperate in investigations, escalating a sense of pessimism among police and NGOs about the likelihood of successful prosecutions. Additionally, experts criticized authorities' deficiency to prosecute and convict labor traffickers over the years, despite the significant number of identified victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government's Center against Human Trafficking (CMM) provided police with instructions on trafficking at the police academy and additional training for police who became investigators. CMM also provided guidelines to defense lawyers representing trafficking victims.

PROTECTION

The government decreased protection efforts. Authorities identified 97 trafficking victims in 2018, compared with 98 in 2017. Of these victims, 61 were male, 35 were female, and one identified as transgender. Ten of the identified victims were minors (three in 2017). There were no Danish victims identified, compared with one in 2017. Experts noted authorities identified most victims via periodic police raids, and the trend toward online advertisement of prostitution made identifying sex trafficking victims more difficult. 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, who stated victim identification methods were convoluted and involved them too late in the process. The government provided a list of indicators for police to reference for initial identification and procedures to guide officials in proactive victim identification. Guidelines required police to call CMM if a suspected victim was in custody. 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 an initial CMM interview. Officials had the authority to detain potential victims for 72 hours and could extend this period when they needed more time to determine victim status or immigration status, or to identify traffickers. NGOs contended the current laws and political climate encouraged police officers to focus their efforts on addressing migration issues, thus primarily treating victims as undocumented immigrants subject to the justice system. NGOs also contended the onus of victim identification remained on victims rather than officials' proactive identification, and highlighted that many victims came from communities that distrust law enforcement, making them unlikely to self-

identify. Additionally, experts expressed concern over the lack of incentives, such as residence permits, for victims to cooperate in investigations.

CMM offered assistance to all victims, including information on undocumented victims' options for voluntary return, asylum, or humanitarian residence. In 2018, 89 victims accepted support and entered care facilities (88 in 2017). 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. Although these trafficking-specific services existed, authorities sometimes housed victims with asylum-seekers and refugees. Victims receiving assistance could not seek employment, 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 2018. The Danish Red Cross assisted unaccompanied children and child victims in another facility partially funded by the government and screened all unaccompanied minors in asylum centers for trafficking indicators. Danish Red Cross personnel expressed concern over the growing number of Moroccan boys living in asylum centers forced into petty criminality and the government's lack of response to this development, as well as the overall treatment of children in asylum centers.

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. 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 would cooperate in the investigation of their cases; rather it was a period of time the victims had to cooperate in their repatriation. The government provided those who accepted the prepared return with up to six months temporary residency and training to prevent re-trafficking. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Additionally, traffickers' debt-based coercion and victims' lack of protection in their home countries served as significant deterrents from accepting the prepared return. In 2018, the government did not report the number of trafficking victims who accepted a prepared return (13 in 2017, 12 in 2016). Regardless of whether foreign victims accepted the prepared return, the government provided 50,000 kroner ($7,670) to victims at deportation. Authorities deported undocumented victims who did not accept a prepared return unless they were assisting in the prosecution of a trafficker. The government did not report granting asylum residence permits to victims in 2018 (one in 2017). 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. Government officials adopted a 2019-2021 national action plan. In addition to the 9.4 million kroner ($1.44 million) allocated in 2016 to counter-trafficking efforts through 2020, the government allocated 64 million kroner ($9.82 million) to trafficking programs for the new action plan—a 30 percent decrease from the previous action plan's 88.3 million kroner ($13.55 million) budget. NGOs criticized government officials for misallocating funding in favor of prevention efforts, such as extravagant social media awareness campaigns, rather than prosecution or protection efforts. While the new plan allocated 500,000 kroner ($76,720) for shelters, CMM received 1.3 million kroner ($199,480) for a social media campaign on detecting signs of trafficking. CMM assessed the trend for sex trafficking shifted from the streets to the internet; thus the government provided 2.4 million kroner ($368,270) to an NGO to research escort services, develop methods to identify victims, and create new awareness and outreach campaigns. NGOs also criticized the government's push to decentralize government functions and spread offices around the country, which negatively affected anti-trafficking efforts. The Ministry for Gender Equality allocated 3.9 million kroner ($598,430) for a three-year, Danish trade union project, focusing on developing outreach work among workers vulnerable to forced labor. CMM produced guidelines for businesses on preventing forced labor. The government did not make efforts to reduce the demand for commercial sex. The government did not provide anti-trafficking training to its diplomatic personnel. CMM operated a hotline for reporting trafficking cases in Danish and English; in 2018, the hotline received 277 calls.

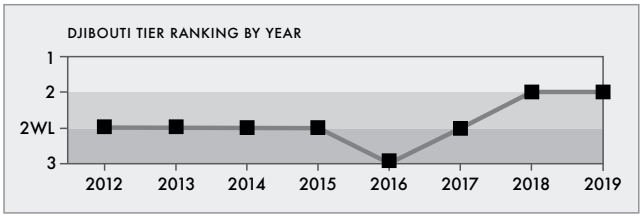
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Denmark, and traffickers, to a lesser extent, exploit victims from Denmark abroad. Traffickers subject men, women, and children from Eastern Europe, Africa, Southeast Asia, and South America to forced labor and sex trafficking in Denmark. For the first time since 2007, Nigerians did not represent the majority of identified victims (Filipinos were the most prevalent nationality), and victims of forced labor outnumbered victims of sex trafficking. Traffickers subject migrants, especially Filipino men, to labor trafficking in trucking, construction, agriculture, domestic service, restaurants, hotels, and factories through debt-based coercion, withheld wages, abuse, and threats of deportation. Traffickers exploit unaccompanied migrant children, particularly Moroccan boys, in sex trafficking and forced labor, including drug trafficking, theft, and other forms of 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. Additionally, NGOs report a trend toward prostitution advertised online rather than on the street. The rise in migrants, asylum-seekers, and refugees entering and transiting Denmark increased the size of the population vulnerable to human trafficking. While more recently the number of asylum-seekers and refugees declined, the number of victims from Romania, Thailand, Nigeria, and other African countries remain high.

DJIBOUTI: TIER 2

The Government of Djibouti does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Djibouti remained on Tier 2. These efforts included allocation of government land to a locally operated NGO for the construction of the country's first overnight shelter. Government officials also authorized an NGO to house vulnerable street children, young migrants, and potential trafficking victims. In addition, officials independently identified and referred 28

potential trafficking victims to protective services and increased funding to ministries with trafficking equities. However, the government did not meet the minimum standards in several key areas. It did not convict any perpetrators of human trafficking, and limited coordination and understanding of trafficking indicators among front-line officials continued to inhibit law enforcement efforts. The government did not fully operationalize its national action plan to combat trafficking for the fourth consecutive year, and victim identification efforts were mostly conducted on an ad hoc basis despite there being a formal mechanism in place.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate and prosecute suspected trafficking offenders under the 2016 anti-trafficking law. • Institute and partner with international experts to provide regular training for judges, prosecutors, and law enforcement officials on the distinctions between trafficking and migrant smuggling and on compiling and interpreting evidence of trafficking crimes in cost-effective manners. • Establish a training program for the Coast Guard to improve identification of potential trafficking victims among migrants transiting by sea. • Provide support, as feasible, for the country's first 24-hour shelter for vulnerable migrants, including trafficking victims. • Widely disseminate and implement standardized procedures for government personnel to proactively identify potential victims, especially among vulnerable populations like migrants or orphans, and transfer them to care. • Continue to strengthen protective services for victims through partnerships with NGOs or international organizations. • Revise, finalize, and implement the extended national action plan. • Continue to coordinate with civil society to spread anti-trafficking awareness nationwide.

PROSECUTION

The government maintained law enforcement efforts to combat trafficking. The 2016 Law No.133, On the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, criminalized sex trafficking and labor 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 forcing a victim into prostitution as aggravating circumstances for which the penalties increased to 10 to 20 years' imprisonment. Law No.111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, remained in effect, also prohibited sex trafficking and labor 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. Definitions and penalties in these two laws sometimes diverged, at times causing confusion that hampered law enforcement, prosecutorial, and judicial officials' ability to prosecute suspected traffickers effectively.

During the reporting year, the government investigated 29 potential trafficking cases, down from 250 investigations during the previous year; however, data from the previous year included many trafficking-related crimes like smuggling or domestic abuse, whereas data from this reporting period did not. The government reported prosecuting 58 suspected traffickers in 29 cases under the 2016 anti-trafficking law, compared to nine cases the prior year. It convicted an unknown number of defendants for smuggling, compared with one conviction in 2017 for forced labor, and also acquitted an unknown number due to insufficient evidence. Severe resource and capacity limitations impeded officials' ability to develop comprehensive investigations of trafficking indicators and crimes. Additionally, limited awareness among the Coast Guard on how to identify trafficking victims among migrants encumbered its ability to gather and collect evidence in potential trafficking crimes effectively. The government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses in 2018.

In 2018, the government newly designated the Ministry of Interior (MOI) as the entity officially responsible for migration issues, to include trafficking. According to civil society stakeholders, this restructuring allowed international partners and NGOs to more effectively coordinate and focus on anti-trafficking initiatives in-country. Furthermore, MOI and the Ministry of Justice (MOJ) held several trainings for technical advisors and judges to strengthen institutional knowledge on law enforcement efforts against trafficking; these trainings reached an unknown number of officials during the year. The government continued to provide in-kind support to anti-trafficking trainings facilitated and funded by international organizations. The MOJ, in collaboration with a foreign government entity, conducted a three-day seminar in Tadjourah to commemorate World Day against Trafficking; the event featured workshops from NGO leaders, government officials, and security services personnel and focused on the legal definition of trafficking, differentiation between trafficking and smuggling, and proper mechanisms to identify victims. Additionally, each law enforcement academy, as part of basic orientation courses, maintained training on recognizing trafficking cases.

PROTECTION

The government increased efforts to protect trafficking victims. Although it had formal identification and referral procedures to guide officials in the proactive identification of victims, relevant officials did not consistently use these procedures. During the reporting period, without assistance from international organizations, authorities identified 28 potential trafficking victims and referred them all to care, an increase from seven it independently identified and assisted the previous year. For each of the 28 individuals, the government worked in tandem with an international organization to provide appropriate services. In addition, the government repatriated approximately 3,000 Ethiopians, which included an unknown number of migrants vulnerable to trafficking; it provided fully funded transportation to the Ethiopian border and subsequently coordinated with Ethiopian officials to conclude the repatriation process. The government continued to grant authority to an international organization to conduct trafficking screenings of all transiting migrants—many of whom were potential trafficking victims—and partnered with this entity to provide water, food, and temporary shelter for more than 1,000 people during the reporting period.

In January 2019, the MOI allocated government land to a locally operated NGO for the construction of a shelter for unaccompanied migrant and highly vulnerable street children—

the first secure, 24-hour dormitory in the country that could appropriately house trafficking victims. For the first time, the government also permitted one NGO and other organizations working with orphans to host minors at their respective facilities overnight; many of these vulnerable children previously slept on the streets or along Siesta Beach—a spot once notorious for trafficking. Separately, the Coast Guard provided clothing and food to vulnerable migrants stranded at sea and transported them to care provided by an international organization, typically in Khor Angar. Additionally, the government continued its administration and funding of three migrant response centers (MRCs) across the country, in Loyada, Obock, and Khor Angar, which included office and short-term living quarters staffed and operated by an international organization, along routes heavily traversed by migrants. Since 2017, the Ministry of Health has provided one full-time doctor—trained to identify trafficking indicators—to the National Union for Djiboutian Women counseling center, a facility that deals with trafficking cases among other crimes. Also during the year, health officials, in partnership with an international organization, continued to operate five mobile clinics in Djibouti's critical regions to provide care for the more than 300 Ethiopians who transited Djibouti daily to reach the Arabian Gulf. In addition, the Women and Family Promotion Ministry, in partnership with the European Union, executed and validated a qualitative research study to examine the plight of street children, one of the groups most vulnerable to exploitation. This ministry also increased the presence of social workers in Djibouti's rural areas to respond to instances of abuse, including trafficking, marking the first time rural citizens had access to counseling.

Key ministries that supported groups vulnerable to trafficking increased transparency regarding funding and provided significant resources during the reporting period, despite being overall resource-strapped. The government increased its funding from more than 90 million Djiboutian francs to more than 140 million Djiboutian francs ($508,470 to $790,960) to relevant ministries, MRCs, transit centers, and local NGOs, which operated counseling centers and other programs—including a hotline—that assisted potential trafficking victims during the year. The 2016 anti-trafficking law included provisions allowing trafficking victims temporary residency during judicial proceedings and permanent residency, as necessary, as a legal alternative to removal to countries where victims might face hardship or retribution; it was unclear whether the government employed these provisions during the reporting year. Additionally, the 2016 law directed the government to provide necessary victims legal assistance and an interpreter, in addition to psychological, medical, and social assistance. There were no reports the government penalized victims for unlawful acts traffickers compelled them to commit; however, due to irregular implementation of formal identification procedures, trafficking victims may have remained unidentified within the law enforcement system.

PREVENTION

The government increased its efforts to prevent trafficking. During the reporting period, the government continued revisions to its 2015-2022 national action plan but did not fully operationalize it for the fourth consecutive year, due in part to the recent transfer of responsibilities to the MOI. The justice ministry's website featured the government's anti-trafficking efforts throughout the year and publicized articles on human trafficking in addition to Djibouti's anti-trafficking law. The state-sponsored press also publicized articles on every anti-trafficking outreach event in Djibouti and included informational materials targeted to vulnerable groups, including street children and domestic violence victims. As part of the World Day against Trafficking, justice officials, in partnership with a foreign government entity, organized a three-day seminar to raise awareness on the dangers of trafficking among rural communities; an NGO provided the venue, and officials contributed refreshments, circulated invitations, and coordinated with the state-sponsored press to report on the event. This event culminated in a series of recommendations to improve inter-ministerial coordination on trafficking in remote locales. Additionally, officials worked with the Islamic High Council to produce sermons that contained trafficking awareness elements. In December 2018, justice sector officials hosted an event to socialize the issue of trafficking among imams and other religious leaders in Djibouti City. The Women's Ministry promulgated on the local radio and television stations its hotline for domestic abuse cases, which also included instances of sex trafficking, but did not report the number of trafficking or related calls it received or if it identified any traffickers as a result. In March 2019, the MOI, in partnership with the UN, organized a three-day workshop with representatives from law enforcement, judicial sector officials, and other ministries to foster a better understanding of the rights of children, particularly as they relate to 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 once notorious for commercial sex transactions—and the inspector general continued its unannounced public inspections at the sites of foreign companies throughout the country. Djibouti's armed forces—via a train-the-trainer program—provided pre-deployment civil-military training to their personnel to ensure service members did not engage in or facilitate any form of trafficking 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

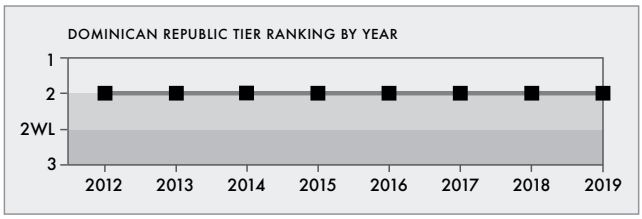
As reported over the past five years, human traffickers exploit domestic and foreign victims in Djibouti. Men, women, and children, primarily economic migrants from Ethiopia and Somalia, transit Djibouti voluntarily en route to Yemen and other locations in the Middle East, particularly Saudi Arabia. An unknown number of these migrants are subjected to forced labor and sex trafficking in their intended destinations, and these irregular migrants are also at increased risk of becoming trafficking victims in various transit points. Economic migrants also pass through Djibouti to return to their respective countries of origin. According to government estimates and an international organization, in 2018 more than 150,000 people embarked on the sea crossing from the Horn of Africa to Yemen, contributing to the highest annual total of the past decade. During the reporting year, approximately 91,500 Ethiopian migrants transited Djibouti (population of one million)—more than 300 each day—thereby putting a significant strain on the government's resources. In addition to this substantial influx of migrants, the civil war in Yemen continued to generate a reverse flow of persons from Yemen to Djibouti. The government allowed roughly 37,500 people of diverse nationalities to enter freely and take refuge since the start of the Yemeni war in 2015; some of them had endured various types of exploitation, possibly including trafficking, before their arrival in Djibouti. Given the protracted political instability in

Ethiopia's Oromia and Somali regions, Ethiopians, including unaccompanied minors, continued to journey on foot from Ethiopia to Djibouti either to claim asylum with their families or to continue onward to destination countries in the Arabian Gulf, thereby causing an uptick in refugee camp populations by approximately 2,000; austere and overcrowded conditions in these camps perpetuated trafficking vulnerabilities.

During the reporting period, officials identified an increasing number of vulnerable minors in Djibouti City, particularly along the Siesta Beach road, and subsequently increased their presence along the beach and its surroundings to deter trafficking crimes. Djiboutian and migrant women and street children are vulnerable to sex trafficking in Djibouti City, the Ethiopia-Djibouti trucking corridor, and Obock, the main departure and arrival point for Yemen. Some smugglers may transport or detain migrants against their will and subsequently subject them 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 transiting Djibouti, including children, for ransom. 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—to beg in Djibouti.

DOMINICAN REPUBLIC: TIER 2

The Government of the Dominican Republic does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore the Dominican Republic remained on Tier 2. These efforts included convicting more traffickers and issuing severe penalties to several of them, developing a new national action plan, and increasing efforts to combat labor trafficking. However, the government did not meet the minimum standards in several key areas. The government investigated and prosecuted fewer cases and issued inadequate sentences to some convicted traffickers. The government did not offer comprehensive and sufficient specialized services for all victims and did not effectively screen for trafficking indicators or refer victims to care.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers involved in forced labor and sex trafficking, including complicit government officials. • Provide a dedicated budget to fully implement the national action plan. • Provide adequate human and financial resources and training to law enforcement, prosecutors, and judges to combat trafficking, particularly in areas outside of Santo Domingo. • Adequately fund and provide comprehensive, specialized services for victims. • Increase efforts to identify and combat child sex trafficking, including child sex tourism. • Proactively screen for trafficking indicators among Venezuelans 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. • Fully implement protocols to identify adult and child trafficking victims and refer them to protective services. • Amend the 2003 anti-trafficking law to remove the requirement to prove force, fraud, and coercion of sex trafficking victims younger than 18 years of age and in order to be consistent with international law.

PROSECUTION

The government maintained prosecution efforts, but a lack of resources and personnel and leadership turnover hampered efforts. Dominican law criminalized sex trafficking 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. Article 25 of the Child Protection Code of 2003 criminalized the offering, delivering, or accepting, without regard to means used, anyone younger than 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. All these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In partnership with NGOs and a foreign donor, the government began efforts to revise its law to remove the need to prove force, fraud, or coercion for child sex trafficking.

In 2018, the Attorney General's Office initiated 11 investigations (17 in 2017, 25 in 2016, and 15 in 2015) and prosecuted five cases involving 14 suspected traffickers. This is compared with 20 traffickers prosecuted in 2017, 40 traffickers in 2016, and 49 traffickers in 2015. The Attorney General's Office secured convictions of 22 defendants in nine cases of sex trafficking and one case of sex and labor trafficking in 2018, compared to 16 defendants convicted in 13 cases in 2017 and 13 defendants convicted in seven cases in 2016. Seventy percent of the 2018 convictions occurred in cases with underage victims. A court sentenced one trafficker to 25 years in prison, the maximum sentence prescribed by the trafficking law due to the existence of aggravating circumstances, and ordered the trafficker to pay 500,000 Dominican pesos ($10,010) compensation to each of the three victims. Two traffickers received sentences of 15 years in prison. Other sentences ranged from two to 10 years, with three including a portion of the sentence suspended and one taking into account time served. During the reporting period, the court of appeals upheld a 2017 guilty verdict in one trafficking case. In 2017, the government charged two police officers and two members of the military with sex trafficking; authorities suspended these individuals from their jobs and held them in pretrial detention pending the outcome of their court cases. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The national police anti-trafficking unit (ATU) opened 45 investigations in 2018; this compared with 83 investigations in 2017. The national police also conducted six raids in sex trafficking cases, versus seven in 2017, three in 2016, and none in 2015. In addition, in 2018, two foreigners (German, Italian) were charged and four foreigners were convicted (Canadian,

Italian, French, and American) with child sex tourism. In 2017, the Attorney General's Office charged 12 foreigners (American, Canadian, German, and Venezuelan) with child sex tourism and convicted four of them; the other eight cases were pending. The police reported 18 open investigations related to child sex tourism in Sosua and Puerto Plata and five in Boca Chica. The government cooperated with the United States, Belgium, Argentina, and Spain, on investigations and prosecutions of traffickers; this included the 2017 arrest and joint U.S.-Dominican investigation of a U.S. citizen for child sex trafficking, which resulted in a 2018 U.S. conviction. The government announced it significantly increased its military and law enforcement presence along the border. However, the limited number of police officers dedicated to combat trafficking, lack of resources, and procedural inefficiency hindered progress.

In September 2018, the Attorney General replaced many of his top and more experienced prosecutors, including the prosecutor for the specialized anti-trafficking unit. The leadership for the unit changed twice within the last year, and the Attorney General's office had only two prosecutors for the majority of the reporting period—half the number of previous years. Although the office added one additional prosecutor in late 2018, experts noted the lack of human and financial resources for prosecution was an area of urgent concern. The government's anti-trafficking resources were concentrated in Santo Domingo, resulting in gaps in other areas of the country. Judges, prosecutors, and police lacked specialized training in investigating, identifying, prosecuting, and sentencing those accused of trafficking crimes. Experts reported observing some judges favored the rights of defendants over the rights of trafficking victims. In 2018, 480 National Police officers received training on investigations and victim identification by an international organization; this was an increase from 300 officers trained in 2017. With funding from a foreign donor, 32 prosecutors from throughout the Dominican Republic received training on trafficking cases.

PROTECTION

The government maintained victim protection efforts. Authorities identified 96 victims (84 sex trafficking, 12 labor trafficking), compared with 102 sex trafficking victims identified in 2017 and 157 sex trafficking victims in 2016. All 96 were female and included 25 minors and 71 adults. Sixty-eight of the 71 adults were foreigners. In collaboration with other government agencies, international organizations, and NGOs, the ATU provided foreign and domestic trafficking victims accommodation in shelters, psychological, and legal assistance, reintegration and repatriation assistance, medical services, and support for higher education. The government permitted victims to work. According to NGOs, fifteen victims participated in the legal process of their cases. With NGO funding, the government assisted in the repatriation of four Venezuelan adult victims of trafficking to their country of origin. The government referred 40 victims to shelters and care centers; the remainder chose to stay with family members or acquaintances. The government coordinated housing and an airline ticket for a Dominican victim in Nicaragua, as well as an airplane ticket for a Dominican victim in Bahrain.

The government reported spending 545,500 Dominican pesos ($10,920) for victim assistance. NGOs reported victim services were ad hoc, minimal, and not well coordinated or specialized. The government did not report the amount of assistance spent on victims. Authorities and observers noted the government lacked adequate funding, shelter capacity, trained personnel, equipment, and knowledge to provide adequate victim protection. There were no full-time government shelters for adult trafficking victims. In June 2018, the government signed an agreement with the Dominican Conference of Religious Men and Women to operate Casa Malala, which would be the government's first adult victim shelter in Santo Domingo, but the shelter was not open full-time while the government developed a protocol governing its operation. Child trafficking victims were sheltered with other children in government centers that were unable to offer specialized, expert care.

Government officials reported having protocols to identify and assist adult and child trafficking victims; however, authorities did not fully or effectively implement the protocols across all levels of government nationwide. The government worked with NGOs to screen for potential victims; experts reported the lack of a formal referral process for victims. The government had protocols to screen for trafficking victims when detaining or arresting individuals in vulnerable groups, but authorities acknowledged that they have not yet applied them effectively. Experts assessed the government did not have the capacity to effectively screen adult Haitian migrants who might be victims of trafficking before facing penalties and being deported back to Haiti. The government, working with NGOs, offered protection to trafficking victims during the legal process. However, the court system lacked a sufficient number of specialized cameras to allow victims to be interviewed in a safe environment when necessary to avoid re-traumatization. Experts reported victims could give testimony by video or written statements. The government provided legal assistance to victims who wished to file civil suits against their traffickers. In 2018, two convictions required the traffickers pay restitution to the victims: in one case 500,000 Dominican pesos ($10,010); and a second case was an upheld appeals case that required 150,000 Dominican pesos ($3,000). This is compared with no victims receiving restitution in 2017 or 2016. The National Institute of Migration (INM), an autonomous government agency, offered a certificate program to employees of the Ministry of the Interior and Police on providing protection and assistance to women and girl victims of trafficking; 45 individuals received training through this program. In November 2018, the government partnered with an NGO and provided in-kind assistance to host a workshop on caring for child survivors of sexual exploitation; thirty-five officials from Santo Domingo, Sabana Perdida, Boca Chica, and Los Alcarrizos participated.

PREVENTION

The government increased prevention efforts. In May 2018, the government adopted a new national anti-trafficking plan, which replaced the national plan that expired in 2014. The plan assigned goals, responsibilities, and deadlines to each of the 14 government agencies comprising the Inter-institutional Commission Against the Trafficking of Persons and Illicit Smuggling of Migrants (CITIM), overseen by the Ministry of Foreign Affairs. By the end of the reporting period, the government did not specify whether it allocated the necessary human and financial resources in the national budget to support the plan. Observers lauded the plan's content but questioned whether the government would devote sufficient resources to its implementation.

Authorities noted improved attention and partnerships to identify and combat potential labor trafficking cases. In 2018, the Ministry of Labor completed an externally funded assessment project carried out by an international organization that analyzed the strengths and weaknesses of the Inspections Department of the Ministry of Labor. The government planned

to use this assessment to create a roadmap for improvement. The Ministry of Labor accepted a grant from an external funder to strengthen its technical capacity and raise private sector awareness of the worst forms of child labor, including labor trafficking, with the help of an international organization. The Ministry of Labor participated in a training program sponsored by a foreign government on trafficking and is working with an international organization to increase capacity, including increasing awareness and understanding of how to identify and combat labor trafficking.

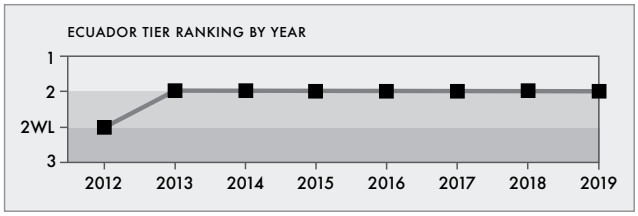
The government, in partnership with NGOs and the Dominican airport agency, which provided space for the event, launched a campaign against sexual exploitation and abuse of minors, which included trafficking, at several airports; authorities also sent these campaign materials to Dominican embassies. The Attorney General's office partnered with a foreign donor to host a conference to raise awareness about the importance of protecting victims' rights in criminal proceedings, strengthening inter-institutional cooperation and coordination, and improving use of new technologies to counter the online recruitment and exploitation of children, women, and men. The Ministry of Education and the Dominican Federation of Municipalities participated in a foreign donor-sponsored program on preventing trafficking that trained 252 public school counselors and 40-plus technicians from the Ministry of Education, 25 vice-mayors, and 55 municipal officials who work with women and youth in the National District, Puerto Plata, Samaná, San Juan and Santiago. These officials in turn provided training for at least 12,600 teenage student leaders at schools in those locations. The Ministry of Women conducted training workshops for six municipal networks on the prevention and detection of trafficking cases, as well as a workshop on trafficking for 911 emergency lines. The government partnered with an international organization and conducted a "training of trainers" program for specialized tourist police in Puerto Plata, hotel, and restaurant security mangers in Bavaro and Punta Cana, and hotel managers in Boca Chica. The government compiled data on its anti-trafficking efforts and published its annual report. INM also started a new project with a foreign government focused on increasing the capacity of journalists to report on trafficking crimes. The government operated a national trafficking hotline 24 hours a day. The government did not provide information on the number of calls received or investigated. 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, human traffickers exploit domestic and foreign victims in the Dominican Republic, and traffickers exploit victims from the Dominican Republic abroad. Dominican women and children were sex trafficking victims throughout the Dominican Republic, the Caribbean, South and Central America, Europe, the Middle East, and the United States. Foreign national victims from the Caribbean, Asia, and Latin America were trafficking victims in the Dominican Republic. Experts noted an increase in the number of Venezuelan trafficking victims in the Dominican Republic since the onset of Venezuela's economic and political crisis. The Dominican Republic is a destination for sex tourists primarily from North America and Europe, who target Dominican children for child sex trafficking. 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 traffickers recruiting Colombian and increasingly Venezuelan women to dance in strip clubs and later coerce them into sex trafficking. Traffickers lure Dominican women to work in nightclubs in the Middle East, Africa, 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. 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ecuador remained on Tier 2. These efforts included identifying and assisting more victims, including Venezuelans, establishing a new specialized shelter for adolescent victims, and developing and implementing a case management database. However, the government did not meet the minimum standards in several key areas. Efforts were inadequate in some coastal cities with a notable prevalence of sex and labor trafficking. The Ministry of Labor made insufficient efforts to address labor trafficking, and specialized services for all victims remained unavailable in most of the country. The government investigated, prosecuted, and convicted fewer cases.



PRIORITIZED RECOMMENDATIONS:

Strengthen the provision of specialized services for trafficking victims, including for boys, adults, girls under the age of 12, and victims of forced labor. • Vigorously investigate, prosecute, and convict traffickers, including public officials complicit in trafficking. • Increase efforts to combat trafficking in coastal cities, particularly Guayaquil. • Consider adopting a comprehensive anti-trafficking law that criminalizes trafficking in line with international definitions and stipulates protection measures and preventive techniques to combat trafficking. • Increase use of the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as irregular migrants, LGBTI individuals, and individuals in prostitution. • Train labor officials on trafficking indicators and expand the Ministry of Labor's mandate to include inspections of the informal sector. • Provide adequate funding and increase staffing of the anti-trafficking unit. • Train all officials working on trafficking cases on victim-centered investigative techniques. • Increase

victim-centered anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification. • Establish an office for a specialized prosecutor to focus solely on trafficking crimes. • Partner with civil society to finalize, resource, and implement the national anti-trafficking action plan. • Approve and implement the recently introduced protocol to enhance interagency coordination in the provision of victim services.

PROSECUTION

The government decreased law enforcement efforts. Articles 91 and 92 of the 2014 Criminal Code (COIP) criminalized sex trafficking 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 pornography, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and genetic materials of living persons. Observers indicated that the absence of comprehensive anti-trafficking legislation remained one of the biggest challenges in the fight against trafficking since the COIP did not stipulate protection mechanisms for victims or establish guidelines for preventive measures.

Although the law defined trafficking more broadly than the definition under international law, the government-reported data for 2018 included details that identified which cases met the international definition of sex and labor trafficking; data on 2017 cases continued to include crimes outside the international definition, making it difficult to compare efforts. The Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling reported the government initiated 139 investigations into alleged trafficking cases in 2018 (compared with 171 in 2017). The government arrested 18 suspected traffickers and conducted 13 anti-trafficking operations (compared with conducting 23 operations and arresting 44 suspected traffickers in 2017). Authorities prosecuted 24 cases (61 prosecutions in 2017), 22 for sex trafficking and two for forced labor, and convicted 19 traffickers (31 in 2017), 18 for sex trafficking and one for forced labor. Sentences for traffickers ranged from four to 25 years' imprisonment.

The Anti-Trafficking Unit (ATU), under the command of the National Police Unit for Crimes against Children and Adolescents (DINAPEN), was the primary law enforcement unit responsible for investigating trafficking cases. Officials from the ATU received extensive training on victim-centered investigative techniques, but remained critically understaffed and under-resourced. The ATU had 10 officers and frequent rotation of staff for mandatory police training reduced the number of active staff to six officers for most of the year. Although ATU officials received mandatory annual training on trafficking and officers applied a victim-centered approach to investigations, observers reported some officials outside of the ATU did not handle anti-trafficking operations with a victim-centered approach. The Specialized Prosecutor's Office in Transnational and International Organized Crime (FEDOTI) had prosecutorial responsibility for trafficking cases at the national level; however, due to its broad mandate, the majority of its work focused on the prosecution of non-trafficking crimes. Authorities recognized that sex trafficking was most prevalent in coastal provinces; however, government efforts to prosecute, protect, and prevent trafficking in major port cities like Guayaquil were deficient.

The government provided in-kind support to an international organization to train migration officials and first responders on trafficking indicators, mostly as a response to a mass influx of Venezuelan refugees and migrants. The Ministry of Labor (MOL) did not train labor inspectors on trafficking indicators, and the agency's mandate did not include investigations of accusations of abuse in informal sectors. NGOs and some government officials expressed concern the MOL did not make sufficient efforts to investigate labor trafficking crimes. The government did not report investigating, prosecuting, or convicting any new cases of official complicity; however, most complicity cases from previous years remained open, including the case involving officials in Guayaquil who allegedly issued fraudulent identity documents to adolescent girls later trafficked in commercial sex. Together with Colombia, the government offered a workshop for officials on victim identification, differentiating between trafficking and other crimes, and techniques for interviewing potential victims.

PROTECTION

The government increased protection efforts. Authorities identified 167 victims and assisted 152 (compared with 56 assisted in 2017 and 75 in 2016). NGOs identified and assisted an additional 89 potential child trafficking victims (compared to 70 in 2017). It was unclear how many government- and NGO-identified cases involved trafficking as defined in international law given the overlapping trafficking-related criminal offenses. According to the Ministry of Interior (MOI), authorities identified 31 Venezuelan women and five Venezuelan girls as victims but did not report if these victims were included in the total number of victims identified.

The government had a victim identification manual to aid with the proactive identification of victims and authorities regularly referred victims to services. In 2018, the MOI drafted a protocol for strengthening interagency cooperation on trafficking crimes; approval for the plan was pending at the end of the reporting period. Authorities, in partnership with NGOs, continued to provide emergency and medium-term services to victims, including medical, legal, psychological, and educational support, in addition to specialized shelter for underage female victims. Insufficient services and shelters for boys, adult victims of trafficking, and girls under 12, continued to be a concern. These victims had limited options for general services through care centers providing ambulatory services by interdisciplinary teams formed by psychologists, social workers, and attorneys. Two specialized shelters with limited government funding provided services to female adolescent sex trafficking victims. Police reported challenges finding shelters for victims, particularly in provinces outside the capital; as a result, police sometimes placed victims in non-specialized shelters until space in a shelter became available. Observers expressed concern that some local officials did not provide Venezuelan victims with protection services due to insufficient understanding of their obligation to assist. An NGO reported one case in which the provincial state attorney's office in Carchi province rejected a claim for assistance from a Venezuelan adolescent female self-identified as a victim of trafficking; presumably leaving the victim unprotected and vulnerable to re-trafficking. Authorities reported allocating $1.44 million for victim protection and assistance through its federal budget; however, civil society organizations continued to express concern over insufficient funding for victim protection.

The Office of the Prosecutor General had a formal witness protection program (SPAVT) that provided immediate support to victims, allowing a 30-day reflection period before deciding whether to participate in the penal process against their traffickers. If victims chose to assist in the prosecution of their traffickers, the government continued to provide services; otherwise, officials referred underage victims to the Ministry of Social and Economic Inclusion and adult victims to the Human Rights Secretariat to assist with their reintegration. Services offered by the SPAVT included shelter, medical assistance, legal support, psychological care, job placement, and assistance with school or university admissions. In 2018, the SPAVT inaugurated a new specialized shelter that could house up to 21 female adolescent victims. The SPAVT program assisted 18 victims during the year, compared with 31 in 2017. Foreign victims were entitled by law to the same services as domestic victims. The government had mechanisms to repatriate victims, and Ecuadorian diplomatic and consular missions abroad had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation. In 2018, the government provided lodging, food, medical care, and other essential services for 14 Ecuadorian victims identified abroad. Authorities funded the return ticket for four victims and coordinated the return of all 14 victims. 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 and in cases where the victims wish to repatriate, the government assisted. During the reporting period, the government returned one Venezuelan victim and reported taking measures to verify the victim's safety upon return. In 2018, authorities developed a database that registered the progress of trafficking and smuggling cases to ensure timely access to care, data collection, and general information on the status of each case.

PREVENTION

The government increased prevention efforts. The MOI chaired the Anti-Trafficking in Persons Committee, and the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling was the committee's technical secretariat. The government continued to use the 2006 national action plan, and with the support from a foreign government and an international organization, it began the development of a new national action plan. For five months of the year, officials from the anti-trafficking committee disseminated prevention material and information on reporting trafficking crimes at major bus terminals around the capital, reaching daily riders, including Venezuelan migrants. Authorities conducted 21 awareness-raising events targeting the public and some youth. The MOI also launched a series of illustrated advertisements and a social media campaign to raise awareness. In September 2018, authorities from Colombia and Ecuador held a bi-national fair at a main border crossing to educate the public about trafficking; the event reached over 1,000 people. The criminal code prohibited sex tourism, but the government reported there were no investigations, prosecutions, or convictions of child sex tourists in 2018.

The Ministry of Tourism (MOT) conducted inspections of hotels to ensure compliance with regulations to prohibit the entry of children vulnerable to sex or labor trafficking. In 2018, the MOT provided training to 32 travel agents through an optional online course focused on victim identification. The MOL required employers to register the contract of all foreign workers so authorities could verify adequate work conditions and salaries. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. The government operated a hotline where the public can report crimes, and in 2018, calls to the hotline led to the identification of seven Venezuelan victims.

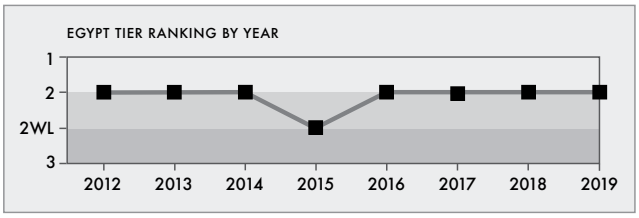
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Ecuador, and traffickers exploit victims from Ecuador abroad. Traffickers exploit Ecuadorian men, women, and children in sex trafficking and forced labor within the country, including in domestic service, begging, banana and palm plantations, floriculture, shrimp farming, fishing, sweatshops, street vending, mining, and other areas of the informal economy. Sixty percent of underage female sex trafficking victims identified and assisted domestically by one of the specialized shelters came from the city of Quevedo. Indigenous and Afro-Ecuadorians, Colombian refugees, and Venezuelan migrants are particularly vulnerable to trafficking. Women, children, refugees, and migrants continued to be the most vulnerable to sex trafficking; LGBTI individuals also remain vulnerable to sex trafficking. Traffickers 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, and forced labor for domestic service and 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, in domestic service, 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. Traffickers exploit Ecuadorian men, women, and children in sex trafficking and forced labor 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 before 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Egypt remained on Tier 2. The government identified more victims through the national anti-trafficking hotline, it updated, implemented, and identified points of contact to better implement the National Victim Referral Mechanism, and it signed an interagency protocol to establish a shelter for trafficking victims. The government continued to prosecute and convict alleged traffickers, and the National Coordinating Committee on Preventing and Combating Illegal

Migration (NCCPIM & TIP) continued to coordinate inter-ministerial anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. The government did not report referring or assisting the large majority of trafficking victims it identified during the reporting period. The government remained without effective victim identification and referral procedures; as a result, authorities may have penalized identified and unidentified victims for unlawful acts traffickers compelled them to commit, such as immigration violations. As in the previous reporting period, the government continued to lack appropriate protection services, including shelters, for victims of all forms of trafficking, and it did not provide in-kind support or funding to civil society organizations that provided essential victim care.



PRIORITIZED RECOMMENDATIONS:

Implement country-wide procedures and guidelines for law enforcement, judicial, and other relevant officials to proactively identify and refer trafficking victims to appropriate care. • Provide protection services to victims of all forms of trafficking, including dedicated shelters, and allocate adequate resources for these services. • Ensure trafficking victims are not treated as criminals for unlawful acts traffickers compelled them to commit, such as immigration violations. • Increase and track investigations, prosecutions, and convictions of sex and labor trafficking, and punish offenders—including complicit officials and child sex tourists—with sufficiently stringent sentences. • Continue to use the specialized trafficking courts and train judicial officials in these courts on the anti-trafficking law and utilizing a victim-centered approach for the treatment of victims and witnesses of trafficking crimes during investigations and court proceedings. • Continue training for all government officials, including police, security officials, judges, prosecutors, and social workers, on implementation of the anti-trafficking law, victim identification techniques, and victim referral procedures. • Increase efforts to address and reduce the demand for "summer marriages" and commercial sex acts. • Provide a clear legal basis for NGOs to provide services to trafficking victims and populations vulnerable to human trafficking. • Amend the labor law to include labor protections for Egyptian and foreign domestic workers. • Increase funding and staffing for NCCPIM & TIP to better lead national anti-trafficking efforts. • Improve data collection for human trafficking cases and disaggregate sex, labor, and other forms of trafficking. • Continue ongoing nationwide awareness campaigns.

PROSECUTION

The government demonstrated mixed prosecution efforts. The 2010 anti-trafficking law criminalized sex trafficking 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. During the reporting period, the government investigated 78 cases of alleged human trafficking crimes, 21 of which were ongoing at the end of the reporting period. The 78 investigations represented an increase from 23 in 2017. At the end of 2018, the government referred 44 cases for prosecution involving 60 total alleged perpetrators charged for sex trafficking and child trafficking that involved child marriage, but it did not provide the details of these cases. This compared to the previous reporting period during which the government referred 41 cases for prosecution but did not provide case details. The government reported it secured convictions in 11 trafficking cases in 2018, in comparison to three traffickers convicted in 2017 who received sentences of four to ten years' imprisonment. In March 2019, the media reported the government convicted 40 individuals, including a government official, for sexual exploitation and smuggling of migrant children; these perpetrators reportedly received sentences of three to 16 years' imprisonment. NGOs reported that local police, security services, and other governmental personnel continued to lack an understanding of trafficking. Although the Ministry of Justice (MOJ) maintained 27 judges in eight specialized chambers in the courts of appeal in three governorates to prosecute human trafficking cases, NGOs reported these courts were not fully utilized during the reporting period and the MOJ did not share detailed information on the resources, staffing, or responsibilities of these courts.

Although the government had legal guidelines for evidence collection, prosecution of trafficking cases, and victim protection, relevant authorities did not fully implement the guidelines during the reporting period and continued to cooperate with an international organization to update them. In 2018, the NCCPIM & TIP and other governmental agencies—in cooperation with international organizations—provided several trainings to hundreds of police officers, judges, prosecutors, social workers, and civil society representatives. The Ministry of Interior (MOI) continued to include anti-trafficking educational materials as a part of its annual trainings and curriculum for new police officers. The Ministries of Foreign Affairs and Defense also included anti-trafficking modules in basic trainings for officials.

PROTECTION

The government maintained weak victim identification and protection efforts. The government remained without an effective victim identification and referral system; however, NCCPIM & TIP updated, disseminated, and identified specific points of contact to better implement the national victim referral mechanism during the reporting period. The government did not report referring or assisting the large majority of trafficking victims it identified during the reporting period. The government's anti-trafficking hotline identified 42 potential child trafficking victims, which represented a slight increase from 33 potential victims identified by the hotline in the prior reporting period; however, the government did not report referral of these 42 potential victims to protection services. The government identified 13 trafficking victims during a law enforcement investigation and referred them to protection services. However, ineffective victim identification and referral procedures and policies may have contributed to authorities punishing or penalizing identified and unidentified victims for illegal acts such as immigration violations. For example, while the government waived all visa overstay fees for refugees and asylum-seekers, there was no exemption for trafficking victims. Therefore authorities may have arrested and deported some identified and unidentified victims for illegal immigration or unauthorized employment violations.

The government's provision of appropriate protection services to victims of all forms of trafficking remained weak.

The government remained without shelter or other essential rehabilitative services specifically dedicated to the needs of trafficking victims. Thirty-three government-run shelters for other vulnerable populations were reportedly available to adult and child trafficking victims, some of which could serve foreign victims; however, observers reported 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 inadequate assistance available. In October 2018, the government signed an interagency protocol to establish a shelter for Egyptian female and child trafficking victims and requested funding for such a shelter, scheduled to open in 2020. The shelter would not be available for foreign trafficking victims, despite recommendations from civil society to allow foreign victims care at this shelter. The Ministry of Social Solidarity continued to operate 17 mobile units that provided legal, medical, psychological, and social services to street children, a population highly vulnerable to trafficking; in 2018, the units assisted 14,671 children, but the government did not report if the units identified or referred to protection services any potential child trafficking victims among this population. An NGO—in partnership with the National Council for Childhood and Motherhood (NCCM)—reportedly operated a daytime center for the rehabilitation of trafficking victims, but the government did not report if any trafficking victims received care at this center. The government continued to rely on international and civil society organizations to provide and fund victim assistance, 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.

The anti-trafficking law guaranteed protection of witnesses of trafficking crimes. NCCPIM & TIP reported the MOI allowed foreign trafficking victims residency status, but it did not report providing this status to any victims during the reporting period. During the reporting period, Egyptian authorities coordinated with the Embassy of the Republic of the Congo (ROC) to assist a Beninese child trafficking victim to return home to the ROC. During the reporting period, the government reported the Egyptian embassy in Beirut, Lebanon assisted an unknown number of Egyptian nationals, who were fraudulently recruited and falsely promised employment by a recruitment agency in Lebanon leaving them vulnerable to trafficking. The embassy helped some of them find jobs or assisted in legalizing their status in Lebanon, while the Lebanese government deported some of them back to Egypt; the government did not report if any of those that were deported received reintegration assistance or other social services upon their return to Egypt.

PREVENTION

The government maintained efforts to prevent human trafficking. Lack of financial resources in the government budget remained a significant impediment to implementation of anti-trafficking programs, including prevention efforts. NCCPIM & TIP continued to coordinate inter-ministerial anti-trafficking efforts throughout the reporting period; however, NGOs reported NCCPIM & TIP was not fully staffed with trafficking experts, which hindered its ability to lead national anti-trafficking efforts or provide appropriate training for police, judicial officials, and prosecutors. The government reportedly continued to implement and update the 2016-2021 National Strategy for Combating and Preventing Trafficking in Persons, but the government did not report specific efforts to do so or information on the resources allocated for implementation of the plan. During the reporting period, President Sisi publicly acknowledged the importance of prioritizing the fight against trafficking, and NCCPIM & TIP cooperated with African Union (AU) member states to increase cooperation on human trafficking issues during and after Egypt's presidency of the AU. In December 2018, the NCCPIM & TIP developed a map that identified the governorates and districts in Egypt where trafficking was most prevalent based on prosecution data and complaints reported by the anti-trafficking hotline; NCCPIM & TIP used this map to target training and awareness campaigns. The government conducted multiple awareness raising activities during the reporting period. For example, NCCPIM & TIP distributed anti-trafficking informational booklets to migrant laborers and all Egyptian embassies and diplomats abroad. NCCPIM & TIP and the National Council of Women conducted a media campaign about the treatment of domestic workers, a population vulnerable to trafficking. NCCPIM & TIP—in partnership with international organizations and donors—conducted an awareness campaign on the dangers of illegal migration, but it was unclear if it directly addressed human trafficking issues. The Administrative Control Authority, which investigated official corruption, elevated its involvement in combatting trafficking and highlighted its role in trafficking investigations in promotional material. The government provided Egyptian diplomats guidelines on human trafficking and the protection of victims, as well as human rights training that included anti-trafficking guidance in their pre-departure courses. As reported in the previous reporting period, the government provided mandatory anti-trafficking training to Egyptian nationals deployed abroad as part of peacekeeping missions. NCCM continued to operate an anti-trafficking hotline to receive reports about potential human trafficking cases and upgraded the hotline in May 2018, allowing it to operate 24 hours a day, seven days a week, and added a capacity-building program for the hotline agents to better handle child trafficking cases. The National Council for Women also continued to operate a hotline that received reports of potential trafficking crimes.

The government did not report efforts to reduce the demand for commercial sex acts, but it reported that it began to develop a strategy to stop forged marriage contracts in order to reduce the incidents of "summer marriages" of girls by foreign tourists for the purpose of sexual exploitation. The government continued efforts to reduce the demand for forced labor. During the reporting period, the government issued 6,663 formal warnings for labor violations and filed 602 violation reports. Concerning Egyptian nationals employed abroad, the government reported it investigated 139 labor complaints, inspected 817 recruitment agencies, and filed 155 reports of labor violations. In the absence of labor law protections for domestic workers, authorities implemented a labor contract—approved in February 2018—that employers could choose to use, which offered some protections for Egyptian domestic workers, but it did not provide protections for foreign domestic workers.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Egypt, and traffickers exploit victims from Egypt abroad. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, drug trafficking, and agricultural work. Traffickers, including some parents, force Egyptian children to beg in the streets of Cairo, Giza, and Alexandria or exploit girls in sex trafficking. NGOs reported lack of economic and educational opportunities are risk factors for parents to exploit their children,

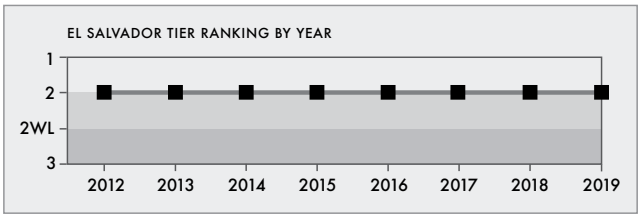
especially girls. Child sex tourism occurs primarily in Cairo, Alexandria, and Luxor. Individuals from the Arabian Gulf, including Kuwait, Saudi Arabia, and United Arab Emirates purchase Egyptian women and girls for "temporary" or "summer marriages" for the purpose of commercial sex, including cases 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. Traffickers subject Egyptian men to forced labor in construction, agriculture, and low-paying service jobs in neighboring countries.

Traffickers subject men and women from South and Southeast Asia and East Africa to forced labor in domestic service, construction, cleaning, and begging. In 2017, observers reported an increase in West African migrant trafficking victims, although it was unclear if this was the result of increased victim identification or an actual increase in numbers. Foreign domestic workers—who are not covered under Egyptian labor laws—from Bangladesh, Eritrea, Ethiopia, Indonesia, the Philippines, and Sri Lanka 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. Traffickers subject women and girls, including refugees and migrants, from Asia, Sub-Saharan Africa, and the Middle East to sex trafficking in Egypt. In 2018, an international organization reported a new trend of Colombian nationals who are smuggled into Egypt to work in the entertainment industry; these individuals may be vulnerable to sex trafficking. 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.

From 2007 to 2017, criminal groups in Egypt's Sinai Peninsula subjected thousands of African migrants to forced labor and sexual servitude, smuggling, abduction, and extortion. According to victim testimonies collected by an Israeli NGO, between November 2015 and April 2016, 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. International organizations based in Egypt observed the flow of migrants into the Sinai declined substantially in 2015, due in part to Egyptian military operations, and Israeli NGOs reported the flow of African migrants arriving in Israel from the Sinai stopped in 2017.

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. These efforts included investigating an allegedly complicit government official, convicting and sentencing more traffickers to significant prison terms, and providing services to girl victims. However, the government did not meet the minimum standards in several key areas. The government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals in commercial sex. Victim services for adults, boys, and LGBTI persons were severely lacking. The government offered few long-term support or reintegration services to victims, leaving them vulnerable to re-trafficking.



PRIORITIZED RECOMMENDATIONS:

Provide adequate funding for and implement the victim assistance protocols, 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. • Amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law. • Strengthen efforts to investigate, prosecute, and convict traffickers, especially for forced labor, including forced criminal activity. •Conduct thorough criminal investigations and prosecutions of alleged government complicity in trafficking offenses. • Enforce laws punishing local labor brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment and excessive fees for migration or job placement. • Develop a case management system to improve data collection, sharing, and analysis related to trafficking cases. • Expand prevention measures to target populations particularly vulnerable to trafficking.

PROSECUTION

The government maintained law enforcement efforts. The 2014 Special Law Against Trafficking in Persons criminalized sex trafficking and labor trafficking and prescribed penalties of 10 to 14 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 considered the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime; the penalties increased to 16 to 20 years' imprisonment for trafficking offenses involving these factors.

Authorities investigated 74 cases (71 sex trafficking cases and three forced labor cases), compared to 76 cases (73 sex trafficking cases, two forced labor cases, and one domestic servitude case) in 2017 and 55 sex trafficking cases in 2016. In 2018, authorities prosecuted nine cases and convicted seven traffickers, including for sex trafficking and forced labor, compared to nine cases and six sex traffickers convicted in 2017 and seven prosecutions and six sex traffickers convicted in 2016. Offenders convicted in 2018 received sentences of six to 10 years' imprisonment, compared to sentences ranging from 10 to 14 years' imprisonment in 2017. Authorities arrested an allegedly complicit government official on charges of drug trafficking and human trafficking. In previous years, authorities investigated prison guards and the former head of the anti-trafficking unit for alleged complicity in trafficking offenses, but did not hold any officials responsible, raising serious concerns of a lack of accountability and weak law enforcement.

Observers reported law enforcement and prosecutors lacked sufficient funding and personnel to pursue cases, and judges required additional training to understand the dynamics of trafficking cases, non-testimonial evidence used by prosecutors to corroborate victim testimony, and threats of reprisal from traffickers, all of which impeded efforts to hold traffickers accountable. Officials reported the absence of an electronic case management system hindered the collection, sharing, and analysis of law enforcement information. Experts expressed concern over the court's acquittal and affirmation on appeal of several defendants accused of knowingly patronizing a child sex trafficking victim to perform a commercial sex act despite compelling evidence. Law enforcement and prosecutors participated in specialized trafficking training provided by foreign governments and international and non-governmental organizations. The government cooperated with law enforcement bodies from Costa Rica, Guatemala, Mexico, and the United States but did not report any concrete results related to this cooperation.

PROTECTION

The government maintained victim protection efforts. The government identified 53 victims (50 sex trafficking victims and three forced labor victims), compared to 72 victims (67 sex trafficking victims and five forced labor victims) in 2017 and 53 victims in 2016. Those identified included 18 women and 32 girls; 52 were Salvadoran and one was a foreign national. Authorities have not identified men or boys as trafficking victims since 2016. 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. The anti-trafficking council provided some training on victim identification to immigration officials, labor inspectors, physicians, service providers, and tourism professionals. Officials observed a gap between knowledge of victim identification procedures and the application of those procedures by first responders.

In September 2018, the anti-trafficking council launched an interagency protocol for immediate victim assistance, which complemented the "Protocol for Intergovernmental Action for the Integral Care of Trafficking in Persons Victims" revised during a previous reporting period and required by the national action plan. According to a key government official, the protocols have resulted in victims and receiving more expedited medical and psychological attention. The anti-trafficking council operated 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 2018 was $370,960, while the anti-trafficking unit received a separate budget of $486,570. The government maintained only a single shelter with the capacity for 20-25 girls that housed and offered psychological and medical care to 11 girls in 2018, compared to 12 girls in 2017 and 15 girls in 2016. The government referred 50 victims to NGOs for temporary shelter, psychological services, and job placement services. The government offered no specialized services or shelter to boys, adults, or LGBTI victims, although NGOs reported these populations needed shelter, rehabilitation, and mental health services. Authorities assisted Salvadorans returned from abroad by providing medical and social services, but the government did not identify trafficking victims among returnees in 2018. The government offered few long-term support or reintegration services to victims, leaving them vulnerable to re-trafficking.

El Salvador's laws allowed judges to order convicted traffickers to pay restitution; however, the courts did not order restitution in any cases in 2018. The government provided witness protection and support to identified victims, including disguising victims' identities in court and allowing victims to provide testimony by deposition. 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. Criminal groups restricted the access of authorities and NGOs in neighborhoods they controlled, impeding victim protection and assistance efforts. The 2014 trafficking law provided foreign trafficking victims the right to seek residency status, which would allow them to work legally, but authorities did not offer such protection to any foreign victims in 2018, compared to four foreign victims in 2017 who ultimately requested to be repatriated to their country of origin.

PREVENTION

The government maintained prevention efforts. The national anti-trafficking council coordinated the efforts of 10 institutions and extended through the end of 2019 the previous national anti-trafficking action plan, which required the government to make efforts to prevent trafficking, identify and protect victims, prosecute traffickers, coordinate inter-agency work, cooperate with the public, and provide training. 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, which resulted in national police officers identifying forced child labor cases. The government promoted the UNODC "Blue Heart" Campaign for a second year, which included billboards and broadcast media and training for hotel staff and bus drivers, but did not report any concrete results of the campaign. The National Civil Police established a 24-hour crime-reporting hotline, which resulted in 10 potential trafficking leads, and operated the 911 emergency hotline, which resulted in eight trafficking leads. 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 Ministry of Labor administered a labor inspection program but did not identify any cases of forced labor for the second year in a row. The Ministry of Labor developed a labor inspection plan to verify compliance with labor laws for migrant workers arriving at ports of entry aimed at preventing forced labor. The National Civil Police conducted searches at bars and beauty salons to identify potential sex trafficking but did not report identifying any cases. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Salvadoran law criminalized sex tourism and prescribed penalties of four to 10 years' imprisonment, but authorities did not report any investigations of sex tourism. The tourism ministry trained tour guides, businesses, and students in a popular tourist destination to prevent and report trafficking crimes.

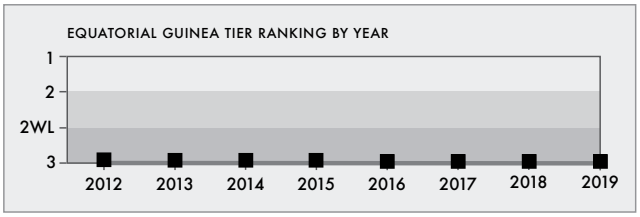
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in El Salvador, and traffickers exploit victims from El Salvador abroad. Traffickers exploit women, men, and children in sex trafficking within the

country; LGBTI persons, especially transgender individuals, are at particular risk. Traffickers sometimes exploit their own children and family members. Traffickers exploit Salvadoran adults and children in forced labor in agriculture, domestic service, begging, and the textile industry. Traffickers exploit men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—in sex trafficking and forced labor in construction, domestic service, or the informal sector. Traffickers recruit victims in the regions of the country with high levels of violence and coerce 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. Traffickers exploit Salvadoran men, women, and children in sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Traffickers exploit some Salvadorans who irregularly migrate to the United States in forced labor, forced criminal activity, and sex trafficking en route or upon arrival. Traffickers exploit some Latin American migrants who transit El Salvador to Guatemala and North America in sex and labor trafficking. Corruption and complicity, including within law enforcement, the prison system, 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 positive steps to address trafficking, including increased acknowledgment of the issue, which led to its adopting a national action plan incorporating a whole of government approach; investigating at least one potential trafficking case; and increasing public awareness programming. However, the government did not prosecute any suspects and has never convicted a trafficker under its 2004 anti-trafficking law. The government did not proactively identify any trafficking victims and did not develop standard operating procedures to identify or refer trafficking victims to care. Officials did not provide any trafficking training to law enforcement personnel during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Develop, disseminate, and implement formal procedures to identify and refer trafficking victims to care, especially among child laborers, undocumented immigrants, and women in prostitution. • Train social workers, law enforcement, labor inspectors, and immigration officials on trafficking indicators. • Use the 2004 anti-trafficking law to prosecute and convict traffickers, including complicit officials. • Dedicate resources and empower officials to implement the 2019-2021 national action plan to combat trafficking in persons. • 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. • Further enfranchise and support NGOs operating shelters for trafficking victims, including male victims. • Regularly convene the inter-ministerial anti-trafficking commission and create technical working groups to increase coordination between government ministries, law enforcement, presidents of communities, and NGOs. • Amend the 2004 anti-trafficking law to remove the requirement of a demonstration of force, fraud, or coercion in child sex trafficking cases. • Expand the anti-trafficking public awareness outreach campaigns on the mainland as well as on Bioko Island to educate more individuals on trafficking indicators and how they can report potential victims to government officials. • Further research the extent and nature of human trafficking within the country according to the national action plan.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons criminalized some forms of sex trafficking and all forms of labor trafficking and prescribed penalties of 10 to 15 years' imprisonment and a fine of at least 50 million CFA francs ($82,800) if the offense involved an adult victim; an additional five years would be added to the principal penalty for offenses involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties 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. The law defined trafficking broadly to include illegal adoption.

The government investigated at least one potential trafficking case involving one suspect during the reporting period, compared with investigating two cases of suspected child trafficking in the previous reporting period. In February 2019, police arrested a suspected trafficker after a victim reported the case to an embassy in Malabo. Reports indicated the government subsequently deported the suspect for an unrelated crime due to a lack of conclusive evidence of trafficking. As in the previous year, authorities did not report any prosecutions and the government has never convicted a trafficker under its 2004 law. Officials may have prosecuted traffickers under other laws during the reporting period. The government did not report investigating, prosecuting, or convicting 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. The government did not conduct anti-trafficking trainings for law enforcement officials in 2018, although it worked with an international organization at the end of the reporting period to organize trainings for government officials per its national action plan.

PROTECTION

The government maintained limited efforts to protect victims and did not take steps to identify victims proactively within the country. Authorities provided shelter and medical care to one potential victim who self-identified to a foreign embassy in Malabo. Officials coordinated with the individual's embassy through the repatriation process and funded their return travel

home. The government provided $50,000 to an NGO providing services to female victims of violence, including likely trafficking victims. The government did not have formal procedures to identify or refer trafficking victims to care. 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. High-level government officials' expressions of interest in combatting trafficking in persons during the reporting period translated to limited tangible improvement in working level officials' capacity to identify proactively victims of trafficking.

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 2018, there were no verified reports authorities penalized trafficking victims for unlawful acts traffickers compelled them to commit; however, due to a lack of formal victim identification procedures and reports of officials requiring bribes from detainees, some unidentified trafficking victims may have been penalized.

PREVENTION

The government increased efforts to prevent trafficking. During the reporting period, the government convened its anti-trafficking inter-ministerial committee multiple times and coordinated with international organizations, foreign governments, and civil society to draft and approve a 2019-2021 national action plan to improve its ability to prosecute traffickers, proactively identify victims, and raise awareness in the capital and on the mainland; however, the government did not report allocating a budget to implement the action plan during the reporting period. The government convened its inter-ministerial committee once in the previous reporting period.

In 2018, officials launched an awareness raising campaign using multiple media platforms including radio, television, and social media to increase the population's understanding of trafficking in persons; the government funded and provided official space for at least two week-long seminars on the mainland and in the capital to raise the public's awareness about trafficking in persons. Prostitution was legal in the country and, in an attempt to decrease exploitation of vulnerable individuals and demand for commercial sex acts by increasing the cost of purchasing sex, the government continued implementing regulations requiring all commercial sex establishments to register and provide contracts to their workers.

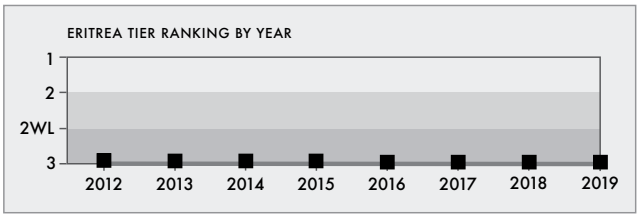
The Ministry of Labor and Social Security continued to implement regulations for all companies to sign formal labor contracts with their employees, and created and advertised an anonymous reporting portal for labor violations, including forced and child labor. During the reporting period, the Ministry of Labor and Social Security continued to partner with the non-governmental General Director of the National Financial Research Organization to inspect businesses and ensure firms complied with labor laws, fining multiple Chinese companies in 2018; some of these fines may have been in response to trafficking violations. In February 2019, the government issued a public decree prohibiting children from working as street vendors, resulting in increased public awareness of forced child labor. The Ministry of Foreign Affairs (MFA) instructed diplomats posted abroad to review visa applications for signs of trafficking, resulting in MFA officials denying multiple applications from Cameroonians and Nigerians based on potential trafficking indicators. The government did not report taking any further action on these visa denials. During the reporting period, the government funded $1.3 million for UN programming to advance human rights within Equatorial Guinea; some of these programs addressed human trafficking.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Equatorial Guinea. 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 traffickers exploit local and foreign women in the commercial sex trade in these cities. Lower oil prices and oil production in recent years caused a contraction of the country's economy, leading to a decreased government budget for social welfare programming, and shrinking formal economic activity. Experts noted the sustained economic downturn resulted in Equatoguineans in urban centers replacing some foreign domestic servants with children from rural areas in Equatorial Guinea, who they then subject to forced labor. LGBTI youth are often left homeless and stigmatized by their families and society, increasing their vulnerability to trafficking. Equatoguinean business owners reportedly subject children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—to forced labor as domestic workers, market laborers, vendors, and launderers. Traffickers recruit individuals from Benin, Cameroon, Ethiopia, and other African countries, as well as from Latin America and the Caribbean for work in Equatorial Guinea, and sometimes subject them to forced labor or forced prostitution. Foreign firms recruit Chinese nationals to migrate to Equatorial Guinea for work or to engage in prostitution, and subject some of them to passport confiscation, increasing their vulnerability to forced labor or sex trafficking. Companies in the construction sector, among others, also held the passports of foreign workers, increasing their vulnerability to forced labor. Experts reported corrupt and complicit officials—including senior members of the government—participated in trafficking-related crimes 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, during the reporting year the government cooperated with an international organization to host and facilitate a conference on compliance with international conventions on organized crime, particularly on trafficking, and trained some Eritrean prosecutors and law enforcement officials. However, the government continued to subject its nationals to forced labor in its compulsory national service and citizen militia by forcing them to serve for indefinite or otherwise arbitrary periods. 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. Authorities did not report the development of formal procedures for the identification and referral of victims to care, nor did the government report providing any services directly to victims. The government regularly conflated trafficking with transnational migration or smuggling.



PRIORITIZED RECOMMENDATIONS:

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. • 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. • Provide protective services to trafficking victims. • Extend existing labor protections to persons performing national service and other mandatory citizen duties. • Continue and strengthen partnerships with international organizations to provide training to all levels of the government, specifically law enforcement and border guard officials, on identifying and responding to trafficking crimes.

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 and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as kidnapping. Article 297 criminalized enslavement and prescribed penalties of seven to 16 years' imprisonment, which were sufficiently stringent. Article 299 criminalized forced labor and prescribed penalties from six to 12 months' imprisonment or a fine of 20,000 to 50,000 nakfa ($1,330-$3,330). These penalties were not sufficiently stringent.

The government did not report investigating, prosecuting, or convicting suspected traffickers during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking, but sources indicated Eritrean military officers may have been complicit in smuggling, and possibly trafficking offenses; during the previous reporting period, unconfirmed reports claimed the government arrested 44 military officials for conspiracy to subject Eritreans to migration-related crimes and possibly trafficking. The government did not report providing any trafficking-specific training for judicial, prosecutorial, or law enforcement personnel; however, for the first time, in January 2019, it cooperated with an international organization to host and facilitate a conference on compliance with international conventions on organized crime, to include trafficking, which reached an unknown number of prosecutors and law enforcement officials who participated. The government continued to conflate transnational migration and human trafficking crimes.

PROTECTION

The government did not report any efforts to identify or protect trafficking victims. The government did not have formal procedures to proactively identify trafficking victims among vulnerable groups, particularly those fleeing the country, primarily to Sudan and Ethiopia; some of these nationals were vulnerable to being indiscriminately arrested, detained, harassed, or forcibly recalled into national service. The government did not report having or developing a systematic mechanism for the referral of identified trafficking victims to care. In addition, it did not provide information on its funding for victim protection, any incentives for victims to assist in trafficking investigations or prosecutions, and it did not report providing foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government maintained negligible efforts to prevent trafficking. It provided minimal information regarding any Eritrean national action plan but sought assistance from international entities to develop interstate cooperative agreements on organized crime, to include trafficking. In recent years, the government reportedly educated its citizens on the dangers of irregular migration and trafficking through awareness-raising events, poster campaigns, and mass convocations and exhortations, through the National Union of Eritrean Women, National Union of Eritrean Youth and Students, and National Confederation of Eritrean Workers; however, such efforts conflated transnational migration and human trafficking. It continued to subject its nationals to forced labor in its compulsory national service and citizen militia. 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, previous reports alleged some children younger than 18 were sent to *Sawa* military and training academy for completion of their final year of secondary education. 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, human traffickers exploit domestic victims in Eritrea, and traffickers exploit victims from Eritrea abroad. Perennially, thousands of Eritreans who fled the country are smuggled migrants seeking to be reunited with family members already overseas; those who 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 service in the government's mandatory National Service. Proclamation 82 of 1995 requires all persons aged 18 to 40 years to perform compulsory active national service ostensibly for a period of 18 months—six months of military training followed by 12 months of duty in a variety of military, security, or public service positions. However, since the 1998-2000 Eritrean-Ethiopian border conflict, the 18-month limit has been suspended; most 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. An international organization assesses that many Eritrean asylum seekers, particularly those who deserted National Service when they fled, expressed well-founded fears of persecution in Eritrea, and there are an unknown number of cases of returnees disappearing, presumably in prison, with their whereabouts unknown. It was this same expert's assessment that traffickers exploited Eritreans in forced labor and sex trafficking primarily in Sudan, Ethiopia, and Libya.

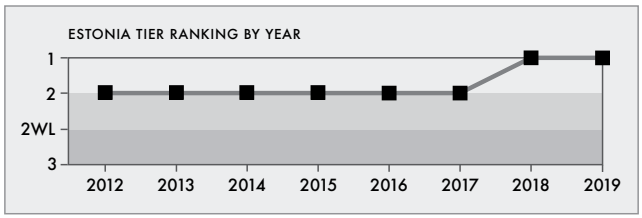
National Service takes a wide variety of forms, including active military duty, although active military duty constitutes a small and diminishing percentage; office work in government agencies and enterprises (functions ranging from lawyers, diplomats, and mid-level managers to skilled technicians and mechanics, to clerical, maintenance, and janitorial work); medical professionals and support workers; elementary and secondary school teachers; and construction or other unskilled physical labor. Conditions are often harsh for those in military service or physical labor, though some National Service members experience normal, civilian workplace conditions, albeit with low pay and negligible to complete lack of freedom of choice or movement. 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. Eritreans may be released from National Service after an indefinite number of years by petitioning the government based on criteria that shift periodically and are not fully transparent; policies and practices for obtaining release from National Service are inconsistent across organizations and job fields. Certain professions (e.g., medicine and teaching) exist almost exclusively within the ranks of the National Service. Wages are extremely low—although pay raises have been granted for a number of job functions in recent years—and the government often supplants obligated payments with food or non-food rations. Eritrean officials continue to discuss—particularly on the heels of the 2018 peace agreement with Ethiopia—hard-capping National Service to 18 months, but this change in policy has never been publicly announced and those serving in the obligatory government program beyond 18 months have yet to be demobilized.

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 previous reports from some organizations outside of Eritrea, the government in some instances includes children younger than age 18 in groups sent to *Sawa*. For unreported reasons, during the current reporting period the government discontinued *Maetot*, a national service program in which secondary-school children were assigned to work in public works projects, usually within the agricultural sector, during their summer holidays. Unaccompanied children continue to be vulnerable to violence and exploitation. Some officials detain or force into military training children who attempt to leave Eritrea despite some of them being younger than the minimum service age of 18. Traffickers subject Eritreans to forced labor and sex trafficking in Israel, reportedly after they survive torture while transiting through the Sinai Peninsula. Traffickers also subject smaller numbers of Eritrean women and children to sex trafficking in Sudan; anecdotal reports suggest traffickers sometimes force Eritrean migrants into prostitution in nightclubs in Khartoum, Sudan. International criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them primarily to Libya, where traffickers subject them to human trafficking and other abuses, including extortion for ransom. Some migrants and refugees report traffickers force them to work as cleaners or on construction sites during their captivity.

From September-December 2018, the government opened various land border crossing points with Ethiopia that had been closed for 20 years, and ceased requiring exit visas or other travel documents for Eritreans crossing to Ethiopia. While reports allege this open border has drastically reduced the business of migrant smuggling into Ethiopia, other sources say these networks still exist. During the reporting period, on the Eritrean side, one of the two official border crossings with Sudan remained closed. Most Eritreans consensually commence their outbound journeys with the aid of payment to smugglers, but in many cases this movement devolves into trafficking situations and conditions highly vulnerable for exploitation. 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, with the ultimate goal of seeking asylum in Europe or at a minimum, obtaining refugee status in Ethiopia, Kenya, Egypt, Israel, or Uganda; some also strive to reach the United States. An international body posits the number of Eritreans crossing into Ethiopia during the initial two months following the September 2018 border opening was 27,000, while other sources allege as many as 200,000 fled to Ethiopia by the end of the year. Another international organization estimates 3,500 Eritreans entered Sudan seeking refugee or asylum status in 2018. The small number of Eritreans crossing into Djibouti were almost exclusively members of the Afar ethnic group, which spans the Eritrea, Djibouti, Ethiopia border region. Afar members are able to cross the border freely with a permit from a tribal leader; it is an otherwise restricted military area through which non-Afars are prohibited to enter. During the current reporting period, concerns materialized that Eritrea's development of the port in Massawa for domestic use and to service Ethiopia could exacerbate trafficking vulnerabilities due to increased commerce and an uptick in foreign laborers. Moreover, the lack of visa requirements for Eritreans traveling to Ethiopia, as well as the ability to travel overland without passports heightens these workers' vulnerability to exploitation. Reports persist that Eritrean military officers are complicit in migration-related and possibly 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 continued to demonstrate serious and sustained efforts during the reporting period; therefore Estonia remained on Tier 1. These efforts included implementing labor act amendments prohibiting recruitment agencies from charging worker-paid recruitment fees, developing new identification and referral guidelines, and ordering restitution payments from traffickers to victims. The anti-trafficking working group, comprising 35 government agencies and NGOs, published an annual report of its activities, and the government established a national victim support hotline for all victims of violent crime, including trafficking, while providing funding to a separate NGO-run hotline. Although the government meets the minimum standards, authorities investigated and prosecuted fewer trafficking cases and courts convicted fewer traffickers. Additionally, authorities neither identified nor assisted any potential labor trafficking victims.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers under Section 133 of the penal code. • Proactively identify potential labor trafficking victims, particularly among foreign workers, and refer them to government-sponsored assistance. • Encourage police and the labor inspectorate to investigate labor trafficking cases. • Expand efforts to train law enforcement, particularly on investigative tactics, victim psychology, and applying Section 133. • Implement new identification and referral guidelines and train officials on their responsibilities to identify and refer potential victims to assistance. • Provide specialized training for law enforcement, judicial, and civil service personnel on all forms of trafficking and working with victims. • Encourage more victims to assist prosecutions by facilitating access to effective legal counsel. • Broaden public awareness efforts to educate at-risk communities, such as migrants, on the risks of trafficking.

PROSECUTION

The government decreased law enforcement efforts. Sections 133, 1331, and 175 of the penal code criminalized sex trafficking and labor trafficking. Section 133 (trafficking in human beings) criminalized placing a person in a situation of exploitation through force, fraud, or coercion, and prescribed penalties of between one and seven years' imprisonment for offenses involving an adult victim, and three to 15 years for those involving a child victim. Section 1331 (support to human trafficking) separately criminalized the transportation, delivery, escorting, acceptance, concealment, or accommodation of an individual into a situation of exploitation through force, fraud, or coercion, and prescribed penalties of up to five years' imprisonment for offenses involving an adult victim, and between two and 10 years' imprisonment for those involving a child victim. Section 175 (human trafficking in order to take advantage of minors) criminalized inducing a child to engage in a criminal offense, begging, prostitution, or the production of pornography without requiring a demonstration of force, fraud, or coercion and prescribed penalties of two to 10 years' imprisonment. The penalties under Sections 133, 1331 and 175 were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. Overextended government personnel continued to constrain productivity in 2018. Police investigated four new cases under Section 133, compared with 10 in 2017. Authorities prosecuted three cases (16 in 2017), and courts convicted 12 traffickers (14 in 2017). Prison sentences ranged from four years and three months to five years and four months. Under Section 175, authorities investigated 28 crimes (67 in 2017); prosecuted 30 cases (57 in 2017); and did not convict any traffickers for the second consecutive year. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

Observers reported the need for increased training for new law enforcement, judicial, and civil service personnel working on trafficking issues. The Border Guard Board continued to provide general training for law enforcement officials; however, experts noted a need for more specific trainings on investigative tactics and victim psychology. Experts also noted defense lawyers and victims' legal counsel were often not trained on trafficking law. The State Court organized training sessions on understanding trafficking and victim assistance options for 64 judges and court officials. The Ministry of Social Affairs and an NGO organized two training sessions for teachers on identifying and assisting potential victims.

PROTECTION

The government maintained protection efforts. The government developed new identification and referral guidelines, describing all relevant authorities' responsibilities to assisting victims. In 2018, authorities identified 14 victims (12 in 2017), and 14 sex trafficking victims received government-sponsored assistance, the same as in 2017. Of the victims who received assistance, six were minors and seven were foreign nationals. The Victim Support Act and the penal code allowed multiple actors, including 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, such as accommodation, psychological, medical, and legal assistance, 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 an authority of another country identified the victim and initiated criminal proceedings outside of Estonia. The Aliens Act enabled foreign victims to receive temporary residence permits, accommodation, and education; the government did not grant temporary residence permits to any foreign victims in 2018. Despite reports of an increased number of foreign victims of labor trafficking in Estonia, authorities did not identify any potential labor trafficking victims.

In 2018, the social board allocated €100,000 ($114,680) to an NGO providing support services to women in prostitution, some of whom may have been sex trafficking victims, compared with €99,500 ($114,110) in 2017. The social board also allocated €25,000 ($28,670) for trafficking victims' support, such as shelters, compared with €33,960 ($38,940) in 2017. Authorities placed child trafficking victims and unaccompanied children in alternative care facilities, including a dedicated center for child victims of abuse, including sexual violence and trafficking. 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. Courts ordered traffickers to pay €21,000 ($24,080) in restitution to five victims.

PREVENTION

The government increased prevention efforts. The government continued to fund and implement its 2015-2020 plan for reducing violence, which included trafficking. The anti-trafficking working group, comprising 35 government agencies and NGOs, met regularly and published an annual report of its activities. The government participated in a multi-country project, establishing a comprehensive approach to

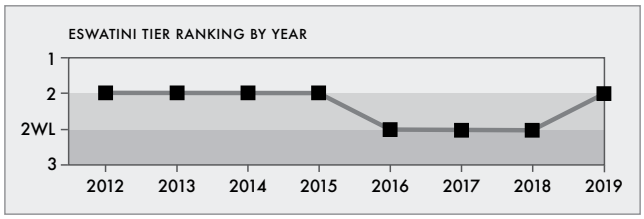
the prevention and investigation of labor trafficking cases, particularly cases combining economic crime and illicit financial flows. Authorities organized a trafficking seminar for employees in the hospitality industry. Amendments to the labor act entered into force, prohibiting recruitment agencies from charging worker-paid recruitment fees. The interior ministry developed an action plan for preventing illegal employment of foreign workers in Estonia. The government did not make efforts to reduce the demand for commercial sex acts. In January 2019, the government started a 24-hour national victim support hotline for all victims of violent crime, including trafficking. The hotline complemented the existing NGO-operated anti-trafficking hotline, which received 433 calls from vulnerable individuals. The government allocated €38,000 ($43,580) to the NGO-operated hotline.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Estonia, and traffickers exploit victims from Estonia abroad. Estonian women and children are subjected to sex trafficking within Estonia and in other European countries. Experts report a rise in Estonian women, primarily young Russian-speaking women, recruited for sham marriages in Western Europe. After entering these marriages willingly, traffickers confiscate the women's passports and force them into prostitution or labor. Traffickers subject Estonian women and men 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. Traffickers force Estonian children to commit crimes, such as theft. Reports indicate an increase in the number of foreign nationals, particularly men from Ukraine and Moldova, vulnerable to labor exploitation within Estonia, particularly in construction, agriculture, and forestry.

ESWATINI: TIER 2

The Government of Eswatini, previously known as Swaziland, does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Eswatini was upgraded to Tier 2. These efforts included enacting the Sexual Offenses and Domestic Violence Act (SODVA), which abolished the cautionary rule that previously required additional corroborating evidence to substantiate testimony from witnesses deemed less reliable (such as children and victims of gender-based violence), and established new penalties for perpetrators of sex trafficking and new legal protections for victims of exploitation, including sex trafficking. The government convicted a trafficker for the first time in six years and sentenced him to 18 years' imprisonment. It increased training for front-line responders on victim identification and referral and trained prosecutors and magistrates on the SODVA. In addition, the government finalized a new, five-year national action plan and conducted an increased number of awareness raising activities throughout the country, including incorporating chiefdoms and traditional systems of governance for the first time. However, the government did not meet the minimum standards in several key areas. For example, it did not have shelter policies or guidelines to ensure quality of care for trafficking victims.



PRIORITIZED RECOMMENDATIONS:

Address leadership issues at the anti-trafficking secretariat and enable task force to fulfill its statutory responsibilities. • Increase efforts to identify, investigate and prosecute more trafficking crimes, including internal trafficking cases. • Convict more traffickers and sentence them to significant prison terms. • Implement the national anti-trafficking action plan. • Ensure all victims of trafficking are provided with appropriate and comprehensive care, including by developing shelter policies or guidelines to ensure quality of care. • Identify key NGO partnerships for provision of protective services and strengthen coordination with such NGOs. • Continue training law enforcement officials, social workers, and others to identify trafficking victims proactively among vulnerable populations. • Improve trafficking data collection and analysis, utilizing the SADC data collection system for collecting trafficking case data at the national and regional level. • Conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 People Trafficking and People Smuggling (Prohibition) Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to 20 years' imprisonment for offenses involving an adult victim, and up to 25 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government shelved a long-pending draft bill to amend the 2009 People Trafficking and People Smuggling (Prohibition) Act, as it determined the bill would have done little to enhance prosecutorial capability or improve victim protection, as intended at the outset, and instead would have created expensive new bureaucratic structures and remuneration provisions for the benefit of the trafficking secretariat. Poor performance by leadership personnel at the anti-trafficking secretariat remained the principal obstacle to progress on trafficking during much of the reporting period. After the government recognized the shortcomings within the secretariat leadership, a new cabinet instituted policies to address or remove obstacles that had long-hindered trafficking prosecutions and internal and external communication in relation to trafficking issues. The government enacted the SODVA in August 2018, which introduced new legal protections for victims of exploitation, including sex trafficking. The Act prescribed penalties of up to 20 years' imprisonment, a fine of up to 100,000 emalangeni ($6,970), or both, for the commercial sexual exploitation of an adult and, up to 25 years' imprisonment with no option of a fine if the offense involved a child.

The government investigated six suspected trafficking cases—two cases of forced labor, four sex trafficking cases—compared with 14 the previous year and initiated prosecutions of three alleged traffickers compared with three during the previous reporting period. The government acquitted one defendant

and convicted one trafficker under the anti-trafficking law and sentenced him to 18 years' imprisonment for sex trafficking, the most stringent sentence handed down since enactment of the anti-trafficking law in 2009. In addition, the government investigated more than 2,000 cases under the SODVA since it became effective in August 2018, although it is unclear how many included potential trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government trained a wide range of front-line responders during the reporting period. The Royal Eswatini Police Service (REPS) trained new police recruits on proactive victim identification and referral guidelines and the Director of Public Prosecution's (DPP) office trained more than 100 police officers, police station chiefs, prosecutors, and magistrates. Four senior magistrates trained fellow magistrates on the newly-enacted SODVA. The government continued to provide anti-trafficking training at the police college for all in-service and pre-service officers and trained an unknown number of new police recruits during the reporting period.

PROTECTION

The government maintained victim protection efforts. The government identified five trafficking victims, and referred all victims to care, a decrease from identifying and referring to care 14 victims during the previous reporting period. Of those victims identified, four were sex trafficking victims—three women from Eswatini and one from South Africa—and one man, a victim of forced labor from Pakistan. After providing food, clothing, toiletries, psycho-social support, and medical care for all victims at government facilities, the government reunified the Swati victims with their families and the anti-trafficking secretariat coordinated with the governments of South Africa and Pakistan to safely repatriate the two foreign victims. The government owned one facility that provided short-term care for trafficking victims and partnered with several NGOs to provide long-term, comprehensive care, but it did not have shelter policies or guidelines to ensure quality of care. The government allocated 80,000 emalangeni ($5,570) for the second consecutive year to a victim assistance fund for protective services. The government reported no victims were detained or fined for unlawful acts committed as a result of their being trafficked. The government trained an increased number of front-line responders. The government improved coordination between law enforcement, the judiciary, and victim protection providers. The government encouraged victims to assist in investigations by providing witness protection services, as well as transportation and accommodation, as needed.

The SODVA created new legal protections for victims of exploitation, including sex trafficking victims. Under the new law, the REPS, the DPP, His Majesty's Correctional Services, the Director of Health Services, and the Deputy Prime Minister's Office were given new responsibilities to ensure a victim-centered approach. Every law enforcement officer had an affirmative obligation to inform victims of the availability of counseling and other protective services. The act required that medical treatment be provided in such a way as to reasonably minimize the effects of secondary trauma on the victim. The SODVA also established victim and witness protection provisions to facilitate safe communication with officials, such as police and magistrates, required the use of child-friendly courts for child victims, and established several additional protections for child witnesses. The SODVA created protective measures to support children during trial. Notably, the act abolished the common law "cautionary rule" in relation both to children and all victims of sexual offenses, including sex trafficking victims. Formerly, the "cautionary rule" dictated that the testimony of certain witnesses, like women and minor children, needed to be independently corroborated based on perceptions of their comparatively diminished reliability and competency. The government trained an increased number of front-line responders, which improved its implementation of the victim identification guidelines and national referral mechanism, which were established in 2015. The government employed a victim-centered approach throughout the referral process and improved coordination between law enforcement, the judiciary, and victim protection providers. The government encouraged victims to assist in investigations by providing witness protection services, as well as transportation and accommodation, as needed.

PREVENTION

The government increased efforts to prevent trafficking. In collaboration with an international organization, the government finalized a new, five-year national action plan. The task force for the Prevention of People Trafficking and People Smuggling was reestablished in January 2017 after a four-month lapse and met regularly in 2018 and early 2019. The 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. The secretariat continued its border campaign, placing posters at various land borders and the airport to raise awareness on trafficking. Department of Immigration officials presented messages on television and radio to raise awareness of trafficking. The Ministry of Tinkhundla, which oversees chiefdoms and traditional systems of governance, developed an anti-trafficking awareness program to be shared throughout Eswatini's four regions and later in the chiefdoms. Swati 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 neighboring countries. 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 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.

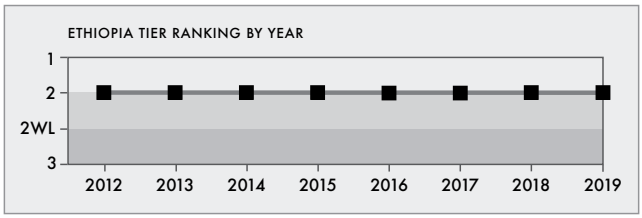
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Eswatini, and traffickers exploit victims from Eswatini abroad. Swati trafficking victims come primarily from poor communities with high HIV/AIDS prevalence rates. Traffickers exploit Swati girls, particularly orphans, in sex trafficking and domestic servitude, primarily in Eswatini and South Africa. Traffickers force Swati boys and foreign children 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; traffickers exploit some in 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 traffickers force Swati into commercial sex in South Africa after voluntarily migrating

in search of work. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swati nationals for work in South African mines—means often used to facilitate trafficking crimes. Swati 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ethiopia remained on Tier 2. These efforts included assisting in the interception of more than 10,000 individuals vulnerable to trafficking and convicting an increased number of traffickers. The government also improved oversight of overseas recruitment agencies and amplified awareness across the country on trafficking and trafficking-related crimes through its community dialogue program. 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. The government did not provide sufficient victim services to male victims, and for the third consecutive year, Ethiopian officials did not report allocating funds for the implementation of its national action plan.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate and prosecute traffickers for sex trafficking and internal trafficking offenses. • Develop standardized procedures for the proactive identification and referral of internal and transnational trafficking victims. • Finalize and operationalize the national referral mechanism's standard operating procedures and promulgate it to all regions. • Increase trainings for law enforcement and judicial officials on the anti-trafficking proclamation and how to differentiate between trafficking and smuggling. • Extend protective services to male victims of trafficking and provide in-kind or monetary support to ensure adequate care for all victims, where feasible. • Fully implement the overseas employment proclamation, by continuing to strengthen oversight of overseas recruitment agencies, assigning and training labor attachés, and investigating and prosecuting illicit recruiters. • 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 the country, including rural Ethiopia. • Allocate funding toward 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 versus internal sex trafficking and forced labor cases. The 2015 anti-trafficking proclamation, No.909/2015, criminalized sex trafficking and labor trafficking, and prescribed penalties of 15 to 25 years' imprisonment and a fine of 150,000 to 300,000 Ethiopian birr ($5,350 to $10,700) for offenses involving an adult male victim, and 25 years to life imprisonment and a fine of 200,000 to 500,000 Ethiopian birr ($7,130 to $17,830) for those involving an adult female victim or a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. 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 used to recruit or deploy a worker entailed criminal liability; however, it did not specify what portion of the Criminal Code applied.

For calendar year 2018, federal and regional justice officials investigated 535 ongoing cases and convicted 1,028 traffickers under the 2015 anti-trafficking proclamation, of whom it sentenced 240 to prison time; however, some of these cases likely involved smuggling and other crimes often conflated with trafficking. In 2017, the government convicted 182 traffickers. It did not report any law enforcement efforts against traffickers who exploited Ethiopian nationals in-country. 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 collection 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 trainings—funded by foreign donors—for regional and federal government personnel mostly on the 2015 anti-trafficking proclamation.

PROTECTION

The government maintained modest efforts to protect trafficking victims. The government sustained close partnerships 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 on an ad hoc basis. In 2018, federal and regional governments intercepted more than 10,100 adults and children across Ethiopia, the vast majority of whom were intending to depart for work in Gulf States and other African countries, on par with the roughly 10,600 persons it diverted the previous year; the government provided an unknown number of these potential victims with shelter, healthcare, psychological support, and rehabilitative skills trainings for alternative employment. However, the government remained without standardized procedures for the proactive identification and referral of internal and transnational trafficking victims during the reporting year. It is therefore likely that some victims among these populations were not provided proper care. 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 government facilities. The government maintained operation of child protection units in Addis Ababa and several major cities, which aimed to intercept and care for child trafficking

victims identified as being en route from rural to urban areas. Police and civil service transport workers—trained to recognize internal child trafficking victims—referred the majority of intercepted children to local shelters. Officials provided shelter, food, education, medical assistance, and familial reunification where feasible. An NGO focused on transnational trafficking cases continued to provide comprehensive reintegration 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, although in 2018 an NGO opened two rehabilitation centers for vulnerable men and unaccompanied children. During the year, the government collaborated with an international organization to repatriate and provide assistance for more than 2,600 Ethiopians from Saudi Arabia, a small fraction of the overall returnees from this Gulf state. 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 had shelters for victims on respective mission compounds where they could stay temporarily, and the missions engaged with host government authorities on behalf of victims.

The 2015 anti-trafficking proclamation established a fund to support victim protection and rehabilitation efforts funded through fines imposed on, and the sale of confiscated property from traffickers. These funds were augmented by voluntary contributions from foreign donors and other government agencies; however, similar to the previous year, the government did not report efforts to begin financial allocations to and administration of the fund. The national referral mechanism, which remained unimplemented and only unofficially finalized, designated the anti-trafficking task force as the lead coordinator for identifying and referring trafficking victims to services. An international organization and other government entities played vital roles in implementation of the referral process. The mechanism incorporates special identification and screening tactics for child trafficking victims, in addition to the profiling of potential trafficking victims among voluntary returnees and deportees at the Bole International Airport. During the reporting period, the anti-trafficking task force, in partnership with an international organization, developed and promulgated to key government ministries a special screening form intended to assist in the accurate identification of trafficking victims. Although the overarching victim referral mechanism has been unofficially in effect since 2016, civil society reported it remained nascent and unimplemented. Similarly, implementation of the national mechanism for referring repatriated trafficking victims to social services also remained limited due to weak interagency coordination and a dearth of resources. During the reporting year, however, the government developed standard operating procedures for victim identification and referral. In addition to the national referral mechanism, regional governments worked 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 among vulnerable populations, particularly migrant laborers and returnees, and refer them for protective services.

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. With technical assistance from an international organization, the government established a specialized witness protection unit within the Attorney General's office and co-chaired a two-day regional witness protection meeting to strengthen cooperation and partnership between the Ethiopian officials and their regional counterparts. According to some Supreme Court officials, children were able to testify against traffickers via video. The anti-trafficking law allowed foreign national victims to receive temporary resident permits or repatriation assistance on an as-needed basis. The government did not report information on whether any victims received deportation relief during the reporting period. The 2015 anti-trafficking proclamation extended protections to trafficking victims as 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. There were no reports that any trafficking victims had been summarily deported without proper screening; or detained, fined, jailed, or otherwise penalized for unlawful acts traffickers compelled them to commit in 2018. However, the government housed some victims at police stations while they were waiting to provide testimony in their respective trafficking cases. Given ad hoc implementation of formal identification and referral procedures, some trafficking victims may have remained unidentified within the law enforcement system.

PREVENTION

The government increased efforts to prevent trafficking. The anti-trafficking task force met every six months during the year and appointed a new Secretary who was active in speaking to the media about the overarching problem of trafficking in Ethiopia. The task force organized itself into three subgroups: prevention, protection, and prosecution. However, the second National Human Rights Action Plan 2016-2020, which parliament approved in 2016 and included various activities to curb trafficking, also included a media campaign and increased efforts in urban centers to assist women and child victims. However, the plan remained without funding dedicated to its implementation for the third consecutive year. The Attorney General's Office, in conjunction with an international organization and academic institution, continued to publicize 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. Local and regional state governments, in collaboration with an international organization, continued to host and facilitate hundreds of "community dialogue" sessions—that aimed to raise awareness of trafficking, trafficking-related crimes, and the risks of irregular migration at the grassroots level throughout the country. The effort reached hundreds of thousands of Ethiopians. These dialogues empowered communities to actively engage in reporting suspected traffickers and brokers, and also disseminated information pertaining to government actions on the restoration of legal path for migration to Gulf states. Assisted by government cooperation and in-kind support, an international organization provided training for community dialogue facilitators in Amhara, Oromia, Tigray, and other regional states and established 1,890 community dialogue groups on how to alert law enforcement personnel to potential traffickers and broader trafficking networks. An unspecified number of investigations commenced from this effort during the reporting period. Moreover, officials around the country produced public service announcements and interviews on television and radio to elevate the public's awareness of the dangers of trafficking. This initiative reached the general public, as well as religious and traditional leaders, elders, and media personnel. However, the aforementioned awareness campaigns

did not always penetrate all parts of rural Ethiopia, where there remained a baseline lack of awareness of the dangers of irregular migration and human trafficking.

Despite being amended in 2016, the government did not fully implement the employment proclamation during the current reporting period. The revised overseas employment proclamation required greater oversight of private employment agencies, placement of labor attachés in Ethiopian embassies abroad to assist victims employed there, and establishment of an independent agency to identify and train migrant workers. Two additional 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). The revised proclamation required employment agencies to deposit one million Ethiopian birr ($35,660) in a bank as insurance, which would be used to assist and repatriate trafficking victims. During the reporting period, the government applied these stringent application requirements and determined 135 private employment agencies were in compliance and merited licensing. In 2018, the government employed 616 labor inspectors who carried out approximately 38,000 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. This was in part due to limited understanding of trafficking crimes. The government fully funded the labor inspectorate by allotting 5.8 million Ethiopian birr ($206,850) for its mandate. During the reporting year, the government signed a bilateral agreement with Saudi Arabia and continued negotiations with the United Arab Emirates, Kuwait, and Oman on similar employment treaties; Ethiopia had such agreements in place with Qatar and Jordan. These agreements required 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. Also during the year, the government began pre-departure orientations for migrant laborers, most of whom aimed to reach destinations in the Arabian Gulf, to brief them on their rights and the dangers of trafficking. 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 were subject to fraud. The government reported efforts to reduce the demand for commercial sex acts and forced labor during the reporting period. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

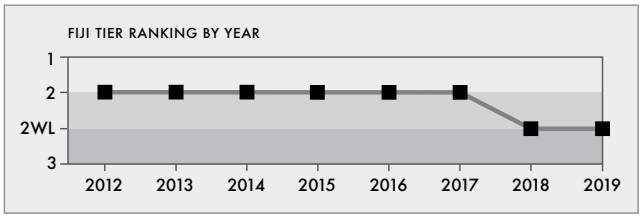
As reported over the past five years, human traffickers exploit domestic and foreign victims in Ethiopia, and traffickers exploit victims from Ethiopia abroad. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of individuals under age 30 and unmarried, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia and Europe. Illegal border crossings into Kenya have increased, with victims destined for South Africa to connect to onward flights to Ecuador with a final destination of the United States or Canada. The least common route is through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along the above 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. Approximately 100,000 Ethiopians perennially travel illegally to Saudi Arabia for work; this route is treacherous due to the sea journey, and civil war and overall lawlessness in Yemen. Typically in past years, young men and women migrate northwest 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 September 2018 for countries where bilateral labor agreements exist, namely, Qatar, Saudi Arabia, and Jordan. 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, more than 200,000 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. Per an NGO, increasing numbers of women and girls are going to the Middle East for domestic work. Many Ethiopian women working in domestic service in the Middle East face 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 traffickers subject some to forced labor.

Internal trafficking to larger cities for domestic work exists, but the true extent of the problem is difficult to assess. Local NGOs assess that the number of internal trafficking victims exceeds that of external trafficking, particularly children exploited in commercial sex and domestic servitude. Following protracted conflict in the Oromia region in late 2016, Djibouti reported a sharp increase in ethnic Oromo asylum-seekers entering the country. Past 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—grew rapidly during the reporting period to nearly three million people due to internal conflict and drought. 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 often target young people from Ethiopia's vast rural areas with false 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. There are reports that some young girls are exploited in commercial sex in brothels concentrated in Addis Ababa's central market. Ethiopian girls have previously been exploited in domestic servitude and commercial sex in neighboring African countries,

particularly Djibouti and Sudan. Ethiopian boys are sometimes subjected to forced labor in Djibouti as shop assistants, domestic workers, and street beggars, in addition to forced criminality.

FIJI: TIER 2 WATCH LIST

The Government of Fiji does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included the formalization of the police's anti-trafficking unit, which will result in increased resources to investigate trafficking cases. Officials initiated prosecutions of two suspected labor traffickers, provided training for police officers, and conducted public awareness campaigns. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not identify any victims of trafficking, investigated fewer cases, and did not convict any traffickers for the fourth consecutive year. The government did not have guidelines for victim identification or referral procedures, and officials did not take steps to proactively identify victims. The government did not take steps to update or implement its 2011 anti-trafficking action plan, and some reports suggested official complicity impeded anti-trafficking efforts. Therefore, Fiji remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Develop and implement formal victim identification and referral procedures for police, immigration, customs, and labor officials. • Proactively screen groups vulnerable to trafficking, such as foreign migrant workers on fishing vessels, persons in prostitution, and exploited children. • Increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, including by convening the Inter-Agency Working Group on People Trafficking. • Amend trafficking-related provisions of the Crimes Act to criminalize all forms of trafficking. • Increase efforts to facilitate the ability of identified victims to work and earn income while assisting with investigations. • Deliver effective training to a greater number of police, prosecutors, immigration, customs, and labor officials on trafficking. • Update and implement the 2011 anti-trafficking national action plan. • Designate a government agency responsible for coordinating victim services. • 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. Sex trafficking offenses that did not involve movement could be prosecuted under Sections 106, 107, 226, and 227 of the Crimes Act. 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. 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. 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. The penalties prescribed under these sections were sufficiently stringent and commensurate with the penalties prescribed for other grave crimes, such as rape. 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.

Police initiated investigations of three suspected trafficking cases in 2018 (six in 2017). The government initiated prosecutions of two suspects for their alleged involvement in subjecting Fijians to forced labor in New Zealand and one alleged sex trafficker (three in 2017). The government obtained zero trafficking convictions for the fourth consecutive year. In an effort to improve the capacity of the police's anti-trafficking unit, which did not previously have adequate resources to effectively conduct investigations, the government formalized the unit in order to increase its budget and staff to seven officers; however, the budget did not increase during the reporting period. Police did not proactively investigate trafficking cases. Prosecutors continued to return case files to the police for further investigation, and police continued to request additional instruction on the requirements of trafficking case files. This disconnect continued to impair the government's pursuit of trafficking cases. Inadequate victim support, including insufficient efforts to enable victims to work and earn income while assisting with investigations, impaired the success of prosecutions. Restrictive policies limiting law enforcement officials' access to child victims staying in government shelters may have hindered the ability of police and prosecutors to build rapport with victims, obtain statements, and prepare victims for trials against their traffickers. The government conducted seven trainings for police recruits and prosecutors; however, contacts reported law enforcement were often not aware of the definition of trafficking, procedures for interviewing victims, or how to proactively identify victims. Fijian law enforcement cooperated with South Korean authorities to investigate leaders of a church that allegedly confiscated the passports of its members who worked in various companies owned by the church without pay. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, some reports indicated low-level official complicity impeded anti-trafficking efforts, including by preventing the investigation of trafficking in Chinese-operated brothels.

PROTECTION

The government decreased efforts to identify and protect victims. The government did not identify any trafficking victims (six in 2017). Government officials did not proactively screen for victims of trafficking among vulnerable populations and did not use guidelines for identification of victims. The government did not report efforts to train labor inspectors, customs officials, or immigration authorities on trafficking or victim identification. 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 apportioned funds to operate safe houses for trafficking victims, asylum-seekers, and migrants awaiting deportation; ten children's homes partially funded by the government were available to shelter victims younger than 21 years of age. The government made available accommodation, legal aid, medical care, interpreters, and allowances for basic necessities. The lack of proactive screening may have resulted in the penalization of unidentified victims. The government did not offer legal alternatives to foreign victims' removal to countries in which they would face retribution or hardship.

PREVENTION

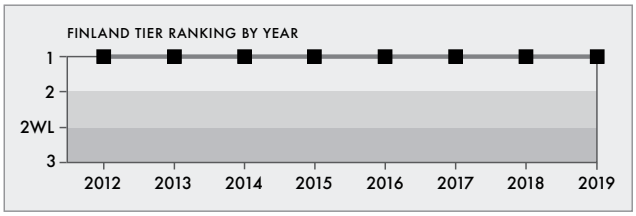
The government maintained minimal efforts to prevent trafficking. The government had not taken steps to implement a national action plan drafted in 2011. The police anti-trafficking unit conducted public awareness campaigns and seminars aimed at children and parents; nonetheless, observers reported minimal public awareness of trafficking. Labor officials conducted awareness programs targeted at Fijians who work overseas to prevent labor exploitation. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government trained some diplomatic personnel on trafficking but did not provide anti-trafficking training to Fijian military personnel prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Fiji, and traffickers exploit victims from Fiji abroad. Traffickers subject Fijian women and children to sex trafficking and domestic servitude. Family members, taxi drivers, foreign tourists, businessmen, crew on foreign fishing vessels, and other traffickers have allegedly exploited Fijian women and children in sex trafficking. Traffickers exploit victims in illegal brothels, local hotels, private homes, and massage parlors, and sometimes utilize websites and cell phone applications to advertise victims for commercial sex. Some Fijian children are at risk of 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. Traffickers exploit women and children from China, Thailand, and Fiji in hotels and illegal Chinese-operated brothels. Fijian adults working overseas, including in New Zealand and Australia, are subjected to forced labor, particularly in the construction and agriculture industries. Traffickers subject workers from South and East Asian countries 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. These efforts include increasing investigations, referring more victims to care, and allocating more funding for victim assistance. Although the government meets the minimum standards, four of five convicted traffickers received probation without serving any time in prison. A lack of specialized government personnel handicapped the enforcement of existing legislation, leading to some trafficking cases being investigated and prosecuted under less serious offenses. Additionally, implementation of the national referral mechanism and development of a national action plan remained slow in the absence of a permanent national anti-trafficking coordinator to lead the country's anti-trafficking efforts.



PRIORITIZED RECOMMENDATIONS:

Sentence traffickers with adequate sentences, with the majority of convicted traffickers serving significant prison terms. • Investigate and prosecute sex trafficking and labor trafficking cases using the trafficking statute. • Increase efforts to train law enforcement officials, prosecutors, and judges on applying the trafficking law. • Appoint a permanent national anti-trafficking coordinator to lead anti-trafficking efforts. • Increase the number of government officials, such as police, who specialize in trafficking cases and allocate sufficient resources to and create dedicated law enforcement units for trafficking investigations. • Expand access to victim services regardless of whether a suspected trafficker is prosecuted and irrespective of the statutes under which a suspected trafficker is being prosecuted. • Implement the national referral mechanism for all sectors of the government, allocate sufficient funding for implementation, and train officials on its use to identify proactively potential victims and refer them to services. • Develop clear guidance for national victim assistance system personnel to follow on treating victims exploited within Finland who do not want to involve the police. • Develop, publish, and implement a national action plan for 2019.

PROSECUTION

The government maintained law enforcement efforts. Law 1889-39 of the penal code criminalized sex trafficking and labor trafficking and prescribed sentences of between four months and six years' imprisonment for offenses involving an adult victim and between two and 10 years' imprisonment for those involving a child victim. 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 2018, the government reported initiating 88 investigations of trafficking cases (38 sex trafficking, 20 labor trafficking, and 30 unconfirmed), compared with 77 cases in 2017 (30 sex trafficking, 22 labor trafficking, and 25 unconfirmed). Authorities prosecuted six cases involving 21 suspected traffickers (11 cases involving an unknown number of suspected traffickers in 2017). Finnish courts convicted five traffickers (six in 2017); one trafficker received a two-year prison sentence and the other four received probation. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The National Bureau of Investigation (NBI) and the Romanian police cooperated on a sex trafficking case involving a Romanian man exploiting five Moldovan women in Finland; Finnish courts convicted the man to five and a half years in prison. Law enforcement expressed increased concern regarding Romanian and Moldovan criminal organizations trafficking individuals from their home countries in Finland.

Despite the NBI's appointment of a second investigator dedicated to investigating trafficking, a lack of specialized government personnel strained law enforcement anti-trafficking effectiveness and implementation of existing legislation. Experts raised concerns that the lack of specialized police anti trafficking units led to law enforcement investigating and prosecuting trafficking cases under less serious offenses. Nearly 750 law enforcement and border guard personnel received training on recognizing and investigating trafficking. The government, in conjunction with an international organization, sponsored a training for more than 300 health care professionals and social workers to identify the characteristics of trafficking in clients whom they encounter. The prosecutor's office held an annual training course for prosecutors throughout the country regarding trafficking trials.

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. The assistance system admitted 163 potential trafficking victims in 2018, of which 10 were children; most were exploited prior to their arrival in Finland. Comparably, the assistance system admitted 127 victims in 2017 (14 were children), most of whom were sex trafficking victims exploited in a foreign country; Nigerian women continued to account for the majority of sex trafficking victims. Authorities noted a growing number of sex trafficking victims exploited within Finland. Authorities registered 18 such victims in 2018 (eight in 2017); however, observers reported there were more victims who went unregistered, misrepresenting the real scale. Finnish law required police to pursue domestic cases specifically as trafficking crimes in order for victims to receive services through the assistance system beyond the initial emergency. A study commissioned by the government revealed mandatory police involvement in domestic cases strongly deterred victim cooperation due to fear of consequences, distrust with authorities, or belief that the police would not keep them safe from their traffickers. Additionally, assistance system personnel lacked guidance regarding referrals of victims who were trafficked domestically and did not wish to contact the police. Furthermore, according to the national rapporteur, the placement of the assistance system within immigration services misrepresented trafficking as a crime requiring migration and reduced the focus on trafficking committed within Finland.

Multiple actors within the government and civil society could identify trafficking victims. Although police and immigration officials used written guidelines for identification and referral, the government recognized these guidelines as inadequate. To address this shortcoming, the government created a national referral mechanism for victim identification and assistance, but the government neither implemented nor dedicated funding toward the mechanism. Once referred to the assistance system, consultants evaluated cases and decided on the victim's course of care, which could include transportation to a safe house, psychological, medical, and legal assistance, or shelter. There was one government-funded shelter specifically for trafficking victims, though it accepted only women and their children. Care providers sheltered most trafficking victims in private accommodations. Child services assigned unaccompanied child victims a guardian to serve as a legal representative. Authorities placed Finnish children who could not return to their families in foster care, while authorities placed unaccompanied migrant children in a migrant reception center specifically for children. There was no dedicated shelter for male victims. In 2018, the government spent approximately €1.2 million ($1.38 million) on trafficking victim assistance and protection, compared with €955,000 ($1.1 million) in 2017. In addition, the government allocated €257,000 ($294,720) for services to multiple organizations.

To receive long-term assistance, Finnish law requires victims to either cooperate with police to commence a criminal investigation or receive a specialized residence permit from Finnish Immigration Services. 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 recovery period of up to three months. 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. Authorities provided temporary residence permits to five victims and renewed five 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.

PREVENTION

The government increased prevention activities. During the reporting period, the government lacked a national action plan; however, various agencies continued to implement initiatives from the 2016-2017 plan. The government appropriated €500,000 ($573,390) for implementation in 2018. After the national coordinator departed his position in February 2018, the government failed to appoint a permanent coordinator. Experts criticized the vacancy and reported it hindered progress and effectiveness. The non-discrimination ombudsman, in her capacity as the national rapporteur, submitted a report to parliament with recommendations for legislative reforms, official referral procedures for occupational safety and health authorities, and enhanced cooperation between law enforcement and authorities coordinating the victim assistance system. In conjunction with Bulgaria, Estonia, and Latvia, the government participated in a multi-year project profiling trafficking in regional supply chains. The government allotted €20,000

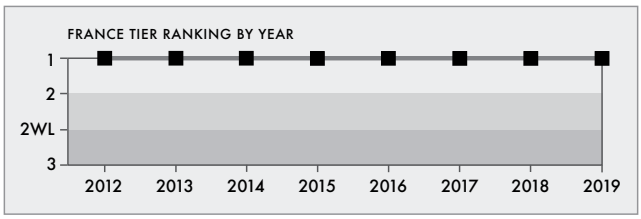
($22,940) for the development of guidelines for private sector employers to detect labor trafficking. The government did not make efforts to reduce the demand for commercial sex acts. Finland's laws against child sex tourism had extraterritorial reach, although the government did not investigate or prosecute any perpetrators. The national assistance system maintained a hotline and website in multiple languages exclusively for trafficking victims.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Finland, and, to a lesser extent, traffickers exploit victims from Finland abroad. Traffickers operate from abroad using threats of violence, debt leverage, and other forms of coercion. Victims originate primarily in Eastern Europe, Africa, South Asia, and the Middle East. Authorities report a surge in victims among asylum-seekers and other migrants, most of whom are exploited prior to their arrival in Finland, such as Nigerian women who account for the majority of sex trafficking victims; however, experts note a growing number of sex trafficking cases within 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, 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. These efforts included investigating and convicting more traffickers, identifying more victims, and approving a new national action plan. Although the government meets the minimum standards, it continued to lack coordinated and comprehensive data on trafficking, did not provide adequate resources for its anti-trafficking committee, and did not deploy sufficient efforts against labor trafficking. The government did not report the number of prosecutions and sentences for the reporting period, making it difficult to assess law enforcement efforts.



PRIORITIZED RECOMMENDATIONS:

Coordinate and centralize the timely collection of trafficking data across the government. • Increase funding and resources for anti-trafficking coordination and victim assistance. • Increase interagency coordination to investigate and prevent labor trafficking. • Create an inter-ministerial body focused on trafficking in all its forms. • Consistently screen all migrants for trafficking indicators. • Implement the second national action plan for all forms of trafficking. • Improve the quality of shelters and specialized assistance for child victims. • Improve victims' access to restitution. • Strengthen victim protection for child victims of forced begging and theft. • Offer the reflection period to all victims, including migrants and victims of forced begging and criminality.

PROSECUTION

The government increased law enforcement efforts. Article 225-4 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to seven years' imprisonment and a fine of up to €150,000 ($172,020) for offenses involving an adult victim, and up to 10 years' imprisonment and a fine of up to €1.5 million ($1.72 million) for those involving a child victim. 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 313 cases in 2018 (264 in 2017), involving 944 suspects (771 in 2017). In one noteworthy case from June 2018, the government charged a police officer assigned to a local human trafficking unit for complicity in sex trafficking. In 2017, the most recent year in which complete data was available, courts convicted 63 traffickers, compared with 48 in 2016 and 71 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms during the reporting period. For instance, in May 2018, a Paris court sentenced 15 Nigerian sex traffickers to prison sentences ranging from two to 11 years and ordered them to pay heavy fines. In November 2018, a Marseille court sentenced 14 Romanian and Bulgarian sex traffickers to prison sentences ranging from two to 11 years. In December 2018, a Nimes court sentenced nine Romanian sex traffickers to prison sentences ranging from two to eight years. Courts seized €10 million ($11.47 million) of assets from convicted traffickers, compared with €6 million ($6.88 million) in 2017.

Three bodies investigated trafficking crimes: the Ministry of Interior's Central Office for Combating Human Trafficking (OCRTEH), comprising 25 investigators, was responsible for cases of sex trafficking, while the Central Office for Combatting Illegal Labor (OCLTI) and the Central Office for the Suppression of Irregular Migration and the Employment of Irregular Migrants (OCRIEST) were responsible for labor trafficking. OCRTEH continued institutional training programs for magistrates, police, civil servants, NGOs, and the hospitality sector. The Ministry of Justice (MOJ) continued to train prosecutors and judges on the implementation of the anti-trafficking statute. The government collaborated in international investigations, including with EUROPOL, INTERPOL, the United Kingdom (UK), and Bosnia. Building on previous engagement, OCRTEH provided technical assistance to Nigerian anti-trafficking police.

PROTECTION

The government maintained protection efforts. The government identified 950 potential trafficking victims, compared with 894 in 2017 and 1,118 in 2016. For the second consecutive year, 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 victim survey completed by 24 NGOs, intended to serve as a model for future annual data collection on victims. It found 74 percent were victims of sex trafficking, 15 percent forced labor, seven percent forced

criminality, two percent forced begging, and two percent of other forms of exploitation. Fifty-three percent of victims surveyed came from Nigeria, with the remainder from North Africa and Eastern Europe.

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 specialized NGOs assisting adult victims of sex and labor trafficking. Both police and NGOs referred victims to Ac-Se. Ac-Se assisted 86 trafficking victims in 2018, compared with 79 in 2017 and 82 in 2016. Ninety-five percent were victims of sex trafficking and the remaining five percent of labor trafficking. Ac-Se provided them shelter, legal, medical, and psychological services. The government continued to identify fewer victims than in previous years; civil society did not interpret this trend as a decrease in trafficking prevalence and reported an increase in victims over recent years. The government provided Ac-Se with €234,000 ($268,350) in 2018, in addition to an unreported amount of funding to NGOs supporting the Ac-Se network.

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 an initial stipend of €350 ($401) 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. Police referred child trafficking victims to the Child Welfare Services (ASE) system. GRETA and the French independent rapporteur on trafficking reported a lack of adequate resources for the special assistance needs of child trafficking victims. The French Office for the Protection of Refugees and Stateless Persons' (OFPRA) social workers, staff, senior protection officers, interpreters, and 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. Ac-Se, with assistance from 60 partner organizations, operated a separate hotline during the reporting period. The hotline on average referred 50 trafficking cases a year to Ac-Se for assistance. 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 continued to hold an annual seminar on victim identification procedures for members of the judiciary. Newly assigned border police and cybercrime investigators received victim identification training. Aviation and law enforcement officials contributed to an NGO-led victim identification training for Paris airport staff. 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 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. Judges heard criminal trials for trafficking or aggravated pimping in private at the victim's request. 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. However, a large collective of anti-trafficking NGOs believed the new law on asylum and immigration, which eased restrictions on migrant deportation, limited victims' ability to receive temporary residence due to new time-bound restrictions on permit applications and more stringent approval criteria. GRETA reported police arrested and prosecuted child victims of forced begging and criminality without screening for trafficking indicators. Criminal courts could order traffickers to pay restitution to victims; however, authorities did not report ordering such restitution. Victims could bring a civil suit against a trafficker for compensation and were eligible to receive compensation through the Crime Victims Compensation Program. However, NGOs reported victim compensation payments were rare; the government did not report any instances of victim restitution or compensation during the reporting period.

PREVENTION

The government maintained prevention efforts. MIPROF coordinated government-wide anti-trafficking efforts and the prevention of violence against women, and increased its staff by two during the reporting period. MIPROF's anti-trafficking steering committee, comprising national, regional, and local governments, as well as NGOs, met once a year. The government internally approved its second national action plan to counter trafficking, however, its implementation was still pending at the time of this report. The 2017-2019 national action plan for mobilization against all violence against women also included measures to counter trafficking, most notably the creation of multidisciplinary regional commissions to counter prostitution, pandering, and trafficking. Eleven departments had developed multidisciplinary regional commissions, with six more in the final stages of development. GRETA requested off-cycle, high-level talks with the government over concerns with delays in implementing the national action plan and other recommendations from its 2017 report. Authorities, civil society, and GRETA reported the government did not fully implement the national action plan to counter trafficking due to a lack of funding and MIPROF's mission led to insufficient efforts against labor trafficking.

The Human Rights Commission continued to serve as the independent rapporteur for trafficking. The rapporteur expressed concern over the delay in creating a new national action plan and echoed NGOs' concerns over the new asylum law's potential negative impact to victim protection. The government continued to lack a comprehensive and centralized data system on trafficking. The government did not report investigating or prosecuting any cases of child sex tourism. The MFA funded anti-trafficking capacity-building programs across Africa's Gulf of Guinea region, and the government continued victim support operations in Libya. France implemented an agreement for joint operations and training with the Libyan Coast Guard, as well as the provision of patrol vessels. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya, citing poor security and human rights conditions inside Libya and an increased risk of trafficking for migrants forced to remain in Libya. French law required large companies (more than 5,000 employees) to create plans to mitigate risks against labor exploitation of sub-contractors. The government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad

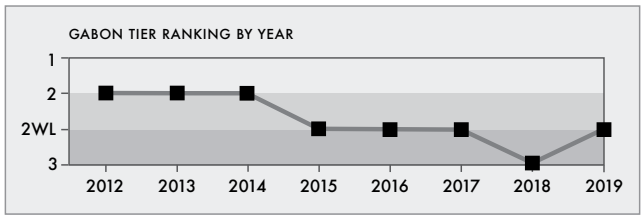
on international peacekeeping missions and issued a manual for all security forces stationed abroad. The government did not provide systemic anti-trafficking training for its diplomatic personnel, although consular officials received training on identifying forced domestic servitude.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims, and to a limited extent, domestic victims in France. Sex and labor traffickers exploit foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean. 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 government estimates the majority of the 30,000 people in prostitution in France, about 90 percent of whom are foreign, are likely trafficking victims. Traffickers exploit children, primarily from Romania, West and North Africa, and the Middle East, in sex trafficking in France. In suburban areas, there is a sharp rise in sex traffickers known as "lover boys," coercing vulnerable girls into sex trafficking, often through a sham romantic relationship. Expansive criminal networks force children to commit crimes. Traffickers exploit the large influx of unaccompanied minors that have entered France in recent years. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Labor traffickers exploit women and children in domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. The number of male victims of sex and labor trafficking has increased. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport women and girls to France, where they subject them to trafficking. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the UK. Traffickers hold Vietnamese migrants in makeshift migrant camps awaiting transit to the UK for labor exploitation. Chinese victims often enter France on short-term student or tourist visas.

GABON: TIER 2 WATCH LIST

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Gabon was upgraded to Tier 2 Watch List. These achievements included increasing the number of trafficking investigations, prosecutions, and convictions; identifying child victims; expanding awareness activities; and signing two bilateral cooperation agreements with neighboring countries aimed at increasing cooperation on cross-border trafficking cases. Despite these achievements, the government did not investigate credible reports of trafficking-related corruption, and it did not enact a proposed amendment to criminalize adult trafficking. It also did not increase efforts to identify, refer, or provide services to adult victims.



PRIORITIZED RECOMMENDATIONS:

Fully investigate credible reports of government corruption related to trafficking, especially allegations of official complicity and judicial staff taking bribes. • Vigorously investigate and prosecute suspected traffickers, and seek to convict traffickers through independent and fair trials. • Regularly convene the Criminal Session of the Appeals Court in order to increase the number of trafficking cases heard. • Enact legislation to criminalize all forms of trafficking, including crimes involving adult trafficking victims. • Expand training for social workers, law enforcement officers, labor inspectors, and judicial staff on existing laws to promote more effective trafficking investigations, prosecutions, and convictions of traffickers found guilty following an independent and fair trial. • Regularly convene the inter-ministerial committee and expand its mandate to include adult trafficking. • Draft a national action plan including measures to address adult trafficking. • Expand awareness-raising campaigns to include information on adult trafficking. • Increase financial or in-kind support to government-run and NGO shelters. • Collaborate with foreign governments to investigate, prosecute, and convict members of transnational trafficking groups and repatriate foreign victims. • Train social workers and first responders on promising practices in the provision of care for trafficking victims.

PROSECUTION

The government increased 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 to employ them unlawfully; and prescribed penalties of a "custodial sentence" and a fine of 10 million to 20 million Central African francs (CFA) ($16,560-$33,120). 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 ($500-$990). Neither law provided sufficiently stringent sentences. Articles 260 and 261 of the penal code, which specifically criminalized pimping, could be applied to adult and child sex trafficking crimes and prescribed penalties of two to five years' imprisonment and a fine of 100,000 to two million CFA ($170-$3,310). 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. The Senate approved a revised Penal Code in December 2018, which increased punishments for existing child trafficking offenses and criminalized some forms of adult trafficking; the bill was pending presidential approval at the close of the reporting period.

The government reported investigating 17 suspected trafficking cases and prosecuting three of those cases during the reporting period, compared with investigating one trafficking case during the previous reporting period. In March 2019, the government convicted one trafficker under Gabon's 2004

anti-child trafficking law, sentencing the trafficker to 10 years' imprisonment and a fine of 10 million CFA ($16,560). The government did not report convicting a trafficker in the previous six years. Because the government did not report case details, authorities may have charged suspects with trafficking-related offenses. Only the Criminal Session of the Appeals Court was authorized to hear trafficking cases because it is a crime equivalent to murder in the Gabonese legal system; however, the court was backlogged with cases and did not routinely meet, in part because of a lack of funding. In addition, due to a lack of training and widespread corruption, prosecutorial judges tasked with investigating trafficking cases often did not investigate cases brought to their attention, creating significant obstacles to prosecuting trafficking crimes. Furthermore, a lack of coordination between ministries contributed to the government's limited capacity to collect and manage anti-trafficking law enforcement data. The government did not report investigating, prosecuting, or convicting complicit government employees; however, corruption and official complicity in trafficking crimes remained significant concerns. Some judges allegedly received bribes from traffickers and actively delayed or dismissed trafficking cases. During the reporting period, the government signed bilateral cooperation agreements with Togo and Benin intended to expand law enforcement coordination to address international trafficking networks; however, officials did not report extraditing any trafficking suspects or investigating cross-border cases resulting from the agreements.

PROTECTION

The government marginally decreased efforts to identify and protect victims. Officials identified and referred 50 child labor trafficking victims to shelters providing medical, legal, and psychological care, compared with 65 in 2017. The government did not report identifying any adult trafficking victims and did not provide victims with trafficking-specific resources. The government decreased funding to NGOs that provided shelter and services to victims for the fifth 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 financial and in-kind support, including funding for social workers, medical support, psychological services, legal assistance, tuition, and food and furniture vouchers. Some government workers reportedly 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. The government did not report any victims using these services during the reporting period. Shelters 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 and to prevent re-trafficking.

The Ministry of Health, Social Protection, and National Solidarity, in coordination with foreign embassies, assisted in the repatriation of an unknown number of foreign child trafficking victims, compared with 42 during the previous reporting period. 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. While 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; this approach is neither victim-centered, nor 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 exploited; however, due to negligible efforts to identify adult trafficking victims, some may have remained unidentified in the law enforcement system.

PREVENTION

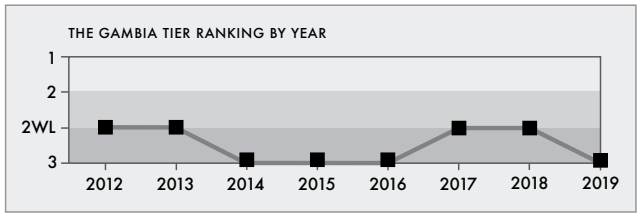
The government increased prevention efforts. Unlike previous years, the government—with support from an international organization—conducted three awareness raising campaigns in 2018 incorporating radio, television, print, and social media focused on preventing child trafficking and violence against minors; however, the government suspended the inter-ministerial child trafficking committee's budget in 2018. The inter-ministerial child trafficking committee conducted a training in July 2018 with the support of an international organization to improve coordination on child protection issues. The government convened a drafting committee in January 2019 to create a five-year anti-trafficking action plan by the end of the year. The government did not make any discernible efforts to reduce the demand for commercial sex acts or forced labor. Officials, with foreign donor support, continued to provide anti-trafficking training to approximately 450 Gabonese troops prior to their deployment on an international peacekeeping mission in the Central African Republic. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Gabon, and traffickers exploit victims from Gabon abroad. Traffickers subject girls to domestic servitude and forced labor in markets or roadside restaurants; force boys to work as street vendors, mechanics, microbus transportation assistants, and as laborers in the fishing sector; and force West African women into domestic servitude or prostitution within Gabon. In eastern provinces within the country, shopkeepers exploit Gabonese children in markets to forced labor. In some cases, smugglers who assist foreign adults migrating to Gabon then subject those migrants to forced labor or prostitution after they enter the country via plane or boat with falsified documents. Some victims are economic migrants transiting Gabon from neighboring countries 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 employment, and instead subject the children to forced labor through debt bondage. Some traffickers procure falsified documents for child trafficking victims identifying them as older than 18 years to avoid prosecution under the child trafficking law. Traffickers often operate outside the capital to avoid detection by law enforcement.

THE GAMBIA: TIER 3

The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore The Gambia was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including continuing to partner with an NGO to prevent forced begging in Quranic schools and doubling the National Agency Against Trafficking in Persons' (NAATIP) budget for 2019. However, the government did not complete any trafficking prosecutions for the second consecutive year, did not investigate cases of child sex tourism even after NGOs brought such accusations to authorities, identified and assisted the fewest number of trafficking victims in five years, failed to protect trafficking victims from intimidation, and decreased efforts to raise public awareness about human trafficking.



PRIORITIZED RECOMMENDATIONS:

Direct and fund law enforcement to investigate all reported trafficking cases, including those brought forward by civil society. • Increase efforts to vigorously investigate, prosecute, and convict traffickers, including complicit government officials and allegations of child sex tourism, while following due process. • Develop and train government officials on standard procedures to proactively identify trafficking victims, including among people in prostitution and other vulnerable groups. • Increase funding and in-kind support to facilitate training for social workers to provide trafficking victims adequate social services. • Improve safety measures for victims receiving services to ensure confidentiality and privacy. • 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. • Collaborate with foreign law enforcement to investigate and prosecute foreign child sex tourists. • Facilitate coordination between Gambian and European travel agencies to discourage child sex tourism.

PROSECUTION

The government maintained weak anti-trafficking law enforcement efforts. The 2007 Trafficking in Persons Act, as amended in 2010, criminalized sex trafficking and labor trafficking and prescribed penalties of 50 years to life imprisonment and a fine of between 50,000 and 500,000 dalasi ($1,000-$10,000). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated one sex trafficking case that led to the prosecution of two Nigerian defendants, which remained ongoing at the end of the reporting period. The government did not convict any traffickers. This is compared with zero investigations, two prosecutions, and zero convictions in the previous reporting period. Despite NGOs referring several potential child sex trafficking cases to law enforcement, a high-level government official made statements denying the existence of child sex tourism in the country and officials did not investigate any suspects in these cases. During the reporting period, civil society organizations alleged a foreign national law enforcement advisor was involved in a potential child sex trafficking case; however, police did not further investigate the allegation. In coordination with a regional intergovernmental organization, NAATIP provided materials and trained 60 immigration and police officers on the 2007 anti-trafficking law ahead of a major transnational bridge opening in January 2019. NAATIP officials requested and participated in a training on human trafficking,—including child trafficking and forced labor—child labor, and labor migration hosted by an international organization and foreign donors in December 2018; the government did not contribute financial or in-kind resources to the training. Authorities acknowledged law enforcement and judicial personnel continued to lack adequate resources and training to investigate and prosecute trafficking offenses and indicated that more training and awareness raising is needed to increase the capacity of law enforcement and judicial personnel. 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 decreased efforts to identify and protect trafficking victims. The government identified and referred four sex trafficking victims to care—the lowest number of identified victims in five years—compared with identifying and referring 91 potential trafficking victims to care the previous reporting period. NAATIP referred the four identified victims, three women and one girl, to the Department of Social Welfare (DSW) for care. In partnership with an international organization, NAATIP assisted repatriating one victim to her home country where the international organization is providing care. Law enforcement had standard operating procedures (SOPs) to proactively identify potential trafficking victims amongst vulnerable populations, including unaccompanied minors and homeless children; however, the SOPs were limited in scope and officials did not consistently use them. While law enforcement referred women and children 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. DSW allocated only enough support to the shelter for salaries and provided food every three months; DSW allocated two million dalasi ($40,000) to the shelter and paid the salaries of 38 staff, the same as 2017. The shelter offered basic services such as housing, medical care, and limited counseling to children and women; authorities did not allow victims to leave without a chaperone. The shelter lacked professional social workers trained to assist trafficking victims. Shelter security was weak; an international organization reported unauthorized individuals entered the shelter and intimidated four trafficking victims residing there. The victims were pressured by unknown individuals to drop their testimony against their Nigerian traffickers. The three adult victims ran away from the shelter and their whereabouts were unknown.

The fourth victim, a minor, was repatriated back to her home in Nigeria with the assistance of an international organization. The shelter could assist Gambian victims exploited abroad after their repatriation, as well as both foreign and domestic victims. An international organization assisted the government to repatriate trafficking victims from Lebanon identified in previous reporting periods. During the reporting period, the government also secured funding from an international organization for trafficking victims repatriated from Lebanon in 2016; the victims received a reintegration package equivalent to 50,000 dalasi ($1,000) to be used for vocational training. NAATIP also partnered with an NGO to secure funding from an international organization for Gambian trafficking victims identified in Lebanon, Kuwait, and Egypt in previous reporting periods for reintegration support. 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.

The 2007 anti-trafficking law 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 any such cases were filed during the reporting period. An international organization alleged police detained a potential trafficking victim for unlawful acts traffickers compelled them to commit and 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 (MOJ) continued to allocate 150,000 dalasi ($3,000) per month to NAATIP for salaries and administrative costs in 2018. The government did not provide additional funding for implementation of the 2016-2020 anti-trafficking national action plan but the MOJ doubled NAATIP's budget for the 2019 fiscal year to 300,000 dalasi ($6,000) per month. NAATIP met with donors to request funding to implement a 2018-2019 Advocacy Action Plan but did not report receiving any assistance. NAATIP held two public awareness campaigns with a television station and municipal council in January 2019. In March 2019, the Kanifing Municipal Council and a local NGO organized a community awareness-raising event, including religious and traditional leaders, government ministries, and the National Youth Council, to raise awareness of human trafficking. Multiple government entities including NAATIP, police, and immigration officials were involved in the event that was widely reported on in local media. The Gambia Tourism Board raised awareness in schools on child sex tourism. In partnership with an NGO, the Ministry of Education continued to encourage reputable Quranic school teachers to educate students on trafficking and not force them to beg; it incentivized these behaviors by providing monthly cash transfers and food rations to 17 schools that it regularly verified did not exploit students in forced begging. As part of the program, the ministry and NGO also provided science, math, and English teachers to broaden the schools' curricula, which has benefited an estimated 1,500 children since the program began in 2012. NGOs reported that of the 11 original DSW organized neighborhood watch groups to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation, only two remained occasionally active; NGOs reported both groups were untrained and lacked the capacity to investigate or effectively report potential cases. Neither group reported identifying child sex trafficking victims or suspected child sex tourists during the reporting period. The government operated a 24-hour trafficking-specific hotline in four languages, but it did not report receiving 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, forced labor, or child sex tourism. The government trained some but not all diplomatic personnel on trafficking in persons.

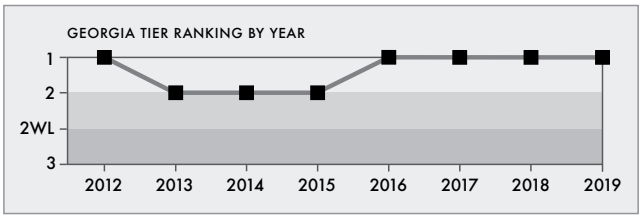
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in The Gambia, and traffickers exploit victims from The Gambia abroad. 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 sex trafficking in The Gambia. Some families encouraged 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. Child sex tourists primarily from Canada, Germany, the Netherlands, Scandinavian countries, and the United Kingdom and subject the majority of these victims to sexual exploitation. 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, Kuwait, UAE, Finland, Cyprus, and Algeria in previous reporting periods. Between January 2017 and October 2018, an international organization repatriated at least 3,500 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. These efforts included building another crisis center for potential victims, adopting the 2019-2020 national action plan, and approving a law that will allow labor inspectors to conduct unannounced inspections. Law enforcement maintained a specialized unit, in addition to mobile groups and task forces, which conducted proactive efforts. The government also doubled its funding for government-run shelters and other victim assistance services. Although the government meets the minimum standards,

the government investigated, prosecuted, and convicted a relatively low number of traffickers and identified fewer victims. Identification efforts for forced labor and street children remained inadequate and the interagency anti-trafficking council continued to lack transparency.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Article 143. • Increase efforts to proactively identify victims, particularly among street children and Georgian and foreign victims in vulnerable labor sectors. • Increase law enforcement capacity to investigate complex cases, including advanced training for money laundering, organized crime, and digital evidence. • Strengthen specialized services including shelter and psycho-social support for all victims. • Encourage victims' participation in investigations and prosecutions through victim-friendly court procedures, including remote testimony or funding for travel and other expenses for victims to attend court hearings. • Increase transparency of the inter-ministerial trafficking coordination council and regularly publish information on the government's anti-TIP efforts. • Further incorporate the Labor Inspectorate in anti-trafficking efforts with a clear mandate that establishes roles and responsibilities. • Improve measures to order restitution for victims, including training prosecutors and judges, asset seizure, and legal assistance. • Target awareness-raising campaigns about the existence of trafficking, legal recourse, and available protection services to vulnerable groups.

PROSECUTION

The government maintained law enforcement efforts. Article 142 and 143 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from seven to 12 years' imprisonment for offenses involving an adult victim, and eight to 12 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Law enforcement investigated 21 cases (23 in 2017); 10 were sex trafficking cases and seven were forced labor cases, including five forced begging cases and two were related to both sexual and labor exploitation. The government prosecuted five defendants, three for sex trafficking and two for forced labor, compared to four suspected sex traffickers in 2017. Courts convicted four sex traffickers (four traffickers in 2017); one trafficker received 15 years of imprisonment, two received 12 years of imprisonment and one received six years and six months of imprisonment.

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. The government continued to develop capabilities to investigate trafficking cases but required additional advanced training on corroborating victim testimonies and evidence collection in complex cases involving money laundering, organized crime, and digital evidence. Observers reported a lack of transparency following police raids on brothels, including information on what happened to individuals in prostitution. In May 2018, the government adopted a new pimping article in its penal code that increased the authorities under which to investigate and prosecute trafficking crimes; some experts noted the lower penalties under these articles might result in authorities pursuing lesser charges for trafficking crimes because pimping crimes are easier to prove. Experts also noted concerns that trafficking victims involved in these pimping cases may go unidentified more frequently if officials did not pursue the case as trafficking crimes. The government reported the inability to conduct anti-trafficking efforts within the Russian-occupied Georgian territories of Abkhazia and South Ossetia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. All police cadets received basic training on trafficking issues and the government, at times in cooperation with international organizations, trained border police, customs officials, prosecutors, investigators, and victim coordinators. The government extradited a suspected trafficker to Russia and received a suspect from Kazakhstan, arrested four suspects on behalf of Moldovan, Turkish, and Uzbek authorities, and cooperated with Turkey and Ukraine on five legal assistance requests.

PROTECTION

The government maintained protection efforts. The government identified five victims (12 victims in 2017); three were victims of sex trafficking and two were victims of forced begging (10 victims of sex trafficking and two victims of forced labor in 2017); all victims were female (all female victims in 2017); and two were children (one child victim in 2017). Mobile groups and task forces screened 395 individuals (682 in 2017) at 98 locations (149 in 2017), such as hotels, bars, nightclubs, and bathhouses, for trafficking indicators. Authorities interviewed another 17 individuals deemed as "high-risk" (55 in 2017) from working at businesses that violated labor standards. Authorities screened 3,009 Georgian nationals deported from other countries for trafficking indicators at the international airport and border crossings (3,085 in 2017). The government continued to use and disseminate guidelines for victim identification, including the proper treatment of victims, screening for indicators at border posts, and victim-centered interview practices. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for officially 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. Law enforcement officially recognized all five victims in 2018 (eight officially recognized by law enforcement and four by the Permanent Group in 2017). Government-run crisis centers in four cities, including a new crisis center built in Ozurgeti, and NGOs provided initial psychological care, medical assistance, legal support, and temporary shelter for potential victims awaiting official victim status. Observers reported the NRM worked effectively but raised concerns about the low number of identified potential victims, including inadequate identification efforts for children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors.

The government allocated 548,960 lari ($205,600) to the government-run anti trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 211,600 lari ($79,250) in 2017. The government provided medical aid, psychological counseling, legal assistance, childcare services, reintegration support, and a one-time financial payment of 1,000 lari ($370) to victims, regardless of their decision to assist law enforcement with investigations and prosecutions. Child victims received the same assistance specialized for minors under the government's care, in addition to custodial care, education, and family reintegration programs. Five victims received legal aid, one received medical care, and one received the 1,000 lari ($370) in cash assistance. The government-run shelters were staffed by a nurse, psychologist, social worker, and lawyer, and offered separate sections for men, women, and children. Victims could initially stay at the shelter for three months, which authorities could extend upon the victim's request; the government-run shelters accommodated three victims (two victims in 2017). Observers reported government-run shelters currently focus on victims of domestic violence due to the low number of identified trafficking victims and were unable to provide specialized services to trafficking victims. 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, foreign victims were eligible for renewable one-year residence permits with the ability to seek legal employment; four victims received residence permits. The government could provide repatriation assistance to Georgian victims returning to Georgia and foreign victims wishing to leave Georgia, but reported no victims required repatriation assistance (three in 2017).

Five victims assisted law enforcement (eight in 2017). The law required closed door sessions for court proceedings and allowed victims to leave the country pending trial; however, experts reported law enforcement requested victims to remain in-country through the end of the trial, likely hindering victim cooperation, particularly from foreign victims wanting to repatriate, due to slow court proceedings. 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; Victim-Witness Coordinators provided assistance to four victims and 12 witnesses. The law allowed recorded testimony or testimony by other technological means; none of the trials used such measures (none in 2017). The law also allowed the possibility of placing a victim into the state's witness protection program; no victims required the use of witness protection in 2017 and 2018. Observers reported prosecutors and judges applied victim-centered approaches to prevent re-traumatization during trial. No trafficking victims have ever received restitution or compensation 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 Inter-Agency Council on Combating Trafficking in Persons (TIP Council) adopted the 2019-2020 national action plan, but observers continued to report the TIP Council did not provide public assessments on government efforts and lacked transparency. The Chief Prosecutor's Office managed a working group on forced labor, which met three times in 2018. The government, in cooperation with an international NGO, trained officials on coordinating interagency anti-trafficking efforts. An international organization reported Georgian authorities were reluctant to implement large-scale awareness campaigns due to the negative impact they believed it would have on the tourism industry; however, the government issued a 25,000 lari ($9,360) 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 69 trafficking-related calls (118 in 2017). Authorities issued 24 temporary identification documents to homeless children and eight to minor victims of violence (13 in 2017), one permanent identity card, and five passports to known or suspected trafficking victims in 2017 and 2018. The Labor Inspectorate continued to have an unclear mandate due to a lack of substantive labor laws, but the government approved a law that will allow for unannounced inspections for the purpose of occupational and safety regulations. The Labor Inspectorate inspected 135 businesses (64 in 2017) and fined five foreign laborer recruiters for failing to provide information on Georgian citizens assisted to find work outside the country (610 in 2017). The government made efforts to reduce the demand for commercial sex and forced labor.

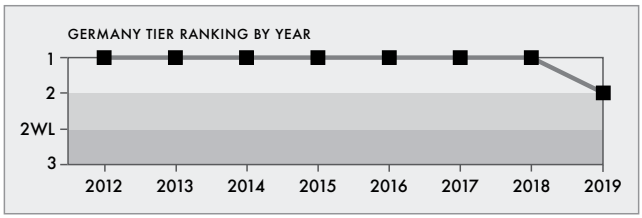
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Georgia, and traffickers exploit victims from Georgia abroad. Traffickers recruit victims with false promises of well-paying jobs in tea processing plants, hospitals, salons, restaurants, and hotels. Traffickers subject women and girls from Georgia 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. Traffickers subject women from Azerbaijan and Central Asia to sex trafficking 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 Cyprus, Egypt, Iraq, Turkey, and United Arab Emirates. Georgian, Kurdish, and Romani children are subjected to forced begging and coerced into criminality in Georgia. Chinese women in prostitution and Southeast Asian women working in massage parlors are vulnerable to sex trafficking. No information was available about the presence of human trafficking in the Russian-occupied Georgian 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 2

The Government of Germany does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made significant efforts to meet the minimum standards during the reporting period by identifying more labor trafficking victims, launching major investigations into sex trafficking rings, and increasing

funding for victim protection and support. The high number of suspended sentences for trafficking convictions, with only 36 percent of convicted sex traffickers in 2017 serving prison time and all three convicted labor traffickers receiving only fines, undercut efforts to hold traffickers accountable, and did not meet the minimum standard generally requiring incarceration for convicted traffickers. Law enforcement data also has shown an overall multi-year decline in convictions for trafficking since 2009. Therefore Germany was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute suspected labor and sex traffickers, and sentence convicted traffickers to punishments proportionate to the severity of the crime. • Obtain and make public disaggregated data on sentencing where courts convict defendants of both trafficking and one or more other serious crimes. • Extend more specialized care, services, and accommodations for youth and male victims. • Increase availability of training for judges on adjudicating trafficking cases, both through focused courses on trafficking and similar modules in broader training courses. • Create a national referral mechanism for victims across all states. • Increase the capacity of investigators, prosecutors, and courts with specific expertise on trafficking cases to minimize delay in bringing cases to trial. • Appoint a national rapporteur to provide independent review of government efforts on both labor and sex trafficking.

PROSECUTION

The government decreased law enforcement efforts. The criminal code criminalized sex trafficking and labor trafficking under Sections 232 and 233 and prescribed punishments of 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. The law did not require proof of force or coercion to prosecute suspected sex traffickers when victims were younger than age 21. The complex wording and scope of Section 233 reportedly resulted in state prosecutors sometimes charging suspected traffickers with offenses considered easier to prove than coercion in labor and sex trafficking. As a federal system, jurisdiction for criminal prosecutions in Germany rested with state courts.

State governments conducted 338 pre-trial trafficking investigations in 2017, the most recent year for which the government had comprehensive statistics (compared to 375 in 2016). Of these, 327 were for sex trafficking (compared to 363 in 2016) and 11 for labor trafficking (compared to 12 in 2016). Of the investigations, 157 (48 percent) involved additional serious crimes, including rape, assault, and kidnapping. Minors were victims in 40 percent of investigations. Police identified 550 suspected traffickers out of those investigations, (523 for sex trafficking and 27 for labor trafficking), compared to 551 suspected traffickers in 2016. German citizens comprised 25 percent of the suspects, followed by Bulgarians (22 percent) and Romanians (18 percent). The number of Nigerian suspects (eight percent) increased threefold from 2016. In a notable case, in April 2018, 1,500 officers coordinated raids across 12 states at 62 locations, including brothels and private apartments, the largest ever for the federal police. The raids resulted in seven arrested suspects who allegedly subjected female and transgender Thai victims to trafficking.

Reported prosecutions and convictions for trafficking in Germany continued to decline significantly in recent years. The states collectively prosecuted 76 defendants for trafficking in 2017, including 71 defendants for sex trafficking and five for labor trafficking. Prosecutions declined from 90 in 2016 and 89 in 2015 and marked the fewest prosecutions in 10 years. Courts convicted 50 defendants, down from 72 in 2016 and 77 in 2015. Of these, courts convicted 47 defendants for sex trafficking and three for labor trafficking. This continued a steady and significant decrease in annual convictions since 2007. During this period, convictions ranged from 88 in 2014 to 123 in 2007 and averaged 116 trafficking convictions per year. Convicted traffickers frequently avoided imprisonment and received suspended sentences or fines. Under German sentencing practices, judges typically suspended sentences under two years, particularly for first-time offenders, for most crimes, including for human trafficking convictions. This weakened deterrence, undercut efforts of police and prosecutors, and created potential security and safety concerns, particularly for victims who cooperated with investigations and prosecutions. Of the 50 convictions in 2017, 26 resulted in suspended sentences and defendants served no prison time, seven convicted traffickers received only fines, and 18 (or 36 percent) received and served prison terms, a slight percentage increase from 2016 (35 percent). Of the 18 defendants receiving prison time, sentences ranged from six months to 10 years, with 12 of those defendants sentenced to prison terms between two and five years, one serving five to 10 years, and five serving less than two years. In comparison, a higher percentage of defendants convicted of rape in 2017 served prison time (55 percent) and on average received longer prison terms. For all cases in which a court convicted a defendant of multiple crimes, government statistics filed it under the charge for which the court imposed the longest sentence. Therefore, official statistics did not include cases in which the court convicted a defendant of trafficking but where that defendant received a longer sentence for a crime the court may have considered a more serious offense. This likely lowered both the reported number of trafficking convictions and the average length of sentences.

Police investigated 12 cases of labor trafficking in 2017, compared to 19 in 2016. In these cases, police identified 27 suspects, the same as in 2016. Authorities prosecuted five alleged labor traffickers, a steep decline from 19 in 2016 and 12 in 2015. Courts convicted three labor traffickers, down from 12 in 2016 and five in 2015. All three were younger than age 21 and received a fine. State authorities reported several cases in which convicted traffickers received significant penalties in 2018. A Berlin court sentenced three defendants to an average of nearly eight years' imprisonment each in November 2018 in a case of both kidnapping and sex trafficking of several girls from Berlin. In December 2018, a state court sentenced a German defendant to nine years in prison for sex trafficking a minor, along with other criminal charges, one of the longest prison terms to date. In November 2018, three Nigerian women received sentences in the Hesse state court ranging from two years and two months to three years and three months for recruiting Nigerian women as sex trafficking victims and prosecutors filed a motion for the court to reconsider a longer prison sentence.

Although prosecutors with experience assisting victims through trial processes frequently led sex trafficking cases,

labor trafficking cases in contrast were more often assigned to financial, economic, or organized crime sections. To improve this disparity of expertise, a federal government-funded NGO conducted a nationwide workshop on labor trafficking for public prosecutors in November 2018. The government's service center for agencies and professionals working on trafficking cases, Servicestelle, also provided training for prosecutors on forced labor. NGOs noted the duration of the average investigation and prosecution for trafficking crimes, like any crime, continued to be too long, sometimes years, and police in many jurisdictions lacked sufficient staff to timely process the workload. To address this need, in January 2019, the government approved €220 million ($252.29 million) to expand judicial staff, prosecutors, and police for all criminal cases. The Berlin state-level police also added a third specialized trafficking investigation unit in 2018.

Judges could not be compelled to attend training courses, although many voluntarily participated in some form of training. While most lacked trafficking-specific training, many judges and prosecutors participated in the German Judicial Academy's annual training on cross-border sex trafficking. 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 continued to incorporate trafficking courses into their training. The federal police (Bundeskriminalamt, or BKA) maintained an information portal for federal and state police forces, with information on current trends, guidelines, and investigative tools for combating trafficking. Federal and state-level police collaborated with EUROPOL and foreign governments, notably Romania, Bulgaria, and Nigeria, conducting trainings and investigating trafficking cases. Germany processed 41 incoming extraditions requests and seven outgoing requests in 2017 for trafficking-related charges.

PROTECTION

The government increased victim protection efforts. In 2017, the most recent year for which comprehensive statistics were available, state government authorities, who are responsible for protection efforts, identified 669 trafficking victims, an increase from 536 in 2016. Of these, 489 were victims of sex trafficking (488 in 2016) and 180 of labor trafficking (48 in 2016). Nearly half (46 percent) of all sex trafficking victims were younger than age 21, and a majority of German citizen victims were younger than age 21. The large increase in victim identification came mainly from the construction sector (116 victims in 2017, compared to 12 in 2016), with most victims from North Macedonia (52 victims) and Latvia (39 victims). The Federal Agency for Migration and Refugees (BAMF) identified more potential victims in the asylum protection system than in recent years and made referrals to counseling centers. Each of the 50 BAMF offices across Germany included at least one representative to assist in identifying and supporting potential victims of trafficking.

The government funded services through the Network against Trafficking in Human Beings (KOK), the quasi-governmental NGO also charged with coordinating and overseeing victim support efforts across Germany. NGO counseling centers funded by the government served both labor and sex trafficking victims, although many centers worked only with female sex trafficking victims. NGO service providers operated in 45 cities, providing shelter, medical and psychological care, legal assistance, vocational support, and other services. Trade union-affiliated and migrant counseling centers also supported labor trafficking victims. There was limited comprehensive or long-term support across the centers for children and male trafficking victims, and KOK noted overall availability of services and shelters was inconsistent across states. An October 2018 study by KOK also noted challenges for all groups in providing adequate accommodation. The Family Ministry published its Federal Cooperation Concept for the Protection of Children in October 2018, designed to align policies and clarify responsibilities between agencies and across states for cases involving minors.

National government funding for the KOK's management operations was €1.5 million ($1.72 million) total for the three-year period of 2019-2021, an increase from €370,000 ($424,310) in 2018, and €343,000 ($393,350) for 2017. State governments also supported trafficking victims; for instance, the Bavarian labor ministry provided €600,000 ($688,070) in 2017 and North-Rhine-Westphalia funded €1 million ($1.15 million) in 2018 to support eight counseling centers and committed an additional €667,920 ($765,960) per year starting in 2019. Government-funded counseling centers or youth welfare organizations together assisted approximately 33 percent of victims identified (compared to 34 percent in 2016), while BKA reported 47 percent declined offers of specialized care and did not have information on the remaining 20 percent of victims. BKA cited various reasons for the low response to support, including limited or lack of counseling, lack of interest, or return to the victim's home country.

Germany's Prostitute Protection Act of 2016 mandated individuals in prostitution register for a license and required counseling sessions, including on health and legal rights. The law required officials across all states to screen for trafficking indicators during registration, during which officials identified numerous individuals subjected to force, fraud, or coercion. However, some NGOs expressed concern that the most vulnerable victims of trafficking would either not register, or register without disclosing trafficking crimes. Germany did not have a single national referral mechanism, as investigations and prosecutions were handled at the state-level; thus, each state had a separate system to refer victims to either state-run support or NGOs. Prosecutors, together with other authorities, offered undocumented victims a reflection period of three months to decide if they would testify in court. Some jurisdictions, such as Berlin, routinely extended the period to six months. Victims who agreed to testify could remain and work in Germany through 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. 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 as part of the criminal proceeding.

PREVENTION

The government maintained efforts to prevent trafficking. Germany had no single national action plan on trafficking, but had a broader plan to counter violence against women, a strategy to combat labor trafficking, and a National Action Plan on Business and Human Rights, which included supply

chain issues as one component. The Ministry of Development and International Cooperation (BMZ) established guidelines in 2018 and support structures with a target of 50 percent of companies required to report on human rights measures incorporated into their operations by 2020, including trafficking in supply chains. Even though NGOs contributed to the BMZ document, many still described the measures as limited in effect, overly broad, vague, and non-binding on companies. In February 2019, the United States and Germany signed a Joint Declaration of Intent to increase cooperation on labor trafficking issues, including within global supply chains. The government had not appointed a national rapporteur, a key recommendation of GRETA's 2015 report, as well as NGOs and some state-level officials.

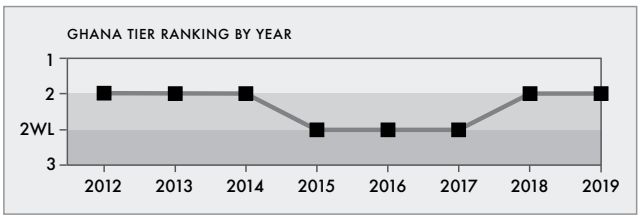
The federal government, through NGOs, co-funded and implemented various awareness campaigns, in addition to efforts at the state level. In cooperation with an NGO, the government held informational events for domestic workers on their rights. For domestic workers employed by embassies in Berlin, authorities conducted in-person interviews without employers present. The federal government continued to fund a 24/7 hotline in 17 languages for women affected by violence; in 2017, the hotline received calls from 120 potential trafficking victims. German law required background checks on brothel management employees. Prostitution is legal and regulated in Germany. The government did not make efforts to reduce the demand for commercial sex. The government increased funding for bilateral and EU-based anti-trafficking programs in source countries in 2018, notably Nigeria. German police trained Nigerian anti-trafficking police units through sessions held twice yearly in Nigeria. Most recently, BMZ initiated programs on border management and trafficking victim identification in several West African countries and in the Balkans.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Germany. Most identified sex trafficking victims in Germany are EU citizens, primarily Bulgarians, Romanians (of which a significant percentage are ethnic Roma), as well as German citizens. Victims also come from most other regions of the world, particularly China, Nigeria, and other parts of Africa. Labor trafficking victims are predominantly male and European, including from North Macedonia, Latvia, Ukraine, Bulgaria, Poland, and Romania, but also Afghanistan, Pakistan, and Vietnam. Traffickers exploit victims of forced labor primarily at construction sites, but also in hotels, meat-processing plants, seasonal industries, and restaurants, and as caregivers in private homes, with reported increases in the number of child victims. Traffickers subject Roma and foreign unaccompanied minors to sex trafficking, forced begging, and other coerced criminal behavior. Migrants and refugees remain vulnerable to sex or labor traffickers upon arrival. 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ghana remained on Tier 2. These efforts included increasing resources dedicated to implementation of its anti-trafficking action plan; sentencing more convicted traffickers to significant prison terms; improving interagency and civil society cooperation to identify and remove children from trafficking situations; increasing anti-trafficking public awareness activities; and adopting systematic trafficking data collection procedures. However, the government did not meet the minimum standards in several key areas. The inadequacy of operational resources, limited technical capacity for effective investigation, the absence of government-supported shelter space for adult and child trafficking victims, and the shortage of state attorneys hindered prosecutions. The government did not adequately address corruption and political interference in trafficking investigations and prosecutions, and it did not amend the anti-trafficking act regulations 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.



PRIORITIZED RECOMMENDATIONS:

Provide increased resources for surveillance and investigative operations to enable investigators, in cooperation with social welfare workers, to respond effectively to reports of suspected sex or labor trafficking, collect and preserve evidence, and protect potential victims. • Increase financial support for government and NGO programs that provide comprehensive trauma-informed care and reintegration services for adult and child trafficking victims. • Increase efforts to identify and address corruption and political interference that impede the investigation and prosecution of trafficking crimes. • Increase the number of attorney general prosecutors designated to prosecute trafficking crimes and ensure their collaboration with police during case development and through the prosecution of human trafficking cases. • Provide advanced training to law enforcement on surveillance and evidence collection in trafficking cases and to prosecutors and judges on pursuing cases under the anti-trafficking act. • 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 screening, identification, referral, and protection of trafficking victims throughout Ghana. • 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 increase funding for implementation of the national plan of action against trafficking. • Implement nationwide the newly adopted trafficking data collection procedures that track investigations, prosecutions, victims identified by enforcement and protection agencies, and assistance provided.

PROSECUTION

The government maintained vigorous anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act, amended in 2009, criminalized sex trafficking 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, which are non-discretionary and have the force of law, provided 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, five to 10 years' imprisonment, or both. By allowing for a fine in lieu of imprisonment, the prescribed punishments for sex trafficking were not commensurate with those for other serious crimes, such as rape.

The government reported initiating 82 investigations into suspected human trafficking during calendar year 2018, compared to 113 investigations in 2017. Of the 82, the Ghana Police Service (GPS) Anti-Human Trafficking Unit (AHTU) reported 67 investigations of potential trafficking crimes, compared with 91 investigations in 2017. Of these, 48 were labor trafficking investigations, most of which were suspected labor trafficking of Ghanaian children within Ghana; and 19 were sex trafficking investigations, nearly all of which involved transnational trafficking of Nigerian women and girls. The Ghana Immigration Service (GIS) reported investigating 14 suspected trafficking cases compared with 22 cases in 2017; of these, 10 were suspected labor trafficking cases and four were cases of suspected sex trafficking of Nigerian women and girls in Ghana. The Economic and Organized Crime Office (EOCO) in the Attorney General's Department investigated a suspected labor trafficking case involving a Filipina national allegedly exploited in domestic work in Accra; the case was not prosecuted. The government reported initiating 13 prosecutions, including nine labor trafficking cases and four sex trafficking cases, against 42 alleged traffickers, compared to 29 prosecution cases involving 56 defendants in 2017. Of these, the government prosecuted 30 defendants for alleged labor trafficking (46 in 2017) and 12 defendants for alleged sex trafficking (10 in 2017). The GPS and GIS prosecuted 30 alleged traffickers; and state attorneys, who initiated one trafficking prosecution in the previous year, prosecuted 12 alleged traffickers. The government also continued 15 labor trafficking prosecutions initiated in 2017 but did not provide updates on these cases. In 2018, the government convicted seven traffickers, four for labor trafficking and three for sex trafficking, all prosecuted under the Human Trafficking Act by police prosecutors in the GPS or the GIS. This compares to six convictions under the anti-trafficking act in 2017. All convicted traffickers received terms of imprisonment, ranging from five to seven years, compared to the preceding year when sentences imposed under the trafficking act ranged from six months' imprisonment with a fine and victim restitution to five years' imprisonment. The government prosecuted additional trafficking suspects using laws with lesser penalties, due to insufficient evidence for a trafficking violation. The GPS convicted 14 suspected traffickers of child labor exploitation under the Children's Act of 1998; the court fined these individuals 1,440 cedis ($298) and asked them to sign bonds of good behavior. The GIS reported convicting three suspected sex traffickers of immigration violations. Immigration officials transferred two of these individuals to the custody of Nigerian trafficking authorities and removed one from the country for immigration violations. The government did not report investigating any recruitment agencies for suspected human trafficking during the reporting period, compared with five in 2017. As in past years, the government did not prosecute or convict any recruitment agents for fraudulent offers of employment or excessive fees for migration or job placement in 2018. NGOs and other organizations continued to report general corruption within the police and judicial system. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Political interference with police investigations and prosecutions of suspected human trafficking was an ongoing concern.

Government officials continued to report that insufficient law enforcement funds and shelter facilities for identified victims delayed investigations, operations to remove potential victims from exploitative situations, and prosecutions. Officials also continued to report that inadequate evidence collection by law enforcement hampered prosecution of suspected traffickers under the anti-trafficking act; thus, the government prosecuted more cases under laws with lesser penalties. As in previous years, police prosecutors, whose lack of formal legal training impeded their ability to prosecute complex crimes such as trafficking, initiated most of the trafficking prosecutions. However, despite a continuing shortage of Attorney General's prosecutors, state attorneys reviewed an increased number of suspected child trafficking dockets and, in some regions, state attorneys increased collaboration with police during case build up prior to and/or after operations to remove children from trafficking situations. The government increased law enforcement training by supporting introductory anti-trafficking training for 417 GPS and 720 GIS recruits compared to training 474 GIS cadets and recruits in the prior year. The government also conducted separate human trafficking training sessions for 118 GPS officers and 45 immigration and law enforcement officers, and, in collaboration with an NGO, trained 19 prosecutors. The government also provided in-kind support for numerous training programs for hundreds of investigators, prosecutors, judges, social service personnel, labor officers, and journalists during the reporting period.

PROTECTION

The government maintained its overall protection efforts but identified fewer victims, and there remained gaps in the provision of shelter services. The government reported identifying 348 potential victims of trafficking (252 children) compared to 579 potential victims identified during the previous year. Of the 348, the GPS identified 285 potential victims compared to 339 potential victims in 2017; 242 were potential victims of labor trafficking, all of whom were Ghanaian and nearly all of whom (231) were children, mostly (190) boys. The GIS identified 55 potential trafficking victims compared with 215 in 2017; 39 were potential victims of labor trafficking; almost half were adult Ghanaian women; 14 were males, and 14 were from Niger and Benin. In their sex trafficking cases, GPS and GIS identified 49 female potential victims, 22 of whom were children and nearly all (46) were from Nigeria, two were Thai, and one was Ghanaian. The EOCO identified one potential victim of labor trafficking.

In some regions, the government implemented SOPs for screening, identification, referral, and protection of trafficking victims developed in collaboration with an international organization. The government reported referring all 348 potential victims of trafficking for care and described the assistance provided, including psycho-social support. The government increased its support for protection services by recruiting and orienting staff and expending 378,000 cedis ($78,340) of the 500,000 cedis ($103,630) deposited in the Human Trafficking Fund during the previous reporting period, for items necessary to open two specialized shelters, one for child trafficking victims and one for adult trafficking victims, neither of which opened

during the reporting year. Although pending throughout the year, the government did not complete its review of or approve a memorandum of understanding between the Ministry of Gender, Children, and Social Protection (MOGCSP) and a donor organization outlining the government's and donor's support for services at the children's shelter. Relying primarily on private facilities operated by NGOs and faith-based organizations, the government referred child trafficking victims (252) to either one government-operated shelter for children or to one of 10 privately operated shelters that provided or coordinated the provision of services, including needs assessment, medical care, nutrition, psycho-social support, counseling, education or vocational training, recreation, and reintegration services. In contrast to the preceding year, the government did not report providing funding to NGOs to support shelter and care for child victims of trafficking. Some private shelters expanded services to provide care for young adult and child sex trafficking victims; however, the overall shelter capacity for child trafficking victims remained insufficient for the number of victims referred for care. Due to the absence of a shelter for adult victims of trafficking, the government provided counseling, care, and protection for adult trafficking victims primarily in guesthouses or hotels. Ghanaian law enforcement collaborated with the Nigerian foreign ministry and anti-trafficking authorities to obtain identity and travel documents and facilitated repatriation of Nigerian citizens. The Ministry of Foreign Affairs and Regional Integration (MFARI), MOGCSP, GIS, and GPS cooperated in facilitating the repatriation of six Ghanaian trafficking victims identified in two Gulf states. The government relied on donor support for repatriation expenses of these six Ghanaians and the return of one Filipina and two Thai trafficking victims from Ghana to their countries of origin. The MOGCSP hotline, administered in English and three local languages, received 3,599 calls; personnel referred calls related to 11 potential trafficking victims to the GPS for investigation.

NGOs reported continued cooperation with national, regional, and local government officials in response to NGO reports of potential child trafficking victims 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. Although most adult victims declined to assist in prosecutions, in part due to limited victim support, the government reported 20 victims who voluntarily participated in prosecutions were given support, transport funds, and safe lodging during court proceedings. Ghanaian law permits victims of trafficking to pursue monetary damages by filing a civil suit, but the government did not report any such suits during the reporting period or whether the traffickers ordered to pay restitution to two victims in 2017 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 that traffickers compelled them to commit.

PREVENTION

The government increased anti-trafficking prevention efforts. The government reconstituted, oriented new members, and convened four meetings of the Human Trafficking Management Board (HTMB). This inter-ministerial committee was mandated to meet quarterly, administer the Human Trafficking Fund, advise the MOGCSP on anti-trafficking policy, promote prevention efforts, and facilitate the protection and reintegration of trafficking victims. It had not met since 2016. The government also added five staff to the Human Trafficking Secretariat, which was responsible for monitoring and evaluation, data collection, and research related to trafficking, and allocated increased funding totaling 2.16 million cedis ($447,670) for its operating budget as well as 130,000 cedis ($26,940) for implementation of its National Plan of Action for the Elimination of Human Trafficking in Ghana, 2017-2021 (NPA). Of these funds, the government reported expending 225,340 cedis ($46,700) on printing and disseminating the NPA and public awareness materials, training officials, and supporting numerous human trafficking stakeholders meetings and public awareness activities at the national, regional, district, and community levels. In collaboration with an international organization and in fulfillment of a bilateral partnership, representatives of the enforcement and protection agencies responsible for addressing child trafficking met five times during the year to improve coordination of anti-trafficking efforts and, late in the reporting year, the four participating government ministries endorsed their use of a standardized trafficking data collection system. The local government authorities in 34 communities in three regions partnered with an NGO to conduct community-level training on child trafficking prevention, identification, care for child trafficking victims, and increasing access to social and economic services for families of survivors.

The government continued its 2017 ban on recruitment for jobs in the Middle East following reports of sex and labor trafficking, and serious physical abuse, of Ghanaian women recruited for domestic work and hospitality jobs. Reports indicated some recruitment agents continued to recruit Ghanaian workers without required exit documents, which increased the workers' vulnerability to trafficking situations. The government did not report on its efforts to implement its labor recruitment agreements negotiated in previous years with the governments of Jordan and Qatar. The government reported 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 reported initiating new specialized training on human trafficking and irregular migration for its diplomatic personnel.

TRAFFICKING PROFILE

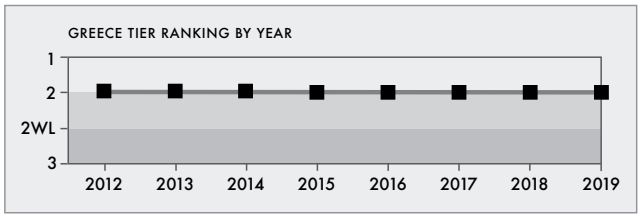
As reported over the past five years, human traffickers exploit domestic and foreign victims in Ghana, and traffickers exploit victims from Ghana abroad. Traffickers subject Ghanaian boys and girls to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal 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 victims of forced labor; not allowed to attend school; given inadequate housing and clothing; and controlled by fishermen through intimidation, violence, and limited access to food. Traffickers force boys as young as five years old 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 and forced marriage for the purpose of exploitation. A study of the prevalence of child trafficking in selected communities in the Volta and Central Regions indicated that traffickers had subjected children from nearly one-third

of the 1,621 households surveyed to forced labor, primarily in fishing and domestic servitude. Organized traffickers who target vulnerable parents and communities facilitate child trafficking in the fishing industry. Relatives often send girls via middlemen to work in harsh conditions in domestic servitude. 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; middlemen or relatives often facilitate their transit. Children living in northern regions whose parents sent them to work in the south during the dry season are vulnerable to forced labor in agriculture and other sectors. Traffickers subject Ghanaian girls, and to a lesser extent boys, to sex trafficking in urban areas across Ghana. Though reports are declining, some Ghanaian girls are victims of 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, other parts of West Africa, and Europe for forced labor and sex trafficking. NGOs report the increasing use of internet platforms to recruit Ghanaians seeking work overseas. Unscrupulous agencies arrange transport of Ghanaians seeking employment in Europe through neighboring African countries, where sex traffickers exploit, hold involuntarily, and 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 commercial sex. Fraudulent recruiters lure Ghanaian men under false pretenses to go to the Middle East, where traffickers subject them to forced labor and sex trafficking. Traffickers have coerced Ghanaian men and women in forced labor in the United States. Traffickers lure Nigerian women and girls to Ghana by the promise of a good job and coerce them into prostitution to pay exorbitant debts for transportation and lodging. Traffickers also coerce some Ghanaian and Nigerian labor migrants into prostitution as the traffickers demand more money for transit and document costs. Traffickers subject children from West African countries 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.

GREECE: TIER 2

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Greece remained on Tier 2. These efforts included the anti-trafficking unit making robust investigative efforts, such as joint inspections with labor inspectors and social workers, and the government officially launching a multi-disciplinary national referral mechanism with appropriate standard operating procedures and written guidance. The Office of the National Rapporteur on Human Trafficking led whole-of-government anti-trafficking efforts, including a project to eliminate forced labor in local government supply chains. However, the government did not meet the minimum standards in several key areas. Slow screening procedures and overcrowded facilities, including migrant and refugee camps, and shelters for unaccompanied minors, exacerbated vulnerabilities and, at times, led to re-victimization of survivors. In addition, the government lacked proactive identification efforts for forced labor and unaccompanied children, and some authorities informally forcibly removed some migrants and asylum-seekers to Turkey, strongly discouraging victims from self-identifying or cooperating. Specialized support for victims remained inadequate or inaccessible, and court proceedings often lasted two to six years, which hindered cooperation from victims and key witnesses, and resulted in acquittals of suspected traffickers.



PRIORITIZED RECOMMENDATIONS:

Increase proactive identification efforts for victims of forced labor and victims among vulnerable populations, such as unaccompanied children, migrants, refugees, and asylum-seekers. • 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. • Decrease the length of court proceedings for trafficking cases. • Encourage victims' participation in investigations and prosecutions by providing alternative methods to testify, including remote testimony or funding for travel and other expenses for victims to attend court hearings. • Develop policies for victim-centered prosecutions and implement witness protection provisions already incorporated into law. • Take concrete steps to expedite the official 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. • Adopt and implement a national action plan for combating trafficking.

PROSECUTION

The government increased law enforcement efforts. Articles 323A and 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 ($11,470) to €50,000 ($57,340) for offenses involving an adult victim, and a minimum of 10 years' imprisonment and a fine between €50,000 ($57,340) to €100,000 ($114,680) for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Police investigated 28 cases with 136 suspects (21 cases with 147 suspects in 2017); 27 were sex trafficking cases and one was a forced labor case (20 cases of sex trafficking and one case of forced labor in 2017). The government prosecuted 25 defendants (26 defendants in 2017), 22 for sex trafficking and three for forced labor (21 for sex trafficking and five for forced labor in 2017). First instance courts convicted 14 traffickers (37 traffickers in 26 cases in 2017), 11 for sex trafficking and three for forced labor (35

for sex trafficking and two for forced labor in 2017). Second instance courts convicted 25 traffickers (four in 2017), eight for sex trafficking and seventeen for forced labor (four for sex trafficking in 2017). Judges issued sentences ranging from two to 24 years' imprisonment with fines from €10,000 ($11,470) to €75,000 ($86,010).

The Hellenic Police Unit maintained an Anti-Trafficking Unit (ATU) within the Organized Crime Division composing 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 1,426 joint inspections (206 in 2017) with labor inspectors and social workers from the National Social Solidarity Center (EKKA) on 5,984 individuals leading to 46 cases of various offenses. ATU regularly inspected brothels, bars, and massage parlors, but observers reported the 12 smaller units often consisted of three or four officers 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 police, prosecutors, and judges, particularly in rural areas and islands, lacked an understanding of trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking, but corruption and official complicity in trafficking crimes remained concerns. The government shared information with 13 European countries on trafficking cases.

PROTECTION

The government maintained victim protection efforts. The government identified 31 victims (38 in 2017); 30 were victims of sex trafficking and one of forced labor (35 sex trafficking and three forced begging in 2017); 22 were adults and nine children (24 adults and 14 children in 2017); 27 female and four male (34 were female and four male); five were Greek victims and 26 foreign victims (four Greeks and 34 foreign victims in 2017). Statistics included some but not all potential victims identified by non-law enforcement entities. ATU and civil society conducted proactive identification efforts, but other government efforts were largely reactive and reliant on self-identification. Hellenic Center for Disease Control and Prevention screened migrants and asylum-seekers for trafficking indicators at island Reception and Identification Centers (RIC); regional asylum offices identified two potential victims (three in 2017). However, some asylum-seekers waited over a month for their screening due to a lack of staff and resources, resulting in a trafficking survivor re-victimized in a migrant camp while waiting for legal documents and RIC screening procedures. Each RIC designated a trafficking focal point who collected information on potential trafficking cases, but many staff working at RICs were on short-term contracts, which limited their experience and training to identify victims. The government screened migrants, including unaccompanied children, upon arrival, but observers reported authorities did not screen migrants again when facing deportation. In addition, civil society reports indicated authorities assaulting and harassing migrants and conducting several informal forcible removals to Turkey, strongly discouraging victims from self-identifying or cooperating with authorities. 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 government officially launched a multi-disciplinary national referral mechanism (NRM), including appropriate standard operating procedures and referral forms. The government, separately and in cooperation with international organizations and NGOs, trained law enforcement, immigration officers, social service workers, labor inspectors, and health workers on victim identification and new referral procedures. The NRM required first responders to inform and coordinate with EKKA when potential victims were identified for victim care and placement. The law authorized 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. 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. Observers reported inconsistent use of psychologists and social workers for identification procedures and procedures lasting up to two years for victims to receive official status. 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, 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, with the exception of projects co-financed by the EU and state budget funds. Furthermore, EKKA secured €631,840 ($724,590) from EU security funds to support the NRM and signed a memorandum of understanding with an NGO to host a legal consultant and two anti-trafficking advisors for two months. Two agencies provided shelter and general support services to trafficking victims: the General Secretariat for Gender Equality (GSGE) operated 19 shelters and 40 counseling centers for female victims of violence and EKKA operated two long-term shelters, an emergency shelter, and two Social Support Centers for vulnerable populations in need of assistance; EKKA assisted nine victims (seven in 2017). Central and local governments also maintained cooperation agreements with some NGOs to house, protect, and assist vulnerable children, including trafficking victims, and allocated buildings to use as shelters. However, observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims and some police officers remained reluctant to refer victims to NGO-run support services. Victims in rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance. An NGO-run shelter for sexually exploited men or short-term government shelters for asylum-seekers or homeless persons could accommodate male victims. Adults could voluntarily leave the shelters unchaperoned. 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. In addition, delays in payment to shelters for unaccompanied children further limited available spaces, exacerbating the vulnerabilities of 2,000 unaccompanied minors without adequate protection. Victims who did not apply for official recognition could receive a residence and work permit by applying for asylum or for a

residence permit on humanitarian grounds; the government issued 10 residence permits and renewed an additional 13 for certified victims but the government did not provide statistics about residence permits or granting of asylum to victims who lacked official recognition. The process to receive residence permits was difficult without an attorney and took time, but the government granted victims a temporary document that prevented deportation or detainment.

The government may have deported, detained, or restricted freedom 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. For example, an appeals court unanimously acquitted 20 traffickers convicted of sex trafficking in November 2018 after the four victims that testified against them in lower courts did not attend court proceedings. The government did not provide funding for travel and other expenses for victims to attend court hearings and some suspected traffickers intentionally postponed court appearances to increase the chances of victims being unwilling to testify in court and/or may have paid bribes to repatriated victims to preclude them from testifying. In previous years, observers reported traffickers likely bribed state certified interpreters to alter the content of victim statements or influence their testimony. 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 judges did not allow it, even in cases where the lack of these benefits could cause 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, no trafficking victims received full witness protection privileges to date, only police escorts during trials, 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

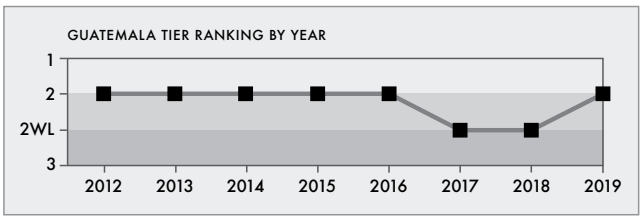
The government increased efforts to prevent trafficking. The Office of the National Rapporteur on Human Trafficking (ONRHT) continued to coordinate government wide anti-trafficking efforts despite lacking sufficient resources. The government drafted a national action plan for 2019-2023, monitored anti-trafficking efforts, and made assessments publicly available. ONRHT continued the development of a national database for trafficking statistics and organized awareness campaigns targeting the general public, students, and teachers. ONRHT, in partnership with an international organization and the Athens Municipal government, started a pilot project to prevent forced labor in local governments' supply chains. The government provided free airtime for public service announcements for NGOs and agencies on trafficking issues. Labor inspectors inspected 37,270 businesses with 112,073 workers; the labor inspectorate fined 3,869 businesses with 5,689 undeclared workers a total of €58.86 million ($67.5 million). Labor recruitment agencies could be subjected to inspection but the lack of competent staff to conduct such inspections resulted in limited oversight. The government made efforts to reduce the demand for commercial sex acts and forced labor. The government operated two hotlines: one for female victims of violence and another for individuals in vulnerable situations.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Greece, and traffickers exploit victims from Greece abroad. Traffickers operating in Greece are primarily Greeks and other Western and Eastern Europeans but some are also from Central Asia. Traffickers subject some women and children from Eastern and Southern Europe, South and Central Asia, China, Georgia, Nigeria, and Russia 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. Marginalized Romani children from Albania, Bulgaria, and Romania are forced to sell goods on the street, beg, or commit petty theft. The increase in unaccompanied child migrants in Greece has increased the number of children susceptible to exploitation. Unaccompanied children, primarily from Afghanistan, engage in survival sex and are vulnerable to trafficking. Refugee and migrant women, especially those living in the island RICs, were highly vulnerable to trafficking. 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

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Guatemala was upgraded to Tier 2. These efforts included investigating more traffickers, dedicating additional resources to increase judicial and prosecutorial capacity outside the capital, identifying and providing services to more victims, increasing funding for victim services, developing several new victim identification and assistance protocols, and launching several new awareness-raising campaigns, including for vulnerable populations. The Public Ministry provided social workers and psychologists to serve as liaisons between prosecutors and victims, accompany victims through the proceedings against their traffickers, and assist victims in accessing medical services. The government also investigated, prosecuted, and convicted government employees complicit in trafficking offenses. However, the government did not meet the minimum standards in several key areas. The government prosecuted and convicted fewer traffickers; did not address underlying problems in the nation's shelters providing for child trafficking victims; referred only 64 percent of victims to care, 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.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor. • Convict traffickers under the 2009 anti-trafficking law, rather than lesser offenses, and sentence them to adequate penalties, which should include significant prison terms. • 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. • Expand authority to refer victims to care to additional appropriate authorities and ensure all victims are referred quickly to appropriate care facilities. • Increase 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. • Improve access to and quality of specialized services for adult victims. • Amend the 2009 anti-trafficking law to include a definition of human trafficking consistent with international law. • 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, expand training to include training on the use of forensic and other evidence to ensure trafficking cases are investigated and prosecuted as such rather than as lesser offenses. • Provide reintegration and witness protection support to victims once they leave shelters to prevent re-trafficking. • Increase efforts to proactively look for indicators of forced labor, including in the agricultural sector where workers were particularly vulnerable to forced labor.

PROSECUTION

The government slightly increased law enforcement efforts. The anti-trafficking law of 2009 criminalized sex trafficking 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 272 complaints of trafficking-related offenses in 2018, compared to 254 complaints in 2017 and 243 complaints in 2016. In 2018, the government reported 140 of these complaints were specifically trafficking rather than related offenses compared to 127 in 2017. The Human Rights Ombudsman reported receiving 23 complaints of potential trafficking, which it referred to the Public Ministry. Authorities prosecuted 32 defendants for trafficking in 2018, compared with 52 defendants in 2017 and 43 defendants in 2016. Authorities secured 14 convictions against 22 traffickers, compared with 19 convictions in 2017 and 13 convictions in 2016, with sentences ranging from eight to 15 years' imprisonment. In October 2018, Public Ministry officials arrested 11 individuals, including eight prison guards, for allegedly facilitating child trafficking by recruiting and employing a 17-year-old girl as a domestic worker and offering her for commercial sexual services to an alleged drug trafficker who was in the custody of the prison guards in a private hospital. The government convicted the eight prison guards for failure to report sexual exploitation and sentenced them to three years in prison in February 2019. The government charged two other individuals with human trafficking and their cases were pending trial at the close of the reporting period.

The Judicial System dedicated resources to increase investigative and prosecutorial capacity outside the capital. In December 2018, the Judicial System approved the opening of a specialized First Instance Criminal Court and Criminal Trial Court in Quetzaltenango to compliment the Public Ministry's anti-trafficking unit. The Quetzaltenango regional anti-trafficking unit received 19 complaints, an increase over previous years due to greater capacity in the Western Highlands. 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. Observers reported recent training for judges improved their awareness of and ability to identify trafficking crimes, but more training was needed given the decrease in prosecutions and convictions. The government provided or participated in training on trafficking indicators and processing trafficking cases offered by international organizations and a foreign government for police academy recruits, crime scene experts, prosecutors, and judges on trafficking indicators and processing trafficking cases.

PROTECTION

The government increased protection efforts. The government identified 371 trafficking victims (308 female victims and 63 male victims) in 2018, compared with 316 in 2017, 484 in 2016, and 673 in 2015. Reported data did not specify the types of trafficking involved in those cases. The government made efforts to address child forced labor by conducting an operation in coordination with three municipalities against 82 tortilla vendors and convenience stores, which resulted in the identification of 47 possible child labor victims and arrest of 17 alleged traffickers. The interagency anti-trafficking commission initiated the development of a new victim identification guide and planned to finalize and disseminate it in 2019. Meanwhile, officials use the inter-institutional protocol for the protection and attention to victims, first published in 2016. The commission worked to strengthen the Immediate Response Team (ERI) convened by the Public Ministry and led by the Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET), including by developing an ERI action guide on the formal process for identifying, referring, and protecting victims. While some government officials received training 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.

The attorney general implemented a victim assistance protocol and victims' bill of rights by establishing procedures for victim attention, investigations, protection, and reparations. Guatemalan law required judges make all referrals to public or private shelters. In 2018 judges referred 239 victims to care facilities compared to 210 in 2017 and 256 victims 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 four Guatemalan victims from abroad in 2018. Authorities repatriated two Honduran trafficking victims in coordination with foreign consular officials and in accordance with an established protocol. Civil society expressed concern some adult foreign victims chose to leave shelters and return to their home countries due to lengthy investigation processes. 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. An NGO maintained a specialized shelter for unaccompanied minors that assisted repatriation, deterred irregular migration, and screened for trafficking. The government provided 19.4 million quetzals ($2.51 million) in funding in 2018 for government shelters, as well as NGOs that provide specialized services, mostly for child trafficking victims compared to 17.6 million quetzals ($2.28 million) in 2017. The government allocated 21 million quetzals ($2.72 million) in funding for 2019. While funding has increased, NGOs advocated for additional funding to increase service provision.

The government and NGOs provided shelter and services to 238 trafficking victims, compared to 127 trafficking victims in 2017, including victims of sex trafficking and forced labor, adults and children, female and male victims. SVET shelters 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 healthcare, vocational education, and therapy. SBS adopted a new shelter model to limit the number of children per shelter to 15 and a process to evaluate each child within the first 72 hours before determining treatment. As of January 1, 2019, SBS assumed leadership over two of the three SVET-managed shelters for child trafficking victims. Authorities determined the third shelter would better serve the gap in shelter for adults and began the process of dedicating it strictly for adult trafficking victims and migrants. SVET developed a protocol for specialized attention to children in shelters, which it distributed to public and private shelters, and a model of integral attention for adult victims to be used in the new adult shelter. The government-run shelters housed 77 trafficking victims (74 females and three males) in 2018 compared to 89 trafficking victims (82 females and seven males) in 2017 and 77 in 2016. SVET reported the average time victims stayed in its shelters was four months, and SBS reported the average time children stayed in its specialized program in Coatepeque was 10 months. Four NGOs provided shelter and services to 161 children and adults ranging from housing, healthcare, education, psychological services, and legal services. Observers reported NGOs provided the highest quality and most comprehensive care for child victims. One NGO shelter provided services to adult female victims, but it restricted victims' freedom of movement. Observers expressed concern the government had not established a mechanism to provide victims with follow-up and reintegration support once they leave shelters, which could jeopardize victims' safety and increase vulnerability to re-trafficking.

Observers reported monitoring and oversight of all government shelters for children remained weak, noting the government did not implement structural changes to overhaul the system in the aftermath of 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. In addition, Guatemala's president had called for a restructuring of the country's shelter system and authorities published a new 2017-2032 action plan on the protection of children and adolescents, including trafficking victims and children in state-run institutions. In the previous reporting period, the government prosecuted seven government officials for offenses including, but not limited to, abuse of power, neglect of their duties, and maltreatment of minors, some of whom may have been trafficking victims, for the March 2017 fire and as of March 2019, the courts planned to proceed to trial in May 2019 against three government officials.

Authorities encouraged victims to assist in the investigation and prosecution of traffickers and made options available for victim testimony to be given either in a Gesell Chamber or from behind a partition in the courtroom to protect the victim's identity and privacy. The Public Ministry employed social workers and psychologists to serve as liaisons between the office and victims, accompany victims through the proceedings against their traffickers, and assist victims in accessing medical services; the Public Ministry assisted 270 individuals in 2018. Judges must 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 traffickers exploiting them in sex trafficking or forced labor; the government did not report any victims received restitution or a civil damages award in 2018 or 2017, compared to seven victims who received restitution in 2016. The Judiciary reported judges consistently order restitution, but observers reported a gap in enforcement of orders for payments. 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.

PREVENTION

The government increased prevention efforts. SVET served as the secretariat for the interagency anti-trafficking commission, which coordinated government efforts against trafficking, expanded to include eight new members, held 15 meetings attended by both government officials and NGOs, and implemented the national anti-trafficking action plan for 2018-2024. SVET coordinated several departmental networks, which identified trafficking cases and in 2018 conducted an information campaign in 18 departments in the country. The anti-trafficking commission convened agencies and civil society in November 2018 to develop a 2019 operational plan assigning targets, due dates, and entities responsible. The government funded and 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 continuing its support of the "Blue Heart" campaign for a third year and by providing materials in indigenous languages and in braille. The government launched a new national anti-trafficking campaign focused on informing youth about the dangers of forced labor and recruitment by criminal groups for illicit activities. The government created new messaging to raise the awareness among the general public, particularly in border regions, and among staff at migrant shelters to improve their ability to identify trafficking. The government took steps to respond to the June 2018 volcanic eruption, which forced thousands of Guatemalans from their homes, and to the migration of thousands of Central Americans beginning in October 2018 by providing training for shelter workers on trafficking indicators

and educational materials and radio spots on the risks of trafficking in emergency situations for the public. SVET and the General Transportation Directorate promoted an awareness-raising campaign in the public transportation system in 19 departments of the country. The government did not operate a trafficking-specific hotline but encouraged the public to call the hotline operated by the national police, which operated 24 hours a day and year-round and accepted reports anonymously. The Human Rights Ombudsman encouraged the public to call its 24-hour hotline to report potential trafficking cases. Neither agency reported how many calls it received in 2018.

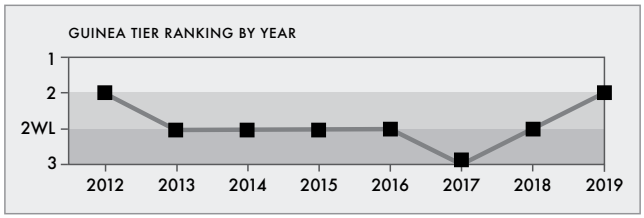
SVET reactivated the National Working Group for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Activities Related to Travel and Tourism, developed an operational plan to implement its 2018-2022 strategic plan, trained members of the national taxi association, and ran prevention campaigns on sex tourism targeting students, visitors to hospitals, activists, airport security officials, tourist police, businesses, tourism operators, and travelers. The government investigated a suspected sex tourist for allegedly exploiting children in commercial sexual exploitation during the reporting period. The government developed draft regulations related to labor recruiting of Guatemalan workers in the previous reporting period but did not finalize or implement them in 2018. The government 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 did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Guatemala, and traffickers exploit victims from Guatemala abroad. Traffickers exploit Guatemalan women, transgender persons, girls, and boys 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. Traffickers exploit women and children from other Latin American countries and the United States in sex trafficking in Guatemala. Traffickers exploit Guatemalan men, women, and children 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. Experts identified the coffee, broccoli, sugar, stone quarry, and firework manufacturing sectors as vulnerable to potential child forced labor cases. 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. Traffickers exploit Guatemalan children 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. Traffickers exploit some Latin American migrants transiting Guatemala en route to Mexico and the United States in 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

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Guinea was upgraded to Tier 2. The government demonstrated overall increasing efforts by investigating, prosecuting, and convicting more traffickers than in the previous reporting period; providing more anti-trafficking training to government officials and NGOs; and conducting additional public awareness campaigns. However, the government did not meet the minimum standards in several key areas. The government did not have adequate victim identification or referral mechanisms, and services were not available to most victims. It did not allocate sufficient resources to the anti-trafficking committee (CNLTPPA) for the third consecutive year, did not provide sufficient funding to the Office for the Protection of Gender, Children, and Morals (OPROGEM), the police unit responsible for trafficking investigations, nor to victim services. Despite the prevalence of child forced begging in Quranic schools, Guinean authorities have never prosecuted a corrupt Quranic teacher for forced begging.



PRIORITIZED RECOMMENDATIONS:

Continue to increase efforts to investigate, prosecute, and convict suspected traffickers, including complicit officials and corrupt Quranic teachers, and sentence convicted traffickers to prison terms in line with the law. • Create and implement a national action plan for beyond 2019. • Increase funding for OPROGEM and the CNLTPPA to allow them to fulfill their mandates. • Expand victim care by increasing financial or in-kind support to NGOs that provide victim services. • Complete and implement standard operating procedures on victim assistance. • Develop and train officials on systematic procedures to identify trafficking victims and refer them to services. • Provide OPROGEM and labor inspectors the resources and training necessary to monitor and regulate recruitment agencies, and investigate cases of forced labor. • Amend the penal code to remove sentencing provisions that allow fines in lieu of imprisonment and increase penalties prescribed for forced begging. • Increase efforts to raise public awareness of trafficking, including of internal child forced labor, forced begging in Quranic schools, and adult trafficking. • Enhance collaboration and information sharing among all government agencies involved in combating trafficking. • Develop and implement extradition agreements for traffickers with countries in Africa and the Middle East. • Increase efforts to provide restitution and compensation to trafficking victims. • Provide information to trafficking victims regarding procedures for seeking restitution and compensation against their traffickers. • Improve data collection and analysis on human trafficking in Guinea.•

PROSECUTION

The government increased its law enforcement efforts. Article

323 of the penal code criminalized sex trafficking and labor 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 343 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 drafted a revision to the 2010 Child Protection Code, which was under review before enactment; the revised code reportedly attempts to define trafficking and establishes sentencing guidelines to match the criminal code. Two international organizations provided technical assistance for the drafting of the revised code.

OPROGEM was the lead government entity responsible for investigating trafficking cases, and the General Secretary for Special Services, Counter-Narcotics, and Combating Organized Crime could investigate transnational trafficking cases. In 2018, the government investigated 62 individuals, prosecuted 54 suspects, and convicted 55 traffickers; this was a significant increase from 44 investigations, 18 prosecutions, and 18 convictions in 2017, and five investigations, four prosecutions, and three convictions in 2016. Of the 55 convicted traffickers, 17 were convicted for fraudulent recruitment and 38 were convicted for sex trafficking. In 2018, the sentences ranged from two to four years in prison to confiscation of property. In addition, the government sentenced a recruiter—found guilty in the previous reporting period—who sent women to Egypt for domestic servitude to two years in prison, with a suspended sentence. The sentence was for trafficking.

In September 2018, local and administrative authorities of Koundara identified two convoys totaling 400 children being trafficked to Senegal, The Gambia, and Guinea Bissau allegedly for forced begging. Nonetheless, officials did not report investigating this case and authorities have never prosecuted a corrupt Quranic teacher for child forced begging. The children were accommodated in transit at a youth center where they received psychological and nutrition assistance from social workers. Local and national authorities report the children have been returned to their communities. The government did not report any investigations, prosecutions, or convictions of complicit officials; however, corruption among law enforcement and the judiciary—suspected to be especially prominent among labor inspectors, customs directors, and heads of police stations—remained a concern and impeded overall anti-trafficking efforts. The investigation of three airport officials who were reportedly complicit in the sex trafficking of Guinean women in transit to Kuwait, initiated in the previous reporting period, was still under investigation; however, the government fired the officials from their positions.

The government did not sufficiently resource OPROGEM, which continued to inhibit its ability to consistently investigate potential trafficking crimes. In 2016, the government dedicated a 256 million Guinean francs ($28,210) budget to OPROGEM, the last time it did so. The government reported a 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. The government provided in-kind resources for limited law enforcement and judiciary training during the reporting period; one OPROGEM investigator participated in an internationally-funded training course on child exploitation in Gaborone; two other OPROGEM investigators participated in a workshop on child exploitation and child forced labor organized by an international organization. In addition, the CNLTPPA, in collaboration with an international organization, organized a training course on forced labor in which 30 participants from the police and gendarmerie participated. The CNLTPPA, in collaboration with an international organization and a foreign donor, organized a training workshop in Conakry for 30 judges and prosecutors. These training efforts were an improvement from 2017 when no training was provided. The lack of extradition agreements with countries in Africa and the Middle East impeded prosecutions of traffickers from those countries. In a high profile legal case, the government provided financial assistance for the defense of a well-known and politically connected Guinean couple against charges of human trafficking in the United States. In January 2019, U.S. courts convicted the couple; they awaited sentencing at the end of the reporting period.

PROTECTION

The government maintained its efforts to identify and protect trafficking victims, but a lack of resources and weak identification procedures impeded efforts. The government did not have standard operating procedures to identify trafficking victims or refer them to care, and a lack of training for and coordination between ministries' government officials inhibited victim identification and assistance efforts. OPROGEM remained the lead government ministry responsible for victim protection efforts. The government did not report comprehensive victim identification data, but reported identifying five potential child trafficking victims en route to exploitation; this compared with 10 trafficking victims and 16 children intercepted en route to exploitation in 2017 and 107 children identified en route to exploitation in 2016. An NGO reported that the CNLTPPA identified 998 foreign minors at border control areas that were involved in trafficking or smuggling schemes; a lack of trained personnel, operational capacity, and resources hindered the CNLTPPA from effectively identifying and adequately assisting potential trafficking victims among this population. Another NGO reported identifying 115 foreign and 380 domestic trafficking victims. The government did not provide data on child sex trafficking.

The government continued to rely on NGOs and foreign donors to provide and finance the majority of victim care. NGOs, however, did not have adequate resources for victim services; observers reported there was a lack of shelters overall. Government health facilities and social workers could at times provide medical and psycho-social services. Compared to 2017 when the government disbursed 50 million Guinean francs ($5,510) to an NGO for victim assistance, no such funding was provided in 2018. Law enforcement referred child trafficking victims to NGOs on an ad hoc basis. The Ministry of Justice began revising a draft decree including standard operating procedures on victim assistance. In August 2018, the Ministry of Justice appointed a director and deputy director to the National Directorate of Supervised Education and Youth Protection that it established in 2017, to improve the monitoring of children referred to social services. The CNLTPPA provided psychological assistance and travel documents to 17 girls, who were victims of trafficking in Libya and Algeria, and returned them to their communities; financial support for these services was provided by an international organization. An international organization in Guinea reported that it assisted in the voluntary repatriation of approximately 1,040 trafficking victims it identified from Libya, Niger, Algeria, Mali, and Morocco.

The government did not encourage trafficking victims to participate in the investigations or prosecutions of their traffickers. 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, but this has not yet been utilized. 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, the government did not provide these services during the reporting period. The government collaborated with a law firm to provide legal assistance to women and child trafficking victims; NGOs operated general legal clinics to advise victims of crime, including trafficking. While victims could legally obtain restitution from the government and file civil suits against their traffickers, none received or pursued these. 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 penalized victims for unlawful acts committed as a result of being subjected to trafficking; due to a lack of formal victim identification procedures, however, authorities may have detained, prosecuted, or deported some trafficking victims during the year.

PREVENTION

The government maintained modest efforts to prevent trafficking, but did not provide adequate and sustained resources to support anti-trafficking efforts. The CNLTPPA continued to coordinate the government's anti-trafficking efforts through their national action plan, 2018-2019. The CNLTPPA organized meetings and trainings and began work on a new framework for its anti-trafficking efforts. For the third year, the government did not provide resources for anti-trafficking activities for the CNLTPPA or its associated ministries in fiscal year 2019. The lack of funding, personnel, coordination, and training hindered the government's national-level efforts to combat trafficking. Despite these shortcomings, the government held a workshop involving 48 government and NGO participants focused on the management of trafficking victims and trained participants on the national action plan. The CNLTPPA organized an awareness campaign and training session for local officials in Koundara, a city that the government has recognized as a major transit point for trafficking victims. The government had a toll-free hotline to report violence against women and children, which could include trafficking cases; but it did not report if it received any trafficking-related calls. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, and the ministry of labor held workshops to sensitize recruitment agencies to human trafficking; however, neither OPROGEM nor the Ministry of Labor had the resources or the trained personnel to monitor and enforce these policies consistently and did not report referring any potential cases for law enforcement investigations. The government lacked the capacity to investigate potential forced child labor cases. The government created a national registry office to centralize and regulate the provision of identity and citizenship documents. The government did not make efforts to reduce the demand for commercial sex.

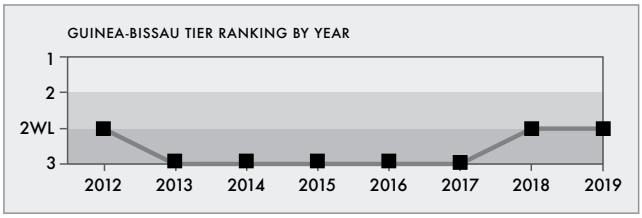
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Guinea, and traffickers exploit victims from Guinea abroad. Women and children are the most vulnerable to trafficking. Parents send girls to intermediaries who subject them to domestic servitude and sex trafficking. 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 exploit men, women, and children in 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. Government officials recognize the town of Koundara in northwestern Guinea as a transit point for traffickers. Some traffickers take children with parents' consent or 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 Quranic teachers force boys to beg in Guinean Quranic schools. Traffickers submit Guinean children to 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 traffickers exploit them in domestic service, street vending, and—to a lesser extent—sex trafficking. Child sex trafficking is visible in Conakry and in mining cities such as Kamsar, Lero, and Siguiri. 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. Illegal migration towards Europe leads to the development of trafficking networks facilitating the travel and financing of trafficking by land from Guinea to North Africa. During the reporting period, an international organization estimated approximately 1,040 Guineas were victims of trafficking in North Africa. Reports indicate that trafficking networks fraudulently recruit 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, as well as Thai and Chinese women exploited in sex trafficking in Guinea.

GUINEA-BISSAU: TIER 2 WATCH LIST

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by initiating its first trafficking prosecution; identifying more victims and referring them to care; increasing public awareness campaigns; finalizing and implementing a new code of conduct for the tourism industry in Bijagos, Sao Domingos, Cacheu, and Bissau; and increasing communication between government and NGOs on the problem of forced begging among *talibés*. However, the government did not demonstrate overall increasing efforts

compared to the previous reporting period. The government has never convicted a trafficker, including corrupt Quranic teachers that subject their pupils to trafficking, and the lack of resources provided to the Judicial Police prevented it from investigating cases outside of Bissau, including rampant reports of child sex tourism in the Bijagos. Victim services remained limited and the government did not prosecute a potential case of complicity. The inter-ministerial committee did not have a dedicated budget to implement the national action plan. Therefore Guinea-Bissau remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to vigorously investigate, prosecute, and convict traffickers, including corrupt Quranic teachers who subject boys to forced begging and hotel staff that facilitate child sex tourism in the Bijagos, and sentence convicted traffickers to adequate penalties, which should involve significant prison terms. • Vigorously investigate and prosecute trafficking offenses, and convict and punish traffickers, including corrupt Quranic teachers who subject boys to forced begging and hotel staff that facilitate child sex tourism in the Bijagos. • Hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations. • Provide resources to the Judicial Police at a level that better enables criminal investigations and expands its area of operation, such as in the Bijagos and Catió. • Develop and train law enforcement on formal written procedures to identify and refer trafficking victims to services. • Increase training for officials on the 2011 anti-trafficking law and procedures to refer trafficking cases to the Judicial Police. • Increase support for NGOs to ensure all identified victims—especially child victims of forced begging—receive services and foreign victims are safely repatriated, minimizing the potential for re-trafficking. • Draft, approve, and finalize a national action plan to guide the government's anti-trafficking efforts. • 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. • In collaboration with NGOs, allocate adequate space and facilities for a victim shelter in Bissau. • Develop a national referral mechanism for victims.

PROSECUTION

The government modestly increased law enforcement efforts. Public Law 12/2011 criminalized sex trafficking 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. In February 2019, the government drafted amendments to the Code of Child Protection in an effort to harmonize it with international laws on human trafficking, but the legislature had not yet adopted the amendments by the end of the reporting period.

The government investigated 23 potential trafficking cases. Of these, it investigated three cases of forced child begging, with two of these cases referred to the Public Ministry for prosecution; prosecutions were not yet formally initiated at the end of the reporting period. Of the 23 potential cases, it investigated 20 potential child trafficking cases from 2017 as domestic violence with child labor as an aggravated circumstance. The Public Ministry reported one prosecution (forced child begging) for human trafficking during the reporting period, its first under the anti-trafficking law. The government has never convicted a trafficker under the anti-trafficking law. This compared to investigating 22 cases of child trafficking in 2017, although none of these led to prosecution or convictions, and zero investigations, prosecutions, or convictions in 2016. During the reporting period, the government confirmed that there was one case of complicity involving members of parliament and a minor held captive by a local government authority. After the case was reported to the police and the Institute for Woman and Children (IMC), the Public Ministry archived the case and released the perpetrators from police custody with no charges. Guinea-Bissau's judicial system lacked sufficient human and physical capital to function effectively, and corruption remained pervasive.

The Judicial Police had a specialized unit that investigated trafficking cases; however, it did not have nationwide coverage or a dedicated budget for investigations. The police, National Guard, judiciary, and prosecutors all suffered from a chronic lack of funding which hindered their efforts to combat human trafficking. However, the government acquired three new vehicles for the Judicial Police, which could be used for trafficking investigations during the reporting period. The Judicial Police were largely absent outside the capital. Although initially reported in 2017, there was no progress made in opening a second Judicial Police office in the Bijagos; but the Police did plan to open an additional office in Catió, in southern Guinea-Bissau. 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 forced child begging in eastern regions and child sex trafficking in the Bijagos. In addition, police and judges often resolved intra-familial labor and abuse cases—which could include forced child labor and child sex trafficking by family members—through non-judicial means or tried them as domestic violence cases. When parents broke such agreements and police transferred the cases to court, officials noted community leaders often pressured courts to drop the cases. Nine judicial police officers received training on trafficking; the government provided technical assistance and trainers for these sessions. However, some law enforcement and judicial officials remained unaware of the 2011 anti-trafficking law. In March 2019, an international organization provided an expert on human trafficking to Guinea-Bissau, who conducted training on anti-trafficking laws and procedures for police and government officials; the government provided the facilities for the training. Another international organization provided training to police, judges, and other civil society actors; the government provided trainers for the sessions from the IMC and magistrates from the Public Ministry.

PROTECTION

The government increased efforts to identify and protect victims. The government identified 172 total victims in 2018, including 171 forced child begging victims, and one victim of sexual

exploitation, and referred all victims to care. It also identified seven forced marriage victims, some of whom may have been trafficking victims, as well. This compares to 22 trafficking victims and 53 potential victims in 2017, and zero trafficking victims in 2016. The government, with the help of NGOs, identified and assisted 171 victims in 2018. The government did not have formal procedures to identify trafficking victims or refer them to care. However, in partnership with an international organization, the government began to draft written victim identification procedures. Because of the country's high rate of illiteracy, including among its security services, written victim identification procedures will need to be augmented with extensive hands-on training. In addition, the government began to develop a national referral mechanism with funding from a foreign donor and the assistance of local facilitators. During the reporting period, IMC and their NGO partners validated a national policy document for children intended to protect children across all ages, but the government had not yet adopted it. The IMC was an office within the Ministry of Women, Children and Social Cohesion responsible for victim services and coordination of services among various entities; however, it had no operating budget nor vehicles for victim services. The government did not have a specific fund for victim services and relied on international organizations and local NGOs to provide nearly all victim services; these NGOs relied on international donors for funding. However, the government contributed 5 million West African CFA francs (FCFA) ($8,790) annually to an NGO that cared for forced child begging victims during the reporting period. The NGO's three care facilities were severely overcrowded and underfunded; one was unable to receive victims due to lack of funding and 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. The quality of victim care at these facilities was generally poor due to lack of funding. The government did not have formal procedures 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 traffickers compelled them to commit; due to the absence of written procedures or training to identify trafficking victims, it was possible some remained unidentified in the law enforcement system. Observers noted that more coordination was needed between the governments of Guinea-Bissau and Senegal regarding repatriating child forced begging victims.

PREVENTION

The government maintained efforts to prevent trafficking. The inter-ministerial committee—led by the IMC and including government agencies, NGOs, and religious groups—met three times 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 did not demonstrate political will to address trafficking at the highest levels of government. Coordination and communication between the government and civil society actors on anti-trafficking efforts was lacking such that there was duplication of efforts by NGOs and the National Guard in some areas. Observers noted an increase in communication between the government and NGOs on responding to the problem of forced begging among *talibés*. 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 local administrators, courts, police, and the public. The IMC conducted awareness-raising activities for children, two regional conferences in Bafata and Gabu and a national conference in Bissau. Law enforcement collaborated with local media in some regions to promote the prevention and reporting of child trafficking. However, the government did not conduct a national public awareness campaign due to lack of funding and engagement from high-level political officials. In May 2018, President Jose Mario Vaz asked the international community to help Guinea-Bissau fight human trafficking. In November 2018, the government participated alongside political parties, civil society, and international partners in a national dialogue on transnational organized crime, which included human trafficking.

Through the technical assistance and funding of an international organization, the government provided trainers and participated in three training sessions on child referral and monitoring mechanisms that involved 50 participants from government and civil society. An international organization also conducted two trainings on anti-trafficking prevention, victim assistance, and case referral for 40 practitioners in child protection services. IMC and the Ministry of Tourism concluded and implemented the code of conduct against sexual exploitation in the tourism sector, and disseminated it in the Bijagos islands, Sao Domingos, Cacheu, and Bissau. This work involved increasing public awareness of child sex trafficking in Bissau and the Bijagos, encouraging hotels to combat these crimes, training various hotel owners and managers on child sex trafficking, and building the capacity of tourism inspectors. Some hotel operators in the Bijagos islands, Sao Domingos, and Bissau agreed to implement the code of conduct. The labor inspectorate, housed within the Ministry of Labor, Civil Service and Public Administration, did not receive regular funding from the government and lacked personnel and material resources, and training to investigate forced labor nationwide. In addition, the government did not have the means to inspect local *daaras* (Quranic schools) to ensure they did not force children to beg. The Judicial Police reported that their hotline was no longer operational due to limited human and technical capacity. 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

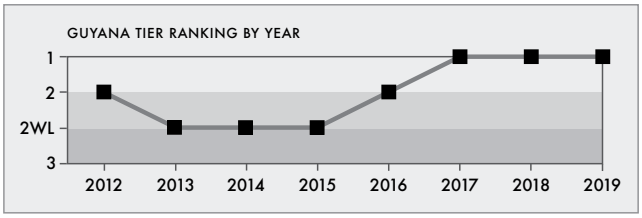
As reported over the past five years, human traffickers exploit domestic and foreign victims in Guinea-Bissau, and traffickers exploit victims from Guinea-Bissau abroad. Many Bissau-Guinean boys attend Quranic schools led by corrupt Quranic teachers. Some exploitative Quranic teachers force or coerce their students, called *talibés*, 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 *talibés* or men who claim to be working for a Quranic teacher—and are generally well-known within the communities in which they operate. Corrupt Quranic teachers 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 exploitative *daaras*.

Traffickers force Bissau-Guinean boys into street vending and

forced labor in the agricultural and mining sectors in Senegal, especially in the southern cities of Kolda and Ziguinchor. Traffickers force West African boys to harvest cashews during Guinea-Bissau's annual harvest, and some are recruited for work in the harvest but then are forced to beg. Traffickers exploit some Guinean boys for forced labor in shoe shining in Guinea-Bissau. Traffickers exploit Bissau-Guinean girls in sex trafficking and forced labor in street vending and domestic work in Guinea, The Gambia, and Senegal, as well as in Spain. 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 to 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. During previous reporting periods, there were reports of official complicity in human trafficking among island officials and in the judiciary.

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. These efforts included increasing funding for victim assistance, identifying and assisting more victims for the fourth consecutive year, approving a new national action plan, training Guyanese diplomats on victim identification and protection for the first time, and training foreign embassy staff to assist with victim interviews. The government also provided direct financial assistance to victims who chose not to stay in a shelter and established an anti-trafficking unit within its Geology and Mines Commission. Although the government meets the minimum standards, it did not provide adequate victim protection outside the capital or for child, male, or foreign victims. Authorities convicted fewer traffickers, and authorities did not have standard operating procedures to screen foreign victims, especially relevant with the increase in vulnerable Venezuelans in the country.



PRIORITIZED RECOMMENDATIONS:

Finalize, implement, and train law enforcement officials and front-line responders in written victim identification and referral procedures. • Fund specialized victim services, in particular for child, adult male, and Venezuelan victims. • Vigorously investigate and prosecute sex and labor trafficking cases, including those involving child victims. • Hold convicted traffickers, including complicit public officials, accountable by imposing strong sentences. • Hold police and law enforcement officials accountable for intimidation of victims in shelters including restricted movement, lack of access to family visits, or telephone services. • Provide additional protection for victims to testify against traffickers in a way that minimizes re-traumatization. • Investigate and report on the cases reported to the trafficking hotline and by labor inspectors.

PROSECUTION

The government maintained law enforcement efforts. The Combating Trafficking of Persons Act of 2005 criminalized sex trafficking and labor trafficking and prescribed penalties of three years to life imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. 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 Ministerial Task Force on Trafficking in Persons (the Task Force). In 2018, the government reported 30 new investigations, prosecuted 11 suspected traffickers (two initiated in prior periods), and convicted one trafficker for sex trafficking, compared with four investigations, 17 prosecutions (12 initiated in prior periods), and two convictions in 2017. The government reported investigating 11 cases of child trafficking (10 sex trafficking and one labor trafficking). The court sentenced the convicted trafficker to three years' imprisonment and required the trafficker to pay restitution to one victim. The appeal of a 2017 case in which the government required the trafficker to pay restitution without imprisonment, which was a penalty inconsistent with the law, was still pending at the end of this reporting period. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The appeal of a police officer convicted of sex trafficking and released on bail in 2016 was still pending at the end of the reporting period.

PROTECTION

The government increased efforts to identify and protect victims. However, victim assistance remained a concern, especially in areas outside the capital and for Venezuelan, child, and male victims. The government identified 156 victims in 2018 (106 for sex trafficking and 50 for labor trafficking), compared with 131 identified victims in 2017. The government referred 93 victims to shelter and psychological services, compared with 115 in 2017. The government screened 11 potential child trafficking victims (10 sex trafficking and one labor trafficking) in 2018. Despite the noticeable increase of victims from Venezuela, the government lacked standard operating procedures for protecting foreign trafficking victims.

The government trained 43 village leaders, 20 mine inspectors, 32 immigration and police officers, and members of the business community and civil society in victim identification and referral. The government also trained 21 interpreters from foreign diplomatic missions in the trafficking law in order to prepare them to assist with non-English speaking trafficking victim

interviews. The government provided 60 million Guyanese dollar (GYD) ($279,070) to NGO-managed shelters providing housing for adult female victims of gender-based violence and trafficking, an increase from 41.2 million GYD ($191,630) in 2017. The government also provided 3.5 million GYD ($16,280) for the first time in direct financial assistance to victims who chose not to stay in a shelter. Victims could receive shelter, food, training, and psychological therapy. There were no adequate public or private shelters for male or child victims, although the government has identified a facility for male victims. MoSP provided intake counselling to child victims who it placed in shelters co-managed with NGOs. MoSP placed some children into foster care or reintegrated them with their families, while authorities placed adult male victims at non-specialized night shelters on an ad hoc basis. Guyanese law protects victims' identities from release to the media. The government reported victims could leave shelters; however, observers reported police and other authorities intimidated victims into staying at shelters against their will, did not allow family visits until trials were completed, and cut short some foreign victims' phone calls if they spoke in their native language. 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 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 did not report whether it facilitated or funded the repatriation of Guyanese nationals victimized abroad.

PREVENTION

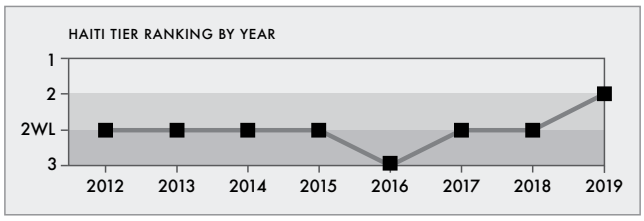
The government increased efforts to prevent trafficking. The government established an anti-trafficking unit with three trained staff within the Geology and Mines Commission to register and categorize workers in the interior and conduct spontaneous checks. The government approved a new national action plan for 2019 but did not report on activities under the plan by the end of the reporting period. The government last conducted research into trafficking in 2016. Authorities facilitated several awareness sessions focused on the mining and logging sectors outside the capital. The MoSP ATU held several sensitization campaigns for teachers, students, NGOs, prison staff and inmates, and malls and markets across Guyana. The government trained trafficking hotline operators in Spanish and Portuguese but did not report the number of calls or referrals received during the reporting period. The government did not make efforts to reduce the demand for commercial sex. Authorities conducted unannounced labor inspections in the capital and the interior, but it was unclear if measures to prevent forced labor and regulate foreign and domestic recruiters were sufficient or effective. The government drafted its first national child labor policy and plans to release it in 2019. Labor and natural resource inspectors received informal training in identification of victims but did not report identifying any cases. The government provided anti-trafficking training for 13 diplomatic personnel for the first time.

TRAFFICKING PROFILE

As reported over the last five years, human traffickers exploit domestic and foreign victims in Guyana, and traffickers exploit victims from Guyana abroad. Women and children from Guyana, Brazil, the Dominican Republic, Haiti, Suriname, and Venezuela become sex trafficking victims in mining communities in the interior and urban areas. The government notes a large increase in the number of trafficking victims from Venezuela. Traffickers exploit victims in 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. Traffickers exploit Guyanese nationals in sex and labor trafficking in Jamaica, Suriname, and other Caribbean countries.

HAITI: TIER 2

The Government of Haiti does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Haiti was upgraded to Tier 2. These efforts included investigating, prosecuting, and convicting more traffickers, passing a national action plan, closing several abusive orphanages, and increasing law enforcement training. However, the government did not meet the minimum standards in several key areas. The government did not criminally prosecute recent cases of alleged official complicity. The government did not allocate sufficient funding for its anti-trafficking efforts or victim services and did not implement 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*).



PRIORITIZED RECOMMENDATIONS:

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. • 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. • Continue to develop Haiti's nascent foster care system and other residential care services for children. • Train more labor inspectors, inspect worksites for indicators of forced labor, and investigate forced labor cases. • Develop laws or policies to regulate foreign labor recruiters and raise awareness among potential migrant laborers. • Implement measures to address the vulnerabilities leading to *restavek*, including protecting child victims of neglect, abuse, and violence. • Educate the Haitian public about children's rights to education and freedom from slavery to counteract tolerance of *restavek*. • Develop a method to systematically track trafficking data and the government's anti-trafficking efforts.

PROSECUTION

The government increased law enforcement efforts. The 2014 anti-trafficking law (No.CL/20140010) criminalized sex trafficking and labor trafficking and prescribed penalties of seven to 15 years' imprisonment and a fine ranging from 200,000 to 1.5 million gourdes ($2,590 to $19,450), 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 nine potential trafficking cases involving 17 suspects, compared to two potential cases involving six suspects in 2017. The government dropped the 2017 trafficking case against a national police officer. The Haitian border police (POLIFRONT) arrested 55 suspected traffickers and used a screening protocol co-developed with an international agency to refer 173 unaccompanied minors to the government social welfare agency (IBESR). The Ministry of Justice did not charge the 55 suspects with trafficking after reviewing the cases. The government initiated seven prosecutions, compared with two new prosecutions in 2017. The government convicted six traffickers in two separate cases, compared to one trafficker convicted in 2017. Five traffickers were sentenced to 15 years in prison and one individual was sentenced to one year in prison for child abuse. 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 abuse.

Haiti's weak judicial system and lack of awareness about trafficking among police, prosecutors, and judges hindered prosecution and conviction of traffickers. The government did not initiate a criminal investigation into the five prosecutors fired in the previous reporting period for their role in releasing nine individuals arrested on suspicion of trafficking. Despite an investigative judge's recommendation for two individuals charged in 2017 with trafficking 25 children to stand trial, authorities released both after appeal. Observers noted traffickers largely operated with impunity. Civil society and authorities remained concerned that some government officials in remote areas lacked training on the anti-trafficking law, leading to lesser charges or release. The magistrates school, together with the assistance of another government, organized five training events on trafficking involving a total of 81 judges, 30 prosecutors, and 30 civil society actors. The government, together with an NGO on a foreign-funded project, trained 500 judicial, law enforcement, and social work officials throughout Haiti on the anti-trafficking law and its proper implementation over a three-year period.

PROTECTION

The government increased its efforts to identify and protect child victims; however, authorities remained largely dependent on NGOs to fund and provide services. Although the government did not systematically track victim identification data, the justice ministry reported identifying 22 potential trafficking victims, compared with 31 in 2017. In addition, an international NGO identified another 71 potential victims and IBESR, after completing an assessment of more than 750 orphanages with another government and international NGOs, identified 3,019 potential victims of trafficking in those institutions. Government officials referred child trafficking victims to IBESR, which did not have adequate funding for their care. The agency then referred child victims to government-registered residential care centers for services, which varied from short-term medical and counseling services, family tracing, pre-return assessments, and limited support before returning children to the families. Experts noted the lack of government-run shelter facilities impeded prosecution because the government's policy of returning child victims to their families made it difficult to locate witnesses to testify against the accused. The government worked with bilateral and international partners to set up a network of 35 child protection units and provide reintegration services to 1,700 children in *restavek*. While IBESR instituted a policy that restricted unaccompanied minors from leaving the country without written parental authorization, officials indicated traffickers easily moved children across the porous border to the Dominican Republic for sex trafficking and domestic servitude.

The 2014 anti-trafficking law tasked the national committee for the fight against human trafficking (CNLTP) to develop standard operating procedures to guide officials in the identification and rehabilitation of trafficking victims; the newly installed staff of CNLTP started work on updating the 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 the past two years, the government did not approve a dedicated budget for victim assistance and other anti-trafficking activities, and it continued to rely on international organizations and NGOs to provide care. The anti-trafficking law also stipulated money and other assets seized during trafficking investigations should fund services for trafficking victims and the CNLTP; however, there was no evidence this occurred. The government did not have a formal program to assist victims who returned to Haiti, but authorities did refer victims to international and non-governmental organizations. Authorities worked with the U.S. Coast Guard to receive migrants; Haitian authorities screened unaccompanied children for trafficking indicators and facilitated their reintegration with family members. CNLTP reported working with The Bahamas to repatriate a Haitian national who was allegedly a victim of forced labor, in addition to coordinating with the national police and the Dominican Republic on the investigation of a potential Dominican victim, establishing patterns of collaboration between countries.

Border resource centers (BRCs) at each of the four major border crossings screened 858 vulnerable migrants for trafficking with a protocol developed with an international organization. The BRCs housed representatives from the social welfare agency, child protective services, and NGOs who assisted irregular migrants. The anti-trafficking law included provisions for temporary residency during legal proceedings for foreign victims, 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. There were no facilities for video deposition or child-friendly facilities during legal proceedings. The government passed a legal assistance law to provide free legal assistance to all Haitians, including trafficking victims. The anti-trafficking law protected victims from liability for unlawful acts their traffickers compelled them to commit; IBESR intervened on behalf of a minor who had been in custody on suspicion of recruitment of other minors for a trafficking gang. Judges could mandate civil restitution for related crimes under Haiti's civil code, but there were no awards for restitution made during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The government requested 41 million gourdes ($531,650) in 2018 for funding the CNLTP, but parliament did not pass

the budget, compared with no funds committed in 2017 and 10 million gourdes ($129,670) in 2016. The government approved a 2017-2022 national action plan. A lack of resources continued to hamper efforts to fight trafficking, but government coordination among donors and among ministries continued to improve during the reporting period. The appointment of a new minister of social affairs in September 2018 and the approval of new CNLTP leadership led to better institutionalization and visibility of CNLTP within the ministry. The government did not systematically monitor its anti-trafficking efforts, although the CNLTP worked with outside experts to develop a study on trafficking issues, which was adopted by the government in August. IBESR closed eight orphanages found not in compliance during the reporting period. The government accredited 45 more foster families for a total of 121 families, as part of its expanded foster care program to make children less vulnerable to trafficking or being re-victimized.

During the reporting period, the office of the human rights ombudsman organized an awareness promotion event on prolonged pre-trial detention and human trafficking for four police officers and six judicial officials, and the Ministry of Justice organized a trafficking workshop for 56 participants, including representatives from the Ministry of Justice, the national police, and other government ministries. The government participated in an event with another government to mark the UN World Day Against Trafficking in Persons, involving 47 police, judicial officials, prosecutors, civil society members, and the media, and screened an anti-trafficking film, held a panel discussion on trafficking in Haiti, and promoted the new national action plan, garnering widespread press coverage. An NGO co-organized with the government a trafficking awareness activity for more than 80 law students. The national police's child protection bureau (CPB) developed and distributed 500 Creole-language trafficking awareness brochures to schools, churches, border offices, and other organizations. The government's 24-hour national anti-trafficking hotline received 50 calls per week and the CPB followed up on several cases per week. The BRCs had educational posters and brochures about trafficking at key border control points; however, the lack of controls at 96 unofficial points further enabled trafficking. Authorities stated they did not have the human capacity to control illegal crossings in these areas; an international agency discontinued its funding to IBESR in March 2019, which was likely to further reduce human capacity at its border and provincial offices.

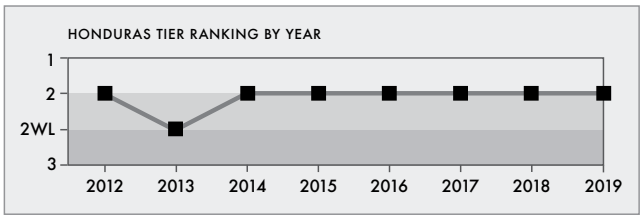
The continued dysfunction of the Haitian civil registry system and weak consular capacity to provide identification documentation left many Haitians at risk of remaining undocumented in the Dominican Republic and subject to deportation—recognized risk factors for vulnerability to trafficking. IBESR instituted more stringent requirements for parents seeking authorization for unaccompanied travel by children to South American countries. Although a law to streamline identity documentation by combining the civil registry with the national identification office was not reintroduced in the current legislative session, the government signed a $27 million contract with a biometric identification company and acquired equipment to replace millions of expired identity cards by October 2019. Although the labor code required recruiters and businesses to obtain a license, Haiti did not have effective laws or policies to regulate foreign labor recruiters, prevent fraudulent recruiting, or raise awareness of the risks for potential migrant laborers. The government 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, human traffickers exploit domestic and foreign victims in Haiti, and traffickers exploit victims from Haiti abroad. Most of Haiti's trafficking cases involve children in *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 found one in four Haitian children do not live with their biological parents and an estimated 286,000 children younger than age 15 are in domestic servitude. A significant number of children flee situations of domestic servitude and become homeless. Female foreign nationals, particularly citizens of the Dominican Republic and Venezuela, are particularly vulnerable to sex trafficking and forced labor in Haiti. A study released in 2018 found significant numbers of children in orphanages are likely victims of trafficking. Other vulnerable populations include: children in similar 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; Haitians living near the border with the Dominican Republic; Haitian migrants, including those traveling to or 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 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Honduras remained on Tier 2. The government demonstrated overall increasing efforts by investigating and convicting more sex traffickers; providing more funding for victim services, including for a NGO-run shelter; 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. Authorities identified significantly fewer victims, prosecuted fewer cases, including those involving forced labor, and did not obtain convictions of complicit officials or child sex tourists. The government provided services to a disproportionately low number of labor trafficking victims compared to the known scale of the problem. Despite continued reports of criminal organizations, including gangs, exploiting children in forced criminal activity, the government initiated only two such prosecutions.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to prosecute trafficking offenses and to convict and sentence traffickers, particularly for crimes involving forced labor and forced criminal activity. • Strengthen efforts to prosecute and convict public officials for complicity in trafficking offenses. • Develop and implement new victim identification and referral mechanisms for forced labor cases, including forced criminal activity. • Amend the anti-trafficking law to include a definition of trafficking consistent with international law. • Increase government funding for victim services, including to NGOs. • Increase the identification and assistance of all victims, including among particularly vulnerable populations. • 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. • Increase training and dedicated resources for anti-trafficking police and prosecutorial units, as well as the "immediate response team." • Increase law enforcement investigations and labor inspections to identify forced labor among domestic and agricultural workers.

PROSECUTION

The government maintained 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 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; these amendments had not yet passed into law.

The government reported investigating 145 cases of suspected trafficking, compared to 121 cases in 2017 and at least 41 cases in 2016. Authorities initiated prosecutions of 35 suspects (29 for human trafficking and six for procuring commercial sex acts), compared to 84 suspects (82 for sex trafficking and two for forced labor) in 50 cases in 2017 and 41 suspects in 11 cases for sex trafficking in 2016. The government convicted 16 traffickers (10 for human trafficking and six for procuring commercial sex acts), compared to eight traffickers in 2017 and nine traffickers in 2016. Courts sentenced convicted traffickers with sentences ranging from five to 15 years' imprisonment and fines of 75 to 221 times the minimum wage, compared to a range of two years house arrest to 15 years' imprisonment in 2017 and six to 15 years' imprisonment in 2016. The government continued prosecutions of a current and a former government official accused of sex trafficking in 2017, and reported each case remained pending trial at the end of the reporting period. 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. In May 2018, the Attorney General opened a specialized anti-trafficking unit, which coordinated with domestic and international law enforcement agencies and operated teams in Tegucigalpa and San Pedro Sula. Experts noted courts delayed trafficking cases despite a requirement in the anti-trafficking law to process such cases in a timely manner. Civil society organizations reported prosecutors often charged suspected traffickers for lesser crimes with lower penalties, such as pimping. CICESCT called for increased efforts to prosecute cases involving children and forced labor. The government maintained a specialized anti-trafficking unit, but it employed only eight prosecutors for the entire country limiting their effectiveness. The government cooperated with the Government of Belize, which resulted in the identification of eight Honduran victims and the arrest and prosecution of two suspected traffickers—one in Honduras and one in Belize.

PROTECTION

The government identified significantly fewer victims, but increased funding for services thereby maintaining victim protection efforts. The government identified 73 victims in 2018 (63 sex trafficking and 10 labor trafficking) compared to 150 victims in 2017 (84 sex trafficking and 66 labor trafficking) and 111 victims in 2016. The CICESCT used an "immediate response team" protocol for identifying and referring sex trafficking victims and distributed the protocol to other institutions, but 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 as well as family reintegration and, when necessary, resettlement. The team operated a 24-hour trafficking-specific hotline for victim referrals, which received 65 calls in 2018 resulting in 25 investigations, compared to 45 calls in 2017, and more than 60 calls in 2016. Authorities made efforts to screen for indicators of trafficking among unaccompanied migrant children returned from abroad, but inconsistently screened Honduran adults returned from abroad.

The Ministry of Development and Social Inclusion (SEDIS) provided psychological services, economic support, and, in coordination with the Ministry of Health, medical services to the 73 identified victims and ongoing support to 218 victims identified in previous reporting periods. SEDIS also provided microloans and mentoring to 21 victims to support small business development including sales of food, accessories, household items, and the repair of household items. The Child Welfare Agency administered initial assessments and services for child victims and referred foreign victims for repatriation and Honduran children to certified centers for medical, psychological, and psychiatric services and social reintegration following legal hearings. The foreign ministry, in partnership with international organizations, assisted and repatriated 12 Honduran nationals through its diplomatic missions in Guatemala, Mexico, and Belize, compared to six Honduran nationals through its diplomatic missions in Argentina, France, Guatemala, and Mexico in 2017.

The government increased the CICESCT budget to 7.9 million lempiras ($316,000) in 2018 compared to 2.3 million lempiras ($92,000) for 2017, but was not able to use all of the funds due to a five-month spending freeze. Other government agencies also provided funds from their budgets for victim assistance. CICESCT coordinated with several NGOs to provide services and shelter for victims. In 2018, CICESCT provided funding to an NGO to create a shelter for adult female victims. Trafficking victims surveyed by an independent research team in 2018 indicated a need for the following services in priority order: educational and vocational programs, counseling and psychological support, shelter, medical services, drug or alcohol rehabilitation, and legal services and prioritized their recovery over pursuing criminal complaints against their traffickers. The government offered services to sex trafficking victims, but services to a disproportionately low number of forced labor victims despite evidence that forced labor is more prevalent in the country. Despite the government's increased budget for and provision of services to victims, care providers at the local and national levels reported insufficient resources from the government.

The government provided witness protection services to 15 victims who assisted in investigations and prosecutions, which included measures to protect the identity of the victim and witnesses; shelter; and economic, medical and psycho-social assistance. An independent assessment of trafficking in Honduras revealed the majority of victims did not file criminal complaints due to fear of reprisal, a lack of knowledge about the crime, and a low level of trust in the system. Officials acknowledged authorities did not properly identify many children forced to engage in illegal activities by criminal groups and thus may have treated them as criminals instead of victims. The government maintained Gesell chambers in which victims could provide testimony via pre-recorded interviews, but it did not report the number of victims who used these chambers. Honduran law allowed foreign victims to receive temporary or permanent residency status, including authorization to work; the government did not identify foreign victims in 2018 who could have received such benefits. Honduran law provided for restitution and civil damages to be awarded upon a trafficking conviction, but neither restitution nor civil damages were awarded to victims in 2018.

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 government relocated CICESCT to the Ministry of Human Rights and funded its operation in 2018. The CICESCT consisted of 33 governmental and non-governmental entities, which met periodically in 2018. The CICESCT established one new local interagency anti-trafficking committee for a total of 22 such committees with which it coordinated. The government implemented the 2016-2022 national anti-trafficking action plan by holding workshops and trainings and developing educational materials for some vulnerable populations, including *Miskito* and Garifuna individuals. The government launched a new campaign to prevent forced child labor and two NGOs launched new prevention campaigns. The Public Ministry and the First Lady's Migration Task Force launched campaigns to inform Hondurans about the dangers of irregular migration, including trafficking. The government also cooperated with the Governments of El Salvador and Guatemala to raise awareness of the risks of migration and trafficking. CICESCT provided anti-trafficking training to police, judges, immigration officials, municipal authorities, psychologists, social workers, students, and non-governmental organization representatives throughout Honduras. CICESCET also educated the public and passport applicants in government passport offices through television programs. The government coordinated with other governments in the region to implement repatriation protocols. An independent research team recommended increased outreach and education about the risks of forced labor among domestic and agricultural workers given its prevalence among victims surveyed for the research.

The Ministry of Labor (MOL) increased its number of inspectors, but acknowledged these numbers are still insufficient and inspectors did not identify any forced labor cases in 2018. In 2017, the MOL issued new guidelines to enforce the 2015 decree requiring job placement companies to charge fees to employers and not employees, but did not report any enforcement of these guidelines in 2018. By the end of 2018, the government had registered 238 companies in its national tourism registry, and each company signed a code of conduct for the protection of children against commercial sexual exploitation. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

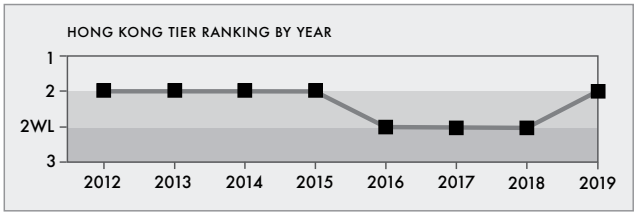
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Honduras, and traffickers exploit victims from Honduras abroad. Traffickers, some of whom were family members or friends, exploit Honduran women and children in sex trafficking within the country and in other countries in the region, particularly Mexico, Guatemala, El Salvador, Belize, and the United States. Women, children, LGBTI Hondurans, migrants, and individuals with low education levels are particularly vulnerable to trafficking. Traffickers exploit Honduran men, women, and children in forced labor in street vending, domestic service, drug trafficking, and the informal sector in their own country, and forced labor in other countries, particularly Guatemala, Mexico, and the United States. Children, including from indigenous and Afro-descendant communities, particularly *Miskito* boys, are vulnerable to forced labor in the fishing, mining, construction, hospitality, and service industries. Children living on the streets are vulnerable to sex and labor trafficking. Criminal organizations, including gangs, exploit girls in 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. Honduras is a destination for child sex tourists from Canada and the United States. Migrants from Africa, Asia, the Caribbean, Central America, the Middle East, and South America who transit Honduras en route to the United States are vulnerable to being exploited in trafficking. 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

The Government of Hong Kong does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous

reporting period; therefore Hong Kong was upgraded to Tier 2. These efforts included introducing the victim identification mechanism to 12 more police districts in 2018 so that it covered all districts, identifying more victims under the mechanism than in 2017, investigating an increased number of labor trafficking cases, launching a hotline for foreign domestic workers, and continuing to increase training of officials on trafficking. The government allocated funding to support implementation of its 2018 anti-trafficking action plan, designated officials within relevant agencies responsible for coordinating the government's anti-trafficking efforts, and appointed police units responsible for investigating trafficking. However, the government did not meet the minimum standards in several key areas. The government did not adequately investigate trafficking crimes, convict any labor traffickers, make sufficient efforts to ensure the safe repatriation of victims to their home countries, enact legislation to fully criminalize all forms of trafficking, or consistently refer victims to services. Officials continued to penalize trafficking victims for unlawful acts traffickers compelled them to commit and did not vigorously penalize unscrupulous employment agencies and money lenders that facilitated debt bondage.



PRIORITIZED RECOMMENDATIONS:

Enact a comprehensive anti-trafficking law that criminalizes all forms of trafficking in accordance with the definitions set forth in the 2000 UN TIP Protocol. • Take steps to increase the efficacy of screenings conducted to identify trafficking victims, including by increasing trainings. • Vigorously investigate and prosecute suspected sex and labor traffickers and sentence convicted traffickers to adequate penalties, which should involve significant prison terms. • Increase proactive investigation of unscrupulous employment agencies and money lenders, including by increasing the efficacy of inspections, and sufficiently penalize convicted agency operators to deter activities that promote debt bondage. • Increase the referral and provision of protective services to trafficking victims. • Cease penalization of victims for unlawful acts traffickers compel them to commit and increase interagency coordination to ensure victims are not punished through immigration proceedings prior to investigating their exploitation. • In consultation with NGOs and social welfare experts, take steps to consistently conduct the victim interview process with a victim-centered approach. • Eliminate legally permitted worker-charged recruitment fees, shifting the burden to employers to pay all recruitment fees charged by employment agencies. • Increase efforts to continually consult with civil society on anti-trafficking policies and in the investigation of trafficking and provision of services to victims. • Allow foreign victims to work and study in Hong Kong while participating in judicial proceedings against their traffickers. • Coordinate with source country governments and service providers to protect repatriated foreign victims who are vulnerable to re-victimization and may face hardship or retribution in their home countries. • Take steps to increase understanding among judges in criminal courts and labor tribunals of trafficking and psychological trauma.

PROSECUTION

The government increased 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 it 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 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. Section 137 criminalized living on the earnings of commercial sex acts of others and prescribed penalties of up to 10 years. 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 14 potential cases of labor trafficking (nine in 2017) and 136 cases related to sex trafficking in 2018 (131 in 2017). Authorities initiated prosecutions of two suspected labor traffickers but did not report obtaining any convictions for labor traffickers in 2018 (two prosecutions and convictions in 2017). The government reported arresting 19 suspects (36 in 2017) in connection with investigations for offenses related to sex trafficking, including sections 129, 130, 131, and 137 of the crimes ordinance, although it did not report the number of sex trafficking prosecutions it initiated in 2018. Courts convicted seven under these provisions (12 convictions in 2017) and sentenced five to terms of imprisonment ranging from three to 13 months and two to suspended sentences and community service.

The immigration and customs departments provided trafficking training to new employees, and the government conducted a one-day training to law enforcement on victim identification. In addition, the government collaborated with NGOs and international organizations to provide training to police, immigration, labor, and customs officials on victim identification and the investigation of trafficking cases. Nonetheless, law enforcement often did not adequately investigate trafficking cases referred to them by NGOs, sometimes dropped cases with clear indicators of trafficking, and officials did not employ a victim-centered approach when individuals made claims of victimization. The absence of laws criminalizing all forms of trafficking impeded investigators' ability to investigate or charge suspected traffickers, especially in cases where debt bondage began in a victim's home country. This also resulted in the prosecution of trafficking crimes under laws with weak penalties. NGOs reported judicial officials also lacked an awareness of trafficking. Well-founded fears of penalization resulted in victims choosing not to report their exploitation or declining to cooperate with authorities in investigations. The government designated new trafficking focal points of contact within relevant agencies and updated its written interagency procedures for handling trafficking cases. In July 2018, Hong Kong Police appointed units responsible for investigating trafficking and exploitation of foreign domestic workers within its Organized Crime and Triad Bureau in all six police regions. Nonetheless,

NGOs reported weak interagency coordination and a lack of awareness among front-line police of the units. A designated team of prosecutors was responsible for prosecuting trafficking related crimes. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses; however, media reports indicated a police officer was arrested in June 2018 for allegedly assaulting two children involved in "compensated dating."

PROTECTION

The government maintained efforts to protect victims; however, ineffective victim identification resulted in the penalization of victims. Authorities identified 29 trafficking victims, compared to 28 in 2017. Police, immigration, and customs officials utilized a two-tiered victim identification mechanism to screen vulnerable populations; the government introduced the mechanism to 12 more police districts in 2018 so that it covered all districts. Through this mechanism, officials identified 18 trafficking victims (nine in 2017). Although the government reported conducting more screenings in 2018, observers reported ineffective implementation of the screening mechanism and a lack of understanding of psychological trauma associated with trafficking resulted in few victims identified. In July 2018, the government declared police screened for trafficking all non-local individuals found in prostitution for trafficking. However, in practice, officials often did not recognize trafficking and did not consistently screen foreign domestic workers or persons in prostitution during investigations and police operations. For example, officials arrested 11 child victims of sex trafficking during law enforcement operations and did not identify these children as trafficking victims through the screening mechanism. Authorities immediately returned all 11 to their home countries, without providing services that the government guaranteed trafficking victims or ensuring they received assistance upon their return.

Of the 18 victims identified under the screening mechanism in 2018, the government reported providing six with either permission to change their employer or visa extensions with fee waivers. In addition, authorities identified four victims who held status as claimants under the government's process used to evaluate non-refoulement claims, which provided claimants with food allowances and living subsidies. Nonetheless, the government did not report providing further services such as counseling or medical care to identified victims. In addition, the government did not permit those under non-refoulement claims to work unless given permission on a case-by-case basis. Victims allowed temporary residency via visa extensions could not work or study in Hong Kong. The government partially subsidized six NGO-operated and three government-operated shelters that served victims of violence, abuse, and exploitation, including trafficking victims. 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. However, contacts reported officials did not consistently refer victims to services, and no trafficking victims received assistance in government-funded shelters during the reporting period. The government offered financial assistance to victims residing overseas to enable their return to Hong Kong as witnesses in prosecutions, but the government did not report extending this to any victims. The government did not report efforts, such as contacting source country governments or NGOs, to ensure the safe repatriation of victims to countries where they may face risk of hardship or retribution, or are vulnerable to re-victimization.

The government continued to penalize trafficking victims, including children exploited through "compensated dating," victims of forced criminality, and exploited foreign domestic workers, for unlawful acts their traffickers compelled them to commit. Ineffective victim identification and interagency collaboration on trafficking resulted in the government initiating immigration proceedings against victims rather than investigating or prosecuting their traffickers. In August 2018, the government developed a joint investigative process to coordinate interviews of victims among law enforcement agencies. However, NGOs reported the implementation of this process resulted in victims having to undergo multiple interviews in one day and being asked the same questions repeatedly by different officials, sometimes for up to nine hours in one day. Hong Kong law allowed victims to seek compensation from traffickers through civil suits and labor tribunals. Hong Kong courts ruled in 2018 that migrant workers could appear in labor tribunals through video if they had returned to their home country. Nonetheless, observers reported 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, and deterred some from bringing claims forward.

PREVENTION

The government increased efforts to prevent trafficking. An anti-trafficking steering committee led by the Chief Secretary for Administration, which formed and met once during the previous reporting period, met twice and the inter-departmental working group led by the security bureau continued to meet. In February 2019, the government announced the allocation of 62.63 million Hong Kong Dollars ($7.99 million) to support the implementation of its 2018 anti-trafficking action plan and to create 98 civil service positions within the police, labor, immigration, and justice departments. To improve collaboration with civil society, the government organized a consultation session with NGOs and international organizations in May 2018; however, civil society reported minimal efforts by the government to increase coordination beyond this meeting, including to investigate trafficking and protect victims. The government did not conduct campaigns to raise awareness of sex trafficking. To improve awareness of the rights of foreign domestic workers and the responsibilities of employers, the government continued to distribute information packets to workers and employers; publish advertisements in Filipino and Indonesian language newspapers, on television, and on the radio; 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; and publish translated versions of standard employment contracts in 11 foreign languages.

The government reported investigating numerous cases involving physically and sexually abused foreign domestic workers, resulting in the conviction of 11 employers (four in 2017). The government reported convicting 29 employers of foreign domestic workers for illegally using workers to perform duties outside their contracts and convicting two for non-payment or underpayment of wages; sentences included fines and terms of imprisonment ranging from four weeks to three months. The government offered visa extensions with fee waivers to 160 foreign domestic workers determined to be victims of illegal conduct to serve as witnesses. The government's policy requiring foreign domestic workers to return to their home countries within two weeks after their contracts' termination deterred

workers from reporting exploitative employment; however, the government allowed 16 exploited foreign domestic workers to pursue new employment visas without leaving Hong Kong in 2018. The labor department initiated a dialogue with the government of Indonesia to promote coordination on the protection of Indonesian domestic workers in Hong Kong; however, it was unclear if this resulted in tangible efforts to prevent trafficking.

Hong Kong law permitted employment agencies to charge job seekers, including foreign domestic workers, up to 10 percent of their first months' salary in recruitment fees. Since enforcement of this rule was lacking, recruiters often charged much higher fees and perpetuated debt bondage. The Employment Agencies Administration (EAA) conducted approximately 2,000 inspections of employment agencies in 2018. The EAA lacked sufficient resources and inspections of agencies were ineffective and often only consisted of undetailed reviews of documentation. In addition, observers reported the EAA did not proactively investigate unscrupulous agencies and typically required a victim to make a complaint against an agency before initiating an investigation. The EAA was not open on Sundays—the only non-work day for most foreign domestic workers—preventing some workers from filing complaints. To facilitate the ability of foreign domestic helpers to make inquiries and complaints, the labor department launched an online portal as well as a 24-hour hotline available in nine languages. In 2018, the labor department convicted three agencies for overcharging workers and seven for other offenses (11 agencies convicted in 2017). In addition, from January through March 2019, the government sought charges against 51 employment agencies for overcharging fees and 10 for unlicensed operations; five of these charges were filed against the directors or staff of unlicensed employment agencies. 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 employment agencies that perpetuate debt bondage. Despite having the legal discretion to revoke agency licenses administratively, observers reported the EAA over-relied on criminal convictions of agencies to do so. The government required employment agencies to comply with a code of practice covering statutory requirements and standards for Hong Kong-based employment agencies. The labor department cited non-compliance of the code of practice in decisions to revoke or reject the renewal of licenses of 11 employment agencies in 2018. Despite these efforts, some employment agencies reportedly continued to operate—and unlawfully retain workers' passports with impunity—after losing their licenses, sometimes reopening under a different name. In addition, despite being a violation of the code of practice, observers reported money lenders and employment agencies often operated at the same address without consequence. Police arrested the operator of a money lending business who allegedly withheld the passports of more than 850 foreign domestic workers to whom the operator had given loans—with interest rates up to 125 percent—needed for recruitment fees. An NGO reported the government's process for evaluating non-refoulement claims, which did not allow claimants to legally work in Hong Kong, made some refugees vulnerable to trafficking. The government reported some efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training to its officials posted overseas, which it did not do in previous years.

TRAFFICKING PROFILE

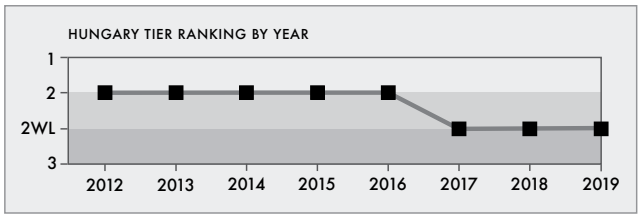
As reported over the past five years, human traffickers exploit domestic and foreign victims in Hong Kong. Victims include citizens from mainland China, Indonesia, the Philippines, Thailand, and other Southeast Asian countries, as well as countries in South Asia, Africa, and South America. Traffickers exploit migrant workers in construction, electronic recycling facilities, nursing homes, and private homes. Approximately 386,000 foreign domestic workers, primarily from Indonesia and the Philippines, work in Hong Kong; some become victims of debt bondage in the private homes in which they are employed. A 2018 NGO task force survey of migrant workers found one-third of Indonesian workers in Hong Kong were asked to sign debt agreements as conditions of their employment. In addition, 56 percent of surveyed workers reported having to pay illegal recruitment fees and 24 percent had their personal documents withheld by employment agencies or employers. A 2016 NGO report estimated as many as one in six foreign domestic workers are victims of labor exploitation in Hong Kong. Employment agencies often charge workers job placement fees in excess of legal limits and sometimes withhold identity documents, which may lead to situations of debt bondage. The accumulated debts sometimes amount to a significant portion of the worker's first-year salary, and unscrupulous agencies sometimes compel workers to take loans from money lenders to pay excessive fees; a 2017 study estimated foreign domestic workers spend up to 35 percent of their monthly salary paying back money lenders. Some employers, money lenders, and 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 traffickers coerce or lure them to work in mainland China, the Middle East, or Russia.

There were reports that 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, and other forms of abuse via exploitative contracts. Reports indicated drug trafficking syndicates coerced South American women, who were subsequently arrested by Hong Kong authorities, to carry drugs into Hong Kong. Separately, criminal syndicates or acquaintances 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. "Compensated dating" continues to facilitate commercial sexual exploitation of Hong Kong children and adults, making 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. These efforts included issuing new prosecutorial guidelines related to trafficking cases, launching services at four halfway houses, and adopting a national action plan. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Government officials did not adequately screen for trafficking indicators among vulnerable populations. Services for victims remained scarce, uncoordinated, and inadequate, especially for children, for whom there were no dedicated shelters, and for foreigners. The law authorized the detention of child sex trafficking victims;

law enforcement arrested and prosecuted children exploited in sex trafficking as misdemeanor offenders, including sentencing seven children to detention based on their exploitation in sex trafficking. Courts suspended most traffickers' sentences; only three of the 11 convicted for trafficking-related offenses served prison time. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Hungary was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Hungary remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Screen all individuals in prostitution for trafficking indicators and protect adult and child victims of sex trafficking from punishment. • Significantly increase the quality and availability of specialized victim services for adults and children, including by expanding the national referral mechanism to formally include foreign victims without legal residency, 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 developing and funding protocols for identification and referral and 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 significant prison terms. • Implement the general non-punishment provision to ensure trafficking victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts their traffickers compelled them to commit. • Train law enforcement, prosecutors, and judges on the severity of the crime and the irrelevance of a victim's initial consent for proving a trafficking crime. • Take additional steps to prevent trafficking of vulnerable children residing in state-run childcare institutions and individuals who leave these institutions. • Increase victim-centered, trauma-informed training for law enforcement, prosecutors, judges, and social workers. • Bolster protection for victims who face serious harm and retribution from their traffickers, including by developing additional longer-term care options to improve reintegration. • 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. • Enhance the collection and reporting of reliable law enforcement and victim protection data.

PROSECUTION

The government moderately increased its insufficient prosecution efforts. Article 192 of the 2013 criminal code criminalized sex and labor trafficking, but inconsistent with the definition of trafficking under international law, it 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 criminalized forced labor, with sentences ranging from one to five years' imprisonment for offenses involving an adult victim and two to eight years' imprisonment for those involving a child victim. Article 203 criminalized profiting from "child prostitution" or "paying for sex with a child" and prescribed penalties of up to three years' imprisonment, which were not sufficiently stringent. Penalties under this provision increased only if a person was "supported partly or wholly by profiting" from such exploitation of a child or for maintaining or operating a brothel for the purposes of such exploitation of a child.

Law enforcement data remained unreliable, making it difficult to assess efforts. The government claimed low rates of investigation, prosecution, and conviction were due to a consolidation of public security over the last eight years; nonetheless, law enforcement efforts remained disproportionately low. The government reported the number of registered crimes in 2018 rather than the number of closed investigations because the data on closed investigations provided in previous years contained possible duplications. This methodological change in reporting made it difficult to compare statistics year to year. In 2018, police registered 47 trafficking crimes (95 in 2017)—four crimes under Article 192 and two under Article 193 (18 closed investigations in 2017 under Articles 192 and 193) and 41 under Article 203 (58 closed investigations in 2017 under 203, as well as 19 additional closed cases of trafficking for unspecified forms of exploitation). Officials reported 29 indictments (14 in 2017)—three under Article 192 (none in 2016 or 2017); two under Article 193 (three in 2017 and two in 2016); and 24 under Article 203 (11 in 2017 and 22 in 2016). Courts convicted 11 for trafficking or trafficking-related crimes, compared to three in 2017—10 under Article 192 and one under Article 175/B of the old criminal code. In addition, there were no convictions under Article 203 in 2018 (17 in 2017) or Article 193 in 2017 or 2018. Only three of the 11 convictions resulted in a convicted trafficker serving time in prison, as courts suspended all others. Courts suspended the sentences of seven convicted under Article 192 (one for two years' imprisonment, two for one year eight months' imprisonment, and four for one year of imprisonment). One convicted under Article 192 received two years of probation. The court did not suspend the sentences of two convicted under Article 192 (one for six years' imprisonment and one for five years' imprisonment) and one individual convicted under former Article 175/B (five years' imprisonment). Although the 2012 criminal code removed a requirement that trafficking include a commercial transaction, judges reportedly continued to seek this evidence. County police, supervised by county prosecutors, conducted domestic investigations and transferred investigations 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 (11 in 2017), which experts noted was insufficient given the magnitude of the problem. Observers raised concerns that law enforcement regularly underreported trafficking offenses and underutilized Article 203. In October 2018, the national prosecutor general's office issued prosecutor guidelines stating a victim in a vulnerable position cannot give valid consent to a crime violating their human dignity or personal freedom, thereby directing authorities

that such consent should not prevent the prosecution of a trafficking case. The guidelines also directed prosecutors to review ongoing pandering cases and, if appropriate, re-classify them as trafficking offenses, which carried higher penalties.

Officials prosecuted some traffickers for non-trafficking crimes to increase the likelihood of a conviction. The government reported no knowledge of officials complicit in trafficking. The government did not provide standard routine training on trafficking for law enforcement professionals, but provided several ad hoc training courses and projects. The government trained approximately 280 judicial staff on victim protection (130 in 2017 and 840 in 2016), 50 deputy prosecutors general on trafficking indicators, and 50 law enforcement officials on prostitution and human trafficking, focusing on child victims and their identification and referral, as well as prevention. During the reporting period, national police cooperated with their counterparts in the Netherlands and the United Kingdom (UK) on three joint investigation teams pursuing trafficking cases. The government did not report extraditing any foreign nationals accused of trafficking in 2017 or 2018 (52 in 2016).

PROTECTION

The government maintained insufficient protection efforts. The government reported 30 identified victims as registered in the EU-funded digital platform for recordkeeping and case management for trafficking victims (EKAT system), the first year of its operation, compared with 33 identified victims in 2017 and 44 in 2016, not including those identified by embassies. Of the 30 registered victims, NGOs referred 18; MOJ's victim support service registered eight; embassies referred three; and the probation service referred one. The NBI trafficking unit reported identifying 26 victims and regional law enforcement reported identifying 10 victims (law enforcement did not report how many victims it identified in 2017); authorities informed victims of available services but did not refer them. NGOs reported assisting 79 trafficking victims (66 in 2017 and 143 victims in 2016). More than 540 officials were trained on the EKAT system with EU funding. NGOs reported a lack of clarity on the purpose of the EKAT system and how the government planned to use it to provide case management for victims. The government did not screen or adequately identify victims among vulnerable populations, such as adults and children exploited in commercial sex, children living in government-run institutions, foreign workers, and unaccompanied minors, including asylum-seekers. Although the immigration and asylum office implemented extensive training for its officers and social workers in transit zones and within the country and, along with an NGO, developed a new identification form for screening, it did not identify any victims among third-country nationals, including asylum seekers, in 2018. Moreover, experts criticized the government for not having an adequate referral mechanism in the transit zones. Unaccompanied children younger than 14 years old were removed from the transit zones, but did not have access to specialized services; children, including victims, between the ages of 14-18 could not leave the transit zone unless the government approved their asylum application. 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 front-line officials, including the police; as well as a lack of widespread dissemination of the protocols among officials. Law enforcement generally treated all persons accused of prostitution, including children, as criminals, charging them with related administrative penalties and misdemeanor offenses. Hungarian anti-trafficking law did not protect trafficking victims, including children, from administrative or criminal penalties for unlawful acts traffickers coerced them to commit. The government passed an amendment to the act on administrative offenses in 2017 that added the possibility of applying the general non-punishment provision for victims of crime in case of partial exemption for criminal responsibility and reported it applied to all administrative offenses, including for prostitution; the government did not report examples of the application of this provision. 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. According to the law on misdemeanors, children could be detained in a correctional facility for up to 30 days or, as cumulative punishment, up to 45 days for engaging in commercial sex. Some experts said police generally did not understand that people in prostitution were vulnerable to trafficking or that the non-punishment provision for crime victims could apply to them; police rarely screened prostitution case defendants, including children, for trafficking indicators. Judges reported administrative proceedings penalizing a child only stopped if the child declared victimhood. Authorities penalized 54 children (67 in 2017 and 88 in 2016), all of whom were girls, for prostitution offenses; 30 children received a warning, 11 received a fine (two without the possibility of appeal), seven received detention in a penitentiary, and six received community service. Experts questioned the accuracy of government data on child detention and estimated authorities held more than 200 children per year in detention for prostitution-related offenses.

Victim assistance services remained scarce, uncoordinated, and inadequate, and they exposed victims to the risk of re-victimization. The government provided 24.25 million forint ($86,550), compared to 21.9 million forint ($78,170) in 2017 and 19 million forint ($67,820) in 2016, in the form of one-year grants to one NGO to run two temporary shelters that could assist 12 victims each with accommodation, transport, psycho-social support, and legal information. Both temporary shelters could accommodate men and women; 10 men and 21 women received accommodation (compared with 20 victims in 2017). The same NGO received an additional 8 million forint ($28,550) to operate four halfway houses that could assist four victims each with reintegration for a maximum of five years; 12 victims who had previously received care at the temporary shelters received assistance at the halfway houses. Authorities provided 10 million forints ($35,690) to another NGO for the renovation of its shelters for trafficking victims, compared to 5.4 million forints ($19,270) in 2017 for the operation of the shelters and two employees' salaries. The MOJ signed a public service contract in 2019 with one NGO to operate three victim support centers and assist the victim support line, which received calls regarding all types of crime, with 115.2 million forints ($411,180) for 2019 operations. There was a severe lack of funding for victim services; NGOs urged the government to make trafficking a priority by making available robust funding for quality victim care.

All Hungarian and EU victims were eligible for government-provided financial support, psychological services, legal assistance, witness care, and shelter, as long as the trafficking occurred in Hungary; Hungarian citizens also could receive these services if they were legally present in the country in which they were victimized. 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 ad hoc approval to a government-funded NGO to provide services to non-EU victims in all cases when the NGO requested it; the government did not report how many cases. 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 foreign non-EU 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 MOJ victim support service could provide financial aid, certificates of victim status, and witness care if the government initiated criminal proceedings against the perpetrator; it provided 43,000 forints ($153) in financial aid to one victim registered in the EKAT system, compared with 117,500 forints ($419) for two victims in 2017. The victim support service could pay repatriation travel expenses upon request. One Hungarian national requested repatriation assistance from the UK; the Hungarian embassy transported the victim in its vehicle. Only one of the MOJ's three crime victim support centers, designed to provide services such as customized psychological and emotional support and information on victims' rights to victims of crime, including trafficking victims, provided services to trafficking victims in the reporting period; the center in Budapest provided emotional assistance to six suspected trafficking victims. Experts criticized the centers for deficiencies in applying a multidisciplinary approach and for lacking means to provide comprehensive services, including accommodation, or a process for monitoring and evaluation. 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. Experts criticized the chronic lack of assistance and specialized shelters for child trafficking victims. The government placed three child sex trafficking victims returned from Austria in state-run children's homes. The government gave one NGO 5 million forint ($17,850) in October to provide victim assistance to child sex trafficking victims and prevention activities for vulnerable children in three state-run children's homes, compared with 6 million forint ($21,420) in 2017. 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. Some observers reported the government did not provide adequate specialized services for child victims in state-run homes, which they described as "prison-like." Experts reported children who tried to escape children's homes and were recovered were sometimes locked in their rooms for weeks or months at a time. In 2016, the MHC set up an expert working group, comprising NGO and government representatives, on sex trafficking in state-run institutions; the group produced an assessment with recommendations in May 2017; the government held a training based on the recommendations. In July 2018, the government issued a directive that all child protection institutions and state-run homes must report to law enforcement all suspected cases of children exploited in prostitution, despite the known problem of some of the police treating such children as criminals rather than victims.

In a 2018 report, the Council of Europe's expert group on human trafficking (GRETA) expressed profound concern about children in the transit zones and the lack of efforts made to identify victims of trafficking among asylum seekers and irregular migrants in Hungary. GRETA reported conditions in the transit zones were not conducive to creating an atmosphere of trust that would make it possible for victims of trafficking to come forward. GRETA also reported the persistence of collective expulsions conducted without pre-removal risk assessments.

Foreign non-EU national 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; the MOJ's victim support service initiated the issuance of a certificate for temporary stay in cooperation with the immigration authority. Foreign non-EU national 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. The new act on criminal proceedings, which entered into force in July 2018, allowed courts to protect the identity of trafficking victims who testify. NGOs remained concerned about inadequate government protection for victims who testified against traffickers; no victims assisted in an investigation or prosecution of a trafficking case or participated in the witness protection program during the reporting period.

PREVENTION

The government moderately increased prevention and coordination efforts. The government had an anti-trafficking coordinator who chaired the national coordination mechanism, an entity including government actors, one international organization, and two NGOs, one of which operated the government-funded trafficking shelter. The NGO roundtable, also chaired by the national coordinator, complemented its work. Both entities met twice in the reporting period. The government and the majority of NGOs considered these two forums effective for exchanging experiences and good practices. The government approved an action plan to combat trafficking for 2019 and dedicated 159 million forint ($567,510) to its implementation, including to purchase a vehicle to transport child trafficking victims and to open a shelter for victims. The government did not release reports assessing its anti-trafficking efforts. The government provided approximately 66.8 million forint ($238,430), the same amount as in 2016 and 2017, for the operation of the NGO-run national crisis telephone service (OKIT), a 24-hour hotline for assisting victims of domestic violence and human trafficking, with only Hungarian and English languages available. OKIT provided support to 18 potential victims (22 in 2017) in connection with approximately 100 trafficking-related phone calls out of approximately 9,000 total calls. OKIT referred 15 adult victims to shelter.

The government did not make 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, but it could assess agencies' compliance with regulations concerning temporary work; it did not identify any victims while conducting this type of inspection.

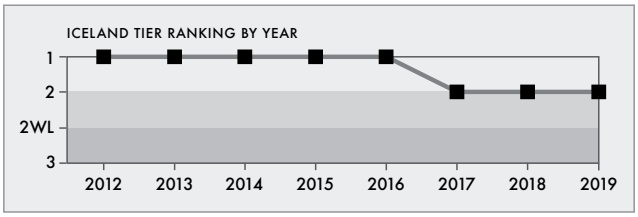
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit

domestic and foreign victims in Hungary, and traffickers exploit victims from Hungary abroad. Vulnerable groups include Hungarians in extreme poverty, undereducated young adults, Roma, single mothers, asylum-seekers and unaccompanied minors, and homeless men. Traffickers subject Hungarian women, boys, and girls to sex trafficking within the country and abroad, mostly within Europe, with particularly high numbers in Germany, the Netherlands, and France. Traffickers subject Hungarian men and women to forced labor domestically and abroad, particularly in Germany, the UK, 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, some 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Iceland remained on Tier 2. These efforts included amending legislation to allow potential trafficking victims who were granted residence permits on the grounds of trafficking to obtain work permits; adopting a national action plan (NAP); allocating additional funds to NGOs for victim assistance; and assisting more potential victims. 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 eighth consecutive year, and insufficient evidence collection during investigations inhibited successful prosecutions.



PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to prosecute and convict suspected traffickers. • Enhance training for investigating cases and collecting evidence against suspected traffickers. • Vigorously investigate and prosecute trafficking cases under the trafficking statute. • Proactively identify trafficking victims and refer them to care facilities for assistance. • Develop and implement formal victim identification and referral procedures, which clarify division of labor among stakeholders. • Develop a comprehensive data system collecting statistics on victim identification and assistance and investigations, prosecutions, and convictions. • Implement the NAP and allocate adequate funding for implementation. • Increase training for police, prosecutors, judges, and other officials on all aspects of trafficking, particularly on proactive identification of victims among migrant workers, asylum-seekers, and unaccompanied children. • Institutionalize regular meetings of the national steering group to improve interagency anti-trafficking coordination. • Conduct awareness raising campaigns targeting particularly vulnerable populations and industries.

PROSECUTION

The government maintained weak law enforcement efforts. Article 227a of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties 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. Overextended government personnel, limited political attention and resources, and the failure to prioritize trafficking slowed progress and coordination. Law enforcement reported 15 investigations, compared with 20 in 2017 and 16 in 2016. The government did not report prosecuting or convicting any trafficking cases since 2010. Prosecutors reported investigating cases sufficiently and collecting adequate evidence remained a problem; consequently, all cases recommended to the prosecutor's office resulted in suspended investigations or no prosecutions. Furthermore, experts noted authorities prosecuted cases under non-trafficking laws, such as smuggling. Experts also underscored the need for consistently educating prosecutors and judges on all aspects of trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. Icelandic and German authorities cooperated on a trafficking case, which remained ongoing at the end of the reporting period.

Although limited human resources hindered law enforcement effectiveness, police maintained a special investigative unit dedicated to combating trafficking and prostitution and a special email address for tips or inquiries about possible trafficking cases. In 2018, the police formed a cyber-crime unit to support the trafficking unit by monitoring the internet for trafficking activity. Additionally, the police district responsible for border control at the international airport operated a unit specializing in major crime and trafficking investigations. During the reporting period, the Ministry of Justice (MOJ) allocated 370 million krona ($3.2 million) for police investigations and an additional 37 million krona ($318,660) for special projects in 2018. 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. The police conducted a course for officers, investigators, and prosecutors, focusing on detecting and apprehending persons who buy sexual services, with a focus on sex trafficking. The police also held a three-day training session with Swedish law enforcement experts on investigating prostitution and trafficking cases. The government sponsored participation of two prosecutors, a judge, and a MOJ specialist at a trafficking conference focused on prosecuting cases and victims' rights during legal proceedings. The MOJ coordinated a lecture on how to identify and collect evidence to better support trafficking prosecutions; 130 police, investigators,

prosecutors, judges, and other government and NGO officials participated. The government broadcasted the lecture to all police districts in Iceland.

PROTECTION

The government increased victim protection efforts. Government-funded civil society organizations identified nine potential trafficking victims, compared with seven in 2017. Authorities were unable to confirm the form of trafficking of the potential victims but noted all were foreign nationals. As in previous years, since the government lacked country-wide statistical information on trafficking, anecdotal reports of potential victims varied depending on the source, and double counting likely occurred across organizations, obtaining data was problematic. The Ministry of Welfare (MOW) assisted 25 potential male labor trafficking victims from Ukraine and Romania, and the women's shelter did not report assisting any potential victims, compared with two and four victims, respectively, in 2017. The national police commissioner maintained detailed procedures for police to use to identify, contact, and work with possible trafficking victims. The government continued to distribute NGO-developed interview guidelines to government employees most likely to encounter trafficking victims. The Directorate of Immigration provided its staff with procedures to identify trafficking victims during the interview process for asylum-seekers. As part of the newly adopted NAP, the government in conjunction with NGOs planned the development of a national referral mechanism (NRM), including cost assessments and roles and responsibilities of stakeholders. Since there was no NRM during the reporting period, police maintained standardized referral procedures that required them to contact welfare services in the municipality and MOW to coordinate victim care and placement. Experts stated these procedures worked effectively in practice but required further guidance on where to refer victims. Furthermore, experts noted while it was generally difficult to build victims' confidence in and cooperation with authorities, a formal NRM would promote better cooperation between victims and authorities on investigations and, in turn, enhance data collection. In 2018, the Directorate of Labor created procedures on assisting potential victims and maintained a three-member team to respond to suspected trafficking cases and educate government employees on trafficking and identifying possible victims.

The government continued to fund an NGO-run domestic abuse shelter providing emergency shelter to female trafficking victims and their children; the government allocated 77.1 million krona ($664,030) to the shelter, compared with 71 million krona ($611,490) for 2017. The government provided the shelter with an additional 300,000 krona ($2,580) for the provision of services for trafficking victims, compared to 350,000 krona ($3,010) 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. The government allocated 78 million krona ($671,780) to a separate NGO offering psychological services to individuals in prostitution and trafficking victims, compared to 71 million krona ($611,490) in 2017. The government, in collaboration with several NGOs, maintained a center offering free comprehensive services to abuse victims, including trafficking victims, and allocated 50 million krona ($430,630). There were no accommodations 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. The government organized courses for health care employees at clinics across the country on working with victims. Victims could file civil suits against traffickers, but no victims did so during the reporting period. Foreign trafficking victims could obtain either a nine-month residence permit or a one-year renewable residence permit, which was available to victims who cooperated with law enforcement or who faced retribution or hardship in their home countries. The government did not issue any temporary residence permits in 2017 or 2018. The government amended the Act on Foreign Nationals to allow potential victims who received residence permits on the basis of trafficking to obtain work permits for the duration of their residence permits.

PREVENTION

The government maintained prevention efforts. For the second consecutive year, the government lacked a NAP but adopted a new plan on the last day of the reporting period in 2019. MOJ led the national steering group, which met sporadically during the reporting period, to coordinate interagency anti-trafficking efforts. The Ministry of Social Affairs appointed a working group to combat social dumping on the domestic labor market, and the group submitted a report to the government with recommendations on assistance and protection for labor trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts. The government did not host any awareness raising events during the reporting period.

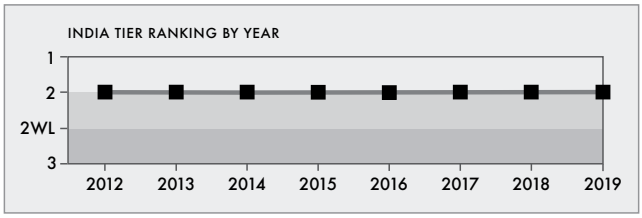
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Iceland, and, to a lesser extent, traffickers exploit victims from Iceland abroad. Traffickers subject women from Africa, Asia, Eastern Europe, the Baltics, and South America to sex trafficking, often in nightclubs and bars. Traffickers subject men and women from the Baltics, Eastern Europe, and Asia to forced labor in the construction, tourism, and restaurant industries. Observers report a growing number of Albanian boys and Roma individuals vulnerable to forced begging. 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 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 overall increasing efforts compared to the previous reporting period; therefore India remained on Tier 2. These efforts included convicting traffickers, initiating a high-profile investigation into one case that allegedly involved officials complicit in sex

trafficking at a government-funded shelter, and continuing to raise awareness of trafficking. The Supreme Court oversaw a key shelter abuse case and encouraged all states to review their shelter homes given concerns regarding the overall level of oversight. The lower house of Parliament passed the Trafficking in Persons (Prevention, Protection and Rehabilitation) Bill that was aimed at strengthening investigations and coordination of victim services, but it was not taken up by the upper chamber during the reporting period. However, the government did not meet the minimum standards in several key areas. The government took some action following reports of government complicity in forced labor and sex trafficking, although the systemic failure to address forced labor and sex trafficking in government-run and government-funded shelter homes remained a serious problem. The government did not report information on investigations, prosecutions, and convictions of traffickers, or on trafficking victims identified and referred to care. NGOs reported government law enforcement and victim identification efforts were limited compared to the scale of the problem. Authorities sometimes penalized victims for unlawful acts their traffickers compelled them to commit. The government's efforts to address bonded labor remained insufficient compared to the scale of the problem, and in the majority of reported cases officials did not follow the law requiring provision of release certificates and compensation to bonded laborers removed from exploitation, which prevented victims from accessing government services and in some cases led to their re-victimization.



PRIORITIZED RECOMMENDATIONS:

Increase investigations, prosecutions, and convictions of all forms of trafficking, including bonded labor. • Vigorously investigate allegations of official complicity in human trafficking and sentence perpetrators to significant prison terms. • Develop and immediately implement regular monitoring mechanisms of government-run and government-funded shelters to ensure appropriate quality of care, and promptly disburse funding to shelters that meet official standards for care. • Improve central and state government implementation of protection programs and compensation schemes for trafficking victims to ensure they receive benefits, release certificates, and compensation in a timely manner. • Establish Anti-Human Trafficking Units (AHTUs) in all districts with clear mandates, dedicated funding, and specially trained staff. • Increase efforts to proactively identify victims by dissemination and implementation of standard operating procedures (SOPs) for victim identification and referral, and train officials on their use. • Cease inappropriate penalization of trafficking victims. • Amend the definition of trafficking in Section 370 of the Penal Code to include forced labor trafficking and ensure that force, fraud, or coercion are not required to prove a child sex trafficking offense. • Cease forcible detention of adult trafficking victims in government-run and government-funded shelters. • Eliminate all recruitment fees charged to workers. • Increase oversight of, and protections for, workers in the informal sector, including home-based workers. • Lift current bans on female migration through agreements with destination countries that protect Indian workers from human trafficking. • Develop a national action plan to combat trafficking. • Provide rehabilitation services for child soldiers associated with non-state armed groups. • Provide anti-trafficking training for diplomatic personnel.

PROSECUTION

The government did not report law enforcement data during the reporting period, rendering it impossible to compare efforts with the previous year. Indian law criminalized sex trafficking and some forms of labor trafficking. Section 370 of the Indian Penal Code (IPC) criminalized trafficking offenses that involved exploitation that included any act of physical exploitation or any form of sexual exploitation, slavery or practices similar to slavery, and servitude. The law did not explicitly address labor trafficking. The recruitment of children younger than age 18 by non-state armed groups was not criminally prohibited. Section 370 prescribed penalties ranging from seven to 10 years' imprisonment and a fine for offenses involving an adult victim, and 10 years to life imprisonment and a fine for those involving a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. 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 10 years' imprisonment and a fine, which were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as kidnapping. Section 370 criminalized government officials' involvement in human trafficking and prescribed penalties up to life imprisonment and a fine. Bonded labor was specifically criminalized in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which prescribed sufficiently stringent penalties of up to five years' imprisonment. The Bonded Labor System (Abolition) Act (BLSA) 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 to prosecute sex trafficking, which prescribed penalties that were sufficiently stringent and commensurate with other serious crimes, such as kidnapping. In July 2018, the lower house of Parliament passed the Trafficking in Persons (Prevention, Protection, and Rehabilitation) Bill. Some NGOs noted that the draft Trafficking in Persons Bill demonstrated that the government understood the trafficking problem, was aware of the gaps in the existing response to trafficking, and was willing to address them in a coordinated way. The bill lapsed while pending in the upper house of Parliament and did not pass during the reporting period.

The government did not report anti-trafficking law enforcement data during the reporting period. The National Crimes Record Bureau (NCRB) did not issue the 2017 Crime in India Report due to a change in methodology that was intended to increase the amount of data collected, including on trafficking cases. Media reported the government initiated 11 trafficking investigations involving at least 52 suspected traffickers (nine cases of sex trafficking, one of forced labor, and one case where

the type of alleged trafficking was unknown), concluded six investigations and prosecutions from previous years, and convicted 19 traffickers. Sentences for convicted traffickers ranged from probation to life imprisonment. Five of the six completed cases involved sex trafficking and resulted in the conviction of 16 traffickers and the acquittal of one suspect; the sixth case, for bonded labor, resulted in conviction of three traffickers. The Delhi Commission for Women reported that 15 prosecutions were pending trial at the end of 2018; it was unclear if there was overlap between these cases and trafficking cases reported by media. During the previous reporting period, the government released the 2016 Crime in India Report, which reported investigation of 5,217 trafficking cases, completion of prosecution in 587 cases, conviction of traffickers in 163 cases, and acquittal of individuals in 424 cases. It separately reported 114 investigations, 13 case prosecutions, and three convictions for bonded labor under the BLSA. The acquittal rate for trafficking cases was 72 percent in 2016. Media reported that the police filed First Information Reports (FIRs) in additional trafficking cases during the reporting period, although it was unclear if they were actively investigating these cases. NGOs continued to comment that available law enforcement data did not reflect the large scale of human trafficking in India, as police did not always file FIRs to officially register a complaint and settled many other cases at the complaint stage. Some authorities in West Bengal and Jharkhand allegedly ordered police to register trafficking cases as "missing persons" to reduce the number of trafficking cases in official statistics. NGOs also stated that law enforcement efforts, especially against bonded labor, remained low compared to the scale of the problem, and some police dissuaded labor trafficking victims from pursuing charges against their employers. NGOs noted several states showed some political will to address bonded labor abuses with improved awareness of the issue.

NGOs reported the Ministry of Home Affairs (MHA) established a new Women Safety Division and conducted police trainings and judicial collegiums related to trafficking. AHTUs served as the primary investigative force for human trafficking crimes. The government did not report how many AHTUs operated during the reporting period, compared to 264 AHTUs in the previous reporting period. However, some AHTUs lacked clear mandates, were not solely dedicated to trafficking, and sometimes received requests for assistance after a delay of several months, which limited the effectiveness of investigations. In a few cases, police reportedly released alleged sex traffickers immediately on bail and prioritized investigation of other crimes. An NGO reported some district magistrates mediated cases of bonded labor to secure back wages for bonded laborers in lieu of referring suspects for criminal prosecution. Court backlogs, inadequate preparation, lack of funding, and a lack of prioritization of trafficking delayed cases, increased the length of trials, and sometimes resulted in acquittals. Some police training centers included anti-trafficking training in their regular curriculum. State and local governments partnered with NGOs and international organizations to train police, prosecutors, and judicial officers on human trafficking.

A lack of full accountability for misconduct and corruption continued at various levels of government, contributing to widespread impunity. NGOs reported that in a number of instances police refused to register FIRs for cases in which officials were the alleged perpetrators. Unofficial village caste councils were reported to pressure lower caste female sex trafficking victims not to pursue criminal cases. In the past, some law enforcement officers reportedly received bribes from sex trafficking establishments and sexual services from victims in exchange for alerting the traffickers of forthcoming raids, and there was no indication this practice had ceased. Police initiated one investigation into a sex trafficking ring that allegedly involved an official, and the investigation was ongoing at the close of the reporting period. Some Indian immigration officials in New Delhi and Mumbai reportedly accepted bribes to allow traffickers to transport Nepali women to the Gulf or Malaysia without proper documentation, where some women were victims of forced labor. During the reporting period, several junior police officers in Kerala alleged forced labor by senior officers. The Chief Minister vowed to end the practice, and authorities temporarily transferred one official but did not file formal charges or take action against the other accused.

While serious challenges in oversight of government-run and government funded-shelters continued during the year, some of these cases drew the Supreme Court's attention to the issue, and NGOs reported some subsequent positive actions by some state governments. Lack of investigations into suspected trafficking crimes and broader physical and sexual abuse of trafficking victims at government-run and government-funded shelters due to widespread negligence created an atmosphere of impunity for shelter employees and government officials to engage in trafficking. Victims alleged in a few cases government officials facilitated trafficking and, in three cases were clients of shelter residents exploited in sex trafficking. In one government-funded shelter for victims of child labor and abandonment, at least five girls died after sex trafficking, and traffickers buried them on the shelter's premises; victims alleged both government and NGO officials facilitated the sex trafficking and were among the clients of the victims at that shelter. A report commissioned by the Bihar state government noted abuse "varying in forms and degrees of intensity" was reported to be prevalent in almost all 110 government-funded women and child care institutions surveyed, and the report noted "grave concerns" in 17 institutions that required immediate attention. NGOs commended the Bihar government for undertaking the study and allowing the investigator full authority and independence to report on all institutions in the state. The Bihar state government initially investigated some of the allegations, but the Supreme Court called the government's overall inaction on the cases "very shameful" and noted the state had been "very soft" and "very selective" in investigating alleged perpetrators. However, the Bihar state government did arrest the husband of a local political leader implicated in one of the shelter cases and took over the operations of all shelters in the state. In November, due to the pace of investigations into the other cases, the Supreme Court ordered the Central Bureau of Investigation (CBI) to take over investigation of the additional 16 shelters in Bihar with the "gravest concerns" of abuse, in addition to the shelter it had already begun investigating. As of January 2019, the CBI had initiated investigations into nine of the 17 homes, and the Supreme Court was monitoring the cases. Media and NGOs reported other cases of abuse, including trafficking, in other government-run, government-funded, and private shelters across in four other states.

In at least two cases allegedly involving sex trafficking in government-funded shelters, lawyers and media reported government officials impeded the investigation. In Deoria, despite 20 letters from the district government to cease sending vulnerable women and children to a shelter operating without proper registration, three police superintendents sent at least 405 girls to the shelter over two years, where shelter employees exploited many in sex trafficking. Furthermore, a home department official reportedly tried to investigate the shelter but received an order from a superior not to do so. In response,

the state government requested a report from all shelter homes in the state, initiated investigations, and arrested the owner of the shelter. In a separate case in Agra, October 2018, a judge convicted the government-run shelter warden with a sentence of life imprisonment for selling shelter residents into sex trafficking, some of whom police had initially removed from sex trafficking and sent to the shelter for rehabilitation. The initial police lead on the investigation, however, had alleged the involvement of multiple traffickers, but authorities transferred him before he named additional suspects. A senior government official claimed the warden had avoided investigation for 10 years due to political connections. After the issuance of the Bihar report and Deoria case, the Supreme Court encouraged the National Commission for Women and state-level institutions to audit the status of shelter homes across India, and Uttar Pradesh issued interim guidelines for the management of shelter homes and ordered the inspection of all homes in the state. The Delhi government also initiated a review of all of its shelter homes during the year. The government did not report the outcomes of any of these inspections, or if any other states undertook such inspections.

PROTECTION

The government decreased victim identification and protection efforts. The government did not report comprehensive data on victim identification efforts during the reporting period. Media indicated the government and NGOs, at times in partnership, identified at least 1,172 trafficking victims during the reporting period, including men, women, and children exploited in forced labor and sex trafficking. The Railway Protection Force intercepted 244 children from dangerous situations, including potential trafficking. Between January and November 2018, the Andhra Pradesh and Telangana police identified 858 trafficking victims; it was unclear how much overlap existed between this data and cases reported by media. Through the 2016 Crime in India Report, the government reported identifying 22,955 victims the previous reporting period. A 2009 MHA non-binding directive advised state officials to use SOPs for proactive victim identification and referral to services. Not all 29 states employed SOPs, although at least one state worked with civil society to establish SOPs for its child welfare committees. In December 2017, the National Human Rights Commission created and published SOPs for combating human trafficking. According to the commission, awareness and implementation of the SOPs were more common in urban centers due to closer supervision by senior police officials. NGOs noted some police relied on NGOs to report victims to the police for action. In some cases, poor inter-state coordination impeded victims' ability to obtain services and participate in civil and criminal cases upon return to their home states. The Odisha Labor Department took steps to improve inter-state coordination on labor trafficking cases by establishing help desks, located in the capital cities of Telangana and Andhra Pradesh, as well as Delhi, to identify trafficking victims from Odisha. The Ministry of Women and Child Development (MWCD) continued to support some broad national child protection mechanisms, including a hotline for children in need of assistance, a system to identify missing children, and rescue operations for missing children. The NCRB drafted a memorandum of understanding with the U.S. National Center for Missing and Exploited Children to share data on missing and exploited children, which received Cabinet approval on February 28.

The government did not report how many trafficking victims it assisted or referred to care during the reporting period. The government could refer adult female and child trafficking victims to government-run shelters, government-funded shelters run by NGOs or private organizations, or privately-run shelters. NGOs continued to report that the number of government-run and government-funded shelters was insufficient, and overcrowding compromised victim rehabilitation. Both government- and NGO-run shelters faced serious shortages of financial resources and trained personnel, particularly counselors and medical staff. No shelters were available for adult male trafficking victims. Government child welfare committees generally returned child trafficking victims to their parents or placed them in privately-run shelters, government-run juvenile justice homes (some of which may have housed child victims with children accused of crimes), or government-run women and children's homes, some of which allowed routine abuse as noted above. Children largely received the same services as adults. MWCD continued to fund NGO- and government-run shelter and rehabilitation services for women and children through the Ujjawala program for female sex trafficking victims (operating 148 shelters as of July 2018) and the Swadhar Greh program for women in difficult circumstances (operating 518 shelters as of July 2018). The central government did not report its budgets for the Ujjawala and Swadhar Greh programs in 2018-2019, but initial estimates signaled a potential decrease for the Ujjawala program and a larger decrease for the Swadhar Greh program. MWCD ran One-Stop Centers for female victims of crime that female sex trafficking victims could access. It did not report if these centers assisted any trafficking victims during the reporting period, and some NGOs reported the centers were ineffective and difficult to access. In some cases, trafficking victims were detained in shelter homes, including in the homes described above that allowed routine physical and sexual abuse. During the reporting period, the Ministry of Railway issued a circular to stationmasters nationwide allowing the use of station funds to cover child protection expenses for vulnerable children such as trafficking victims. NGOs relied primarily on donor contributions, although some received government funds. The disbursal of government funding to NGOs was sometimes delayed for multiple years.

During the reporting period, media, NGOs, and authorities documented a persistent lack of oversight and negligence in government-run, government-funded, and privately-run shelters that sometimes resulted in abuse and trafficking of residents. The National Commission for the Protection of Child Rights estimated 1,300 of India's approximately 9,000 shelters for vulnerable people were not registered with the government and operated with little or no oversight. In several cases, government-funded shelter homes continued to operate despite significant gaps in mandatory reporting and allegations of abuse, at times due to alleged political connections. Police documented at least 156 residents—including sex trafficking victims—missing from six shelters as of March 2019; at least one shelter owner had reportedly sold some of the women and girls for prostitution. In another case, 30 girl residents of a shelter were reportedly exploited in sex trafficking. Due to unsafe conditions and forcible detention in government-run and -funded shelters, some sex trafficking victims—including children—ran away, and at least one attempted suicide in the shelter during the reporting period. In one case, the Bihar's Child Rights commission visited a government-funded shelter home in November 2017 and requested officials remove children from the home due to the unacceptable conditions. The district magistrate ordered the home to initiate shut down procedures in December 2017, but it operated until June 2018, when authorities uncovered shelter employees had exploited approximately 30 girl residents in sex trafficking. In September 2018, the Bihar state government announced

that it would assume management of all government-funded and NGO-run shelters by December 2018 and cancelled the licenses of at least 50 NGOs that had been operating shelters in the state. The central government committed to audit all shelter homes for children, which also cared for trafficking victims, and the Supreme Court ordered all states to complete their respective audits by September 2018; as of September 2018, however, authorities had only surveyed approximately one-third of shelters. In September 2018, the Supreme Court ordered the MWCD to formulate a child protection policy to prevent abuse in government-run and -funded shelter homes. MWCD began drafting the policy, in consultation with NGOs and activists. The Supreme Court further implored MWCD to present an update on incidents of child sexual abuse in all shelter homes; MWCD did not produce the report by the close of the reporting period. NGOs noted concern for children transferred from NGO shelters to government shelters, as the scale of abuse and concerns regarding limited oversight were reportedly similar in both institutions.

While the government had a program to compensate and provide services to former bonded laborers, it failed to fully implement the program, and overall efforts were insufficient to the scale of the problem. The central government had a program through which bonded labor victims could obtain assistance and compensation upon conviction of their trafficker to obtain full benefits, although delays in implementation led to many victims returning to bonded labor. In 2016, the government amended the program to include female sex trafficking and child forced labor victims as recipients and to authorize local district authorities to provide immediate monetary assistance up to 20,000 Indian rupee (INR) ($287) to a victim released from bonded labor without a release certificate, regardless of the status of the related court case. The release of the overall compensation amounts (between 100,000 INR [$1,430] and 300,000 INR [$4,300] based on the victim's demographics) remained contingent on issuance of a release certificate and the conviction of the trafficker or administrative processes that could take several years to conclude. Implementation of this program, however, remained inadequate. Since 2016, the government has not reported providing full compensation to any former bonded laborers. Former bonded laborers were also entitled to "release certificates" enabling them to receive government-funded services. The disbursal of such certificates, however, varied greatly between states; some victims received certificates at or soon after their rescue, especially in areas with significant coordination between the government and NGOs. Other victims experienced lengthy delays before obtaining certificates. NGOs reported some officials in Uttar Pradesh treated bonded labor cases as labor exploitation, which meant victims were not identified as bonded labor victims, did not receive "release certificates," and were not eligible for government compensation or services. One NGO reported that among the 537 victims it successfully removed from bonded labor during the reporting period, the government only provided release certificates to 29, therefore preventing the remaining 508 from obtaining full compensation and services. The Telangana state government, in collaboration with Odisha government officials and NGOs, opened eight Odia language schools that educated approximately 870 former victims of child labor and children of migrant workers. District governments provided stipends for volunteer teachers, meals, and some materials.

Judges could order compensation for victims of all forms of trafficking through other government programs and did so on an ad hoc basis. Prosecutors used protective courtroom procedures for some trafficking victims during the reporting period, including the creation of child friendly courts in Telangana and West Bengal. Video conferencing was used by Hyderabad and Mumbai's anti-trafficking court in at least one case to allow testimony from victims who had returned to Bangladesh. Many victims were reluctant to participate in trials against their traffickers due to inadequate witness protection and the lengthy judicial process. Female victims of sex trafficking faced systemic barriers in pursuing justice, including victim blaming by law enforcement, challenges to successfully filing FIRs, and poor access to services. Police and court officers did not always follow the victim protection measures enshrined in law. Moreover, NGOs reported that judges closed many cases because the government did not provide adequate financial assistance to enable victims to participate in trials. Foreign victims had 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 in government-run or government-funded shelters until deportation. At times, both repatriation of foreign victims seeking to return home and deportation of victims could take years due to a number of constraints. The government provided some funding to NGOs to repatriate child trafficking victims but did not offer any financial assistance for repatriation of adult trafficking victims. During the reporting period, the government secured the release and assisted with repatriation of Indian forced labor victims from Saudi Arabia and Iraq.

Some law enforcement continued to penalize trafficking victims for unlawful acts their traffickers compelled them to commit, including prostitution and immigration violations. The government required 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 to provide documentation of the trafficking experience in order 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 or 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. Some victims previously cited lengthy delays, requests from the government for private or otherwise sensitive information, and inconsistent application of the policy when attempting to renew their passports.

PREVENTION

The government maintained modest efforts to prevent human trafficking at the state level. The government's inter-ministerial committee, chaired by MWCD, did not report meeting during the reporting period; it had met in the previous reporting period. The government did not have a national action plan to combat trafficking. The Ministry of Railways had 84 child help desks at stations to provide immediate support to unaccompanied children who might have been vulnerable to trafficking—an increase from 62 desks the previous year. In some states, police and NGOs noted government agencies largely lacked anti-trafficking preventative measures. Some state governments conducted anti-trafficking awareness campaigns. West Bengal expanded its Swayangsiddha Initiative to all 23 districts, reaching 200,000 students in 500 schools to share information on human trafficking and child rights. The government registered foreign recruitment agencies and Indian migrant workers through the

eMigrate system. The government required migrant workers going to 16 specific countries, including many in the Middle East, to receive emigration clearance before departure; it did not allow emigration to Iraq. The Ministry of External Affairs (MEA) drafted an emigration bill that required all Indian nationals seeking education or employment overseas to register with the government, provided for enhanced pre-departure trainings and migrant resource centers, and prescribed more stringent penalties for recruitment agency violations; the bill was pending submission to Parliament at the close of the reporting period. The government maintained its ban on females younger than age 30 from working in 17 countries. The UN and members of civil society argued any ban on migration increased the likelihood of illegal migration and therefore heightened vulnerability to human traffickers. MEA operated five centers nationwide and a 24/7 helpline to provide counseling and other resources to those considering migrant work. MEA's Indian Community Welfare Fund (ICWF), accessible to all Indian missions abroad and funded primarily via overseas consular fees, offered shelter, legal assistance, and repatriation for migrant workers in distress, as well as awareness measures and hotlines. MEA did not report data on utilization of this fund during the reporting period. The government permitted licensed foreign employment recruiters to charge migrant workers up to 20,000 INR ($287) for recruitment fees and costs; however, observers stated employers frequently charged migrant workers more than the maximum, thereby increasing debt and vulnerability to labor trafficking. Unregistered sub-agents operated widely without oversight. MEA received 231 complaints from January to June 2018 against recruitment agencies and agents and referred the cases to state governments for investigation.

Some states regulated some aspects of work in the informal sector, including domestic work. The central government could provide reimbursement of 450,000 INR ($6,450) to any district that conducted a census of bonded labor, but no district reported utilizing this incentive during the year. Despite India being a destination for child sex tourism, the government did not report measures to reduce child sex tourism. The government made efforts to reduce the demand for commercial sex. The government did not provide information about any training provided to its troops prior to their deployment as peacekeepers or to its diplomatic personnel. During the reporting period, a domestic worker filed a civil lawsuit in a federal court in New York seeking damages from a former Indian consular officer previously posted at the New York consulate, whom the domestic worker alleged subjected her to forced labor in 2013-2014.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in India, and traffickers exploit victims from India abroad. Forced labor, including bonded labor, constitutes India's largest trafficking problem; men, women, and children in debt bondage—sometimes inherited from previous generations—are forced to work in agriculture, brick kilns, rice mills, embroidery factories, and stone quarries. Most of India's trafficking problem is internal, with traffickers targeting those from the most disadvantaged social strata. Experts estimate there are more than eight million bonded laborers in the country. In addition to bonded labor, traffickers exploit children in forced labor agriculture; construction; domestic service; garment, steel, and textile industries, including tanneries and *zari* factories; begging; biscuit factories; carpet making; floriculture; fish and ginger farms; glass manufacturing; pickling; ship breaking; and wire manufacturing for underground cables. Forced begging ringleaders sometimes maim children to earn more money. Traffickers have coerced poor parents to give up their children and forced the children to work and in one case steal in large cities. Multiple organizations note physical violence against trafficking victims—in both forced labor and sex trafficking—is particularly prevalent in India. Unregulated work placement agencies reportedly use false promises of employment to lure adults and children into sex trafficking or forced labor. Some traffickers force women and girls to conceive and deliver babies for sale. In some cases, the "Provident Funds" or "Sumangali" scheme in which employers pay young women a lump sum for education or a dowry at the end of multi-year labor contracts, often in Tamil Nadu's spinning mill industry, may amount to bonded labor, and some employers subject these women to sex trafficking. Maoist groups, particularly in Chhattisgarh and Jharkhand, allegedly continued to recruit children, and three incidents of child recruitment by separatist groups were reported in the state of Jammu and Kashmir. NGO observers reported children as young as age 12 were members of Maoist youth groups and allied militia. The children reportedly handled weapons and improvised explosive devices (IEDs). Maoists reportedly held children against their will and threatened severe reprisals, including the killing of family members, if the children attempted to escape. Maoist groups sometimes used children as human shields in confrontations with security forces. Several women formerly associated with Maoist groups reported that sexual violence, including rape and other forms of abuse, was a practice in some Maoist camps. Some female child soldiers reported commanders recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. Some parents in Jharkhand send their children to Bihar and Gujarat to avoid abduction and recruitment by armed groups; the children often work on farms and in brick kilns, sectors that render them vulnerable to forced labor. Unverified reports allege national security forces also use children as informants and spies.

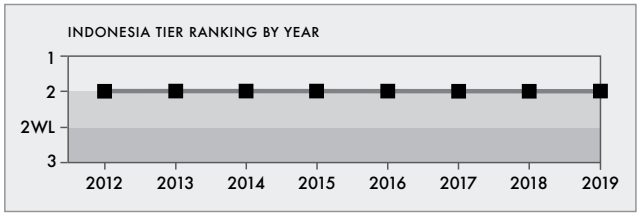
Experts estimate millions of people are sex trafficking victims within India. Traffickers exploit women and children in sex trafficking in religious pilgrimage centers and in tourist destinations. Traffickers subject women and girls—predominately from Nepal and Bangladesh and, to a lesser extent, from Europe, Africa, and Asia—to sex trafficking in India. Traffickers exploit Indian and Nepali women and girls in India as "orchestra dancers," where girls work for dance groups hired to perform at public functions but are subsequently subjected to sex trafficking. Traffickers use online technology to facilitate sex trafficking and fraudulent recruitment. Some traffickers kidnap children from public places, entice girls with drugs, and force girls as young as five years old in sex trafficking to take hormone injections to appear older. Some corrupt law enforcement officers protect suspected traffickers and brothel owners from law enforcement efforts and take bribes from sex trafficking establishments and sexual services from victims. Some traffickers have bribed police to release child sex trafficking victims back into traffickers' custody. In addition to traditional red light districts, dance bars, spas, and massage parlors, traffickers increasingly exploit women and children in sex trafficking in small hotels, vehicles, huts, and private residences. India is a source for child sex tourists and a destination for child sex tourism. Traffickers arrange sham marriages within India and Gulf states to subject females to sex trafficking. Media, NGOs, and government authorities documented physical and sexual abuse of trafficking victims in government-run, government-funded, and privately-run shelters, as well as cases of shelters forcing vulnerable male, female, and child residents into forced labor and sex trafficking.

Victims alleged government officials' involvement in some of the cases, including facilitating trafficking and—in at least three cases—as clients of victims in sex trafficking.

Traffickers exploit some Indian migrants who willingly seek employment abroad in construction, domestic work, and other low-skilled sectors to forced labor in the Middle East and other regions, often following recruitment fraud and exorbitant recruitment fees. News articles reported Indian males in labor trafficking in Malaysia, Armenia, and Portugal during the reporting period. Girls from northeast India are vulnerable to trafficking as they transit Burma to circumvent the Indian government's emigration clearances. During the reporting period, new reports emerged of Zambian traffickers bringing Indian children to Zambia through illegal adoption for domestic servitude. Traffickers subject some Indian, Nepali, Bangladeshi, and Afghan women and girls to labor and sex trafficking in major Indian cities, and exploit Rohingya, Sri Lankan Tamil, and other refugee populations in sex and labor trafficking. Some traffickers bribe Indian immigration officials in New Delhi and Mumbai to allow them to transport Nepali females to the Gulf or Malaysia without proper documentation for forced labor. Traffickers subject some boys from Bihar and Uttar Pradesh to forced labor in embroidery factories in Nepal. Employment agents recruit boys from Assam for construction work in Nepal, where workers are undocumented and vulnerable to forced labor.

INDONESIA: TIER 2

The Government of Indonesia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Indonesia remained on Tier 2. These efforts included establishing 13 law enforcement trafficking task forces and three local and district-level interagency task forces, and continuing to create and disseminate awareness materials. The government issued ministerial regulations mandating regional governments include anti-trafficking in their policy priorities and the comprehensive protection of Indonesian nationals overseas, including trafficking victims. The government also issued regulations to allow the government's victim and witness protection institute to add restitution to the perpetrator's penalties before or after conviction for human trafficking and other crimes and began formulating the implementing regulations of the 2017 Protection of Indonesian Migrant Workers law. However, the government did not meet the minimum standards in several key areas. Investigations, prosecutions, and convictions decreased. Official complicity in trafficking crimes remained a significant concern, and although the government reported ongoing investigations, it did not report any prosecutions or convictions of officials allegedly complicit in trafficking. The government partnered with an international organization to develop victim identification procedures but did not finalize them during the reporting period and the lack of such procedures hindered the identification of victims overall and male victims in particular. The government's rehabilitation services were insufficient. During the reporting period, five provincial trauma shelters closed due to lack of funds. The government's budget allocation to the coordinating office of the national task force decreased for the third year. The 2007 anti-trafficking law was inconsistent with international law by requiring a demonstration of force, fraud, or coercion to constitute a child sex trafficking crime.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to vigorously investigate, prosecute, and convict traffickers under the 2007 law, including complicit officials that willfully ignore, facilitate, or engage in trafficking crimes. • Create legal clarity by amending the 2007 law to remove the required demonstration of force, fraud, or coercion to constitute child sex trafficking. • Develop, finalize, disseminate, and train all relevant officials, including law enforcement, foreign affairs, marine, and labor ministry staff, on comprehensive standard operating procedures (SOPs) for proactive victim identification. • Complete implementing rules to enforce the 2017 law on migrant worker protection, including on the provision prohibiting worker-paid recruitment fees. • Increase resources for and proactively offer victims, including male victims, rehabilitation services. • Allow victims in government shelters freedom of movement. • Continue to increase efforts to effectively monitor labor recruitment agencies and take action against entities guilty of illegal conduct against migrant workers that contribute to forced labor including charging placement fees, deceptive recruitment practices, contract switching, and document forgery. • Institutionalize and regularly provide anti-trafficking training for judges, prosecutors, police, and social workers. • 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. • Lift current bans on migration to encourage migration through documented channels. • Train hospital staff and other health care providers about provisions guaranteeing government-funded care for trafficking victims. • Create a national protocol that clarifies roles for prosecuting trafficking cases outside victims' home provinces.

PROSECUTION

The government decreased 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 2007 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. While the Ministry of Home Affairs issued a ministerial regulation in April 2018 that mandated regional governments include anti-trafficking in their policy priorities, the central government did not have a mechanism to enforce this mandate and did not influence all provincial governments to consistently allocate anti-trafficking funding or to implement national policies. Consequently, government agency coordination and data collection remained a challenge and some provincial police reported their budget did not allow for cross-province or cross-border investigations. Officials also reported ineffective coordination hindered the government's ability to investigate, prosecute, and convict traffickers, especially

when cases involved multiple jurisdictions. Provincial police established 13 law enforcement trafficking task forces but did not report the results of the task forces. The national police anti-trafficking unit did not have a mechanism to track investigations at all levels of government, making it difficult to determine trends and the total number of investigations and resolved cases. In 2018 at the national level, police reported 95 case investigations, a decrease compared with 123 cases in 2017. The Supreme Court's comprehensive recordkeeping mechanism for national court data reported 316 prosecutions and 279 convictions in 2018, a decrease compared with 407 prosecutions and 331 convictions in 2017. The government did not report comprehensive sentencing data.

Official complicity remained a significant concern. Corrupt officials reportedly continued to facilitate the issuance of false documents, accept bribes to allow brokers to transport undocumented migrants across borders, protect venues where sex trafficking occurred, and practice weak oversight of recruitment agencies. Bribes and extortion influenced prosecution, conviction, and sentencing in civil and criminal cases, including trafficking cases. Legal aid organizations reported cases often moved very slowly unless a bribe was paid and, in some cases, prosecutors demanded payments from defendants to ensure a less zealous prosecution or to drop charges. In one case in Batam district court, NGOs alleged potential collusion between the court and the main trafficker who received a lesser sentence compared to the other defendants convicted of trafficking in the same case. Civil society members alleged some police refused to arrest traffickers who were connected to influential members of society. In August 2018, after an NGO reported such inaction, media reported a high-ranking police officer in Riau was arrested by another police unit. In January 2019, police in East Nusa Tenggara (NTT) named a former NTT legislator as a suspect in a case involving the recruitment of a woman transported to Jakarta and forced to work for three different employers without pay. A former Indonesian administrative employee of the Indonesian Embassy in the United States was indicted in 2017 by a federal court in Maryland for alien harboring for private financial gain. The employee allegedly physically threatened and abused an Indonesian domestic worker from 2005 to 2012, withheld her identity documents, forced her to work seven days a week, and did not pay full wages. The government did not report taking any action to hold the employee accountable. Although the government reported ongoing investigations, it did not report any prosecutions or convictions of officials allegedly complicit in trafficking.

Although some officials received trafficking training from the government, international organizations, and foreign governments, the Indonesian government did not provide institutionalized trafficking training. Government officials and a legal aid organization noted officials' limited understanding hampered prosecutions under Indonesia's trafficking laws; instead, authorities often prosecuted suspected traffickers under the Law on Migrant Workers Protection, which mandated less severe penalties. The Supreme Court included trafficking in its annual curriculum for judges; however, it only accommodated 20 to 30 judges per year. During 2018, the government's anti-trafficking task force held two trainings in November on how to handle cases, one for 90 police in Central Java and the other for an unknown number of police, prosecutors, judges, and staff from centers for women and children from 10 provinces. The government continued to partner with international organizations and foreign governments to provide additional training. In 2018, the government partnered with an international organization on a multi-year project, funded by a foreign government, to create a national trafficking database.

PROTECTION

The government maintained inadequate protection efforts. The government did not have SOPs for proactive victim identification and referral to rehabilitation services. While the Ministry of Foreign Affairs (MFA) utilized procedures for victim identification in its capacity to assist Indonesian citizens overseas, observers noted law enforcement did not use SOPs, especially at the municipality and district level. Observers expressed concern that the lack of SOPs and the government's anti-trafficking infrastructure, which was under the purview of local-level police units and protection agencies who focused primarily on women and children, hindered the identification of victims overall and male victims in particular. Additionally, the government's inadequate efforts to screen vulnerable groups for trafficking indicators, including during raids to arrest persons in prostitution or to combat illegal fishing, may have resulted in the punishment or deportation of unidentified trafficking victims. The government partnered with an international organization in 2018 to develop victim identification procedures but did not finalize the procedures during the reporting period. Officials did not collect comprehensive data on the number of victims it identified. Disparate government entities sometimes reported their own statistics, making aggregate data incomparable to data reported in earlier periods and possibly double counting victims as they came into contact with different government agencies.

The government primarily coordinated rehabilitation services for victims of abuse, including trafficking victims, through local integrated service centers for women and children (P2TP2A). There were P2TP2As in all 34 provinces and approximately 436 districts. Provincial or district governments managed and funded the centers. Services included short-term shelter, medical care, counseling, family liaison services, and some vocational skills training; however, in practice, services varied based on local leadership and funding. Women living in rural areas or districts where no such center was established had difficulty receiving support services, and some centers were only open for six hours a day and not the required 24 hours. NGOs continued to play a critical role in supplementing and filling gaps in government services—including for male victims who local governments had to refer to NGOs for shelter. The government's victim and witness protection institute acknowledged the government needed to raise public awareness about the services it provided. In August 2018, the institute launched a hotline and mobile application to provide information to all victims of crime on filing complaints and available government protection services.

Trafficking victims entered and exited government shelters upon the approval of a government agency; victims did not have freedom of movement once the government placed them in a shelter. The central government's Ministry of Social Affairs (MOSA) funded and staffed two trauma centers in Jakarta and the Riau Islands that provided short-term shelter for male and female victims of violence, including trafficking victims. The center in Riau Islands only served Indonesian citizens who were in some form of distress in Malaysia; in 2018, the center repatriated 2,755 Indonesians but did not report how many of those repatriated were trafficking victims. MOSA reported the Jakarta trauma center served 490 trafficking victims in 2018, but it did not report the type of trafficking or the age or gender of the victims. Comparatively, the government reported the two trauma centers served 1,291 trafficking victims in 2017. MOSA also funded and staffed a protection shelter for women who

had experienced sexual violence; in 2018, the women's shelter housed 37 trafficking victims. Provincial social affairs agencies funded and operated local trauma centers that were available to trafficking victims; however, in October 2018, MOSA held a training for provincial trauma center staff and discovered five centers had closed during the year due to lack of funds from the provincial or district governments. At the end of the reporting period, the government reported it had 21 trauma centers nationwide.

The government housed child victims of crimes in children's homes funded by MOSA, provincial or district governments, and some in partnership with local NGOs. The government reported it increased the number of children's homes from 14 to 18 in 2018 and housed 11 child victims of trafficking. The Commission for Protection of Children reported it identified 65 cases of trafficking involving children in 2018 and separately identified 93 cases of "child prostitution." NGOs and past government reports estimated the number of child sex trafficking victims to be in the tens of thousands.

In September 2018, the MFA issued a regulation on the protection of Indonesian nationals overseas, which included trafficking victims. The regulation outlined early detection through risk mapping and required an immediate response to a complaint or report of abuse. During 2018, the MFA reported it identified 164 Indonesian victims of trafficking overseas, a decrease compared with 340 in 2017 and 478 in 2016. The MFA reported it gathered information, provided assistance with procuring identity documents as needed, and referred 95 of the victims to social services agencies; the MFA did not report its actions regarding the additional 69 victims. The government housed foreign trafficking victims identified in Indonesia in MOSA's Jakarta trauma center or in one of 13 immigration detention centers that were holding facilities for illegal migrants and shelters for irregular migrants, refugees, and asylum seekers. The government allowed an international organization to provide counseling and legal services at some shelters. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

Police requested victims stay in government shelters until the completion of the investigation but limited government budgets resulted in only an average two-week stay in the trauma centers. Women and children in the protection shelters reportedly stayed longer, although the government did not provide data on the average length of stay or where victims went once the government released them from the shelters. Police acknowledged government services were insufficient and stated the government needed NGOs to provide shelter. Once the government released a victim from its care, the government did not track the victim, including for purposes of gathering testimony for their traffickers' prosecution; the government relied on an international organization to remain in contact with the victims and follow-up and assist them, if necessary.

The government's recently established universal healthcare system covered some of the medical needs of Indonesian victims; however, the system required identity documents that many returning Indonesian migrant workers who had been exploited overseas did not possess. 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 six provinces during 2018.

In the previous reporting period, the Supreme Court issued guidelines stipulating judges protect female victims during legal processes by considering psychological trauma and allowing video testimony. The government did not report if it consistently offered such protections during court proceedings for female trafficking victims. The government issued regulations to allow the government's victim and witness protection institute to add restitution to the perpetrator's penalties before or after conviction for human trafficking and other crimes. The protection institute, national police, and attorney general's office partnered with a foreign government to publish and disseminate a guide for law enforcement officials and victims on a victim's right to restitution. In 2018, the institute provided legal assistance to 70 trafficking victims, in 39 cases, compared with 64 victims in 2017, and 105 in 2016. Of the 39 cases, the institute facilitated victim restitution in 18 cases, 19 cases were still under investigation, and in two cases the victims decided not to pursue restitution for unknown reasons. As of December 2018, only the victims in one of the 18 cases had received restitution, as Indonesian law allowed convicted offenders to serve additional imprisonment in lieu of paying restitution.

PREVENTION

The government increased efforts to prevent trafficking. The national task force, coordinated by the Ministry of Women Empowerment and Child Protection (MOWECP), maintained 32 provincial-level task forces; Papua and West Papua did not have task forces. The government increased the number of local and district-level task forces from 191 in the previous reporting period to 194; the integrated service centers for women and children or the local social affairs office chaired these task forces. The government's budget allocation to MOWECP's trafficking office decreased from 21.9 billion Indonesian rupiah (IDR) ($1.52 million) in 2017 to 20.1 billion IDR ($1.39 million) in 2018 and to 17.3 billion IDR ($1.2 million) in 2019. Observers continued to note insufficient funding and lack of coordination within and between the local task forces and the national task force at times impeded anti-trafficking efforts. MOWECP and the coordinating ministry of human development and cultural affairs conducted six meetings to discuss revisions to the national task force and recommended the government allocate anti-trafficking funds to each ministry, create a monitoring mechanism, and add the Ministry of Marine Affairs and Fisheries (MMAF) to the task force.

In the previous reporting period, the government passed the 2017 Protection of Indonesian Migrant Workers law that outlined procedures to regulate and monitor labor recruitment. The law mandated provincial governments—instead of private companies—oversee the provision of pre-departure vocational training and the placement of workers. Article 30 stated Indonesian migrant workers "cannot be borne with placement costs" and Article 72 prohibited recruiters or employers from passing on any placement costs to the worker that they had originally paid. However, the law did not define placement costs and the government stated the law required implementing rules in order to be fully executed. Relevant ministries met twice in 2018 to discuss and formulate the implementing regulations but did not expect to complete them until November 2019. Some observers stated the law remained weak in preventing exploitation. Prior to the 2017 law and still in practice due to the lack of implementing regulations, recruitment agencies charged migrant workers fees based on their chosen profession and destination. Observers reported the government had not been effective in ensuring migrant workers were not charged above the government-set recruitment fee and continued

to note the majority of migrant workers' first year of wages were often given to the recruiter or the employer to repay the cost of recruitment—debt that traffickers could use to coerce victims' labor.

While the new law stated the Ministry of Manpower (MOM) had the authority to terminate a recruitment agency's license if it violated any of the regulations, the law did not address the use of unlicensed sub-agents who regularly charge migrant workers a fee to connect them to a recruitment agency. In 2018, MOM temporarily suspended the licenses of 18 recruitment agencies for coercive or deceptive recruitment practices and contract signings, document forgery, underage recruitment, illegal fees, and other violations. MOM revoked the license of one agency for illegally sending migrant workers to Saudi Arabia, the same number of licenses it revoked in 2017. Separately, the police in West Java reported they arrested the director of a recruitment agency for allegedly forcing more than 80 migrant workers to agree to give the first six months of their salaries to the recruitment agency.

The government continued its ban on overseas placement to 21 Middle East and North African nations, despite noting the number of migrant workers circumventing the ban through the use of illegal recruiters was increasing. The UN, other international organizations, and NGOs continued to argue any ban on migration increased the likelihood workers would migrate illegally and therefore heightened their vulnerability to human trafficking. In November 2018, the government signed a memorandum of understanding (MOU) with Saudi Arabia on guidelines for the recruitment, placement, and protection of migrant workers in Saudi Arabia. Among other stipulations, the MOU reportedly stated migrant workers should not be charged placement fees. Article 31 of the 2017 protection of migrant workers law stipulated the government only allow a person to migrate to a destination country that had a law on foreign worker protection, a written agreement with the Indonesian government, and a social security system or insurance to protect migrant workers. MOM reported it began reviewing all MOUs it signed with other countries on migrant workers protections to ensure their compliance with the law.

The MMAF reportedly continued to implement its regulations on human rights certification in the fisheries business, including the requirement that Indonesian fishery businesses comply with international human rights standards in order to obtain a permit for fish capture. The MMAF also continued to implement a 2016 regulation on work agreements by taking steps to standardize work contracts for Indonesian fishermen to decrease the power a boat owner or captain has over the crew's working conditions. NGOs commented the government did not effectively implement the regulations. During the reporting year, the MFA negotiated with the governments of Mauritius, South Korea, and Taiwan to expand its pilot program to assist Indonesians working on foreign fishing vessels through dedicated centers to collect data and provide services to fishermen in distress; at the end of the reporting period, the new centers had not yet been implemented.

Several ministries and agencies operated hotlines on a range of issues, not limited to trafficking. The MFA operated a 24-hour hotline for Indonesians overseas and two mobile applications that included information on safe travel and protection services. In December 2018, MOM launched a mobile application for migrant workers that allowed them to get in touch with MOM, other migrant workers, and their families. The application also shared information about MOM's services. The National Agency for the Protection and Placement of International Migrant Workers (BNP2TKI) also operated two 24-hour hotlines, a fax number, and an email address that served as a complaint center for Indonesian migrant workers. In 2018, BNP2TKI's complaint system received 4,678 complaints from workers placed overseas, an increase from 4,475 complaints in 2017. Of the 4,678 complaints, BNP2TKI reported 36 were clearly trafficking cases, a decrease compared with 71 in 2017, and 1,852 cases were indicative of trafficking, a decrease compared with 2,430 cases in 2017. Although BNP2TKI reportedly referred these cases to police for investigations, the government did not report the results.

The government continued to increase training of trainers and general public awareness events on trafficking. The government published five prevention guidebooks for parents but did not report how many it disseminated. The government also created 20 awareness templates in the form of documentaries, leaflets, posters, banners, billboards, and radio and television talk show scripts that could be used in public information campaigns but did not report their use or how many members of the public they reached. NGO and government officials reported general awareness about trafficking had increased on the most populous island, Java, but traffickers were increasingly targeting provinces where awareness remained low. The government provided anti-trafficking training for military personnel prior to their deployment abroad on international peacekeeping missions, and there were no reports of Indonesian peacekeeping troops engaged in trafficking-related offenses. The MFA increased the number of junior diplomatic personnel it trained on trafficking from 33 in 2017 to 59 in 2018. The government closed some red light districts, but did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Indonesia, and traffickers exploit victims from Indonesia abroad. Each of Indonesia's 34 provinces is a source and destination of trafficking. The government estimates two million of the six to eight million Indonesians working abroad—many of whom are women—are undocumented or have overstayed their visas, increasing their vulnerability to trafficking. Labor traffickers exploit a significant number of Indonesians through force and debt-based coercion in Asia and the Middle East, primarily in domestic work, factories, construction, and manufacturing, on Malaysian oil palm plantations, and on fishing vessels throughout the Indian and Pacific Oceans. Singapore, Malaysia, Hong Kong, and the Middle East host a large number of Indonesian domestic workers who are unprotected under local labor laws and often experience indicators of trafficking including excessive working hours, lack of formal contracts, and unpaid wages. NGOs estimate unscrupulous labor recruitment agents and sub-agents are responsible for more than half of Indonesian female trafficking cases overseas. To migrate overseas, workers often assume debt that both Indonesian and overseas recruitment agents exploit to coerce migrants to work. Additionally, some companies withhold identity documents and use threats of violence to keep migrants in forced labor. Sex traffickers exploit Indonesian women and girls primarily in Malaysia, Taiwan, and the Middle East.

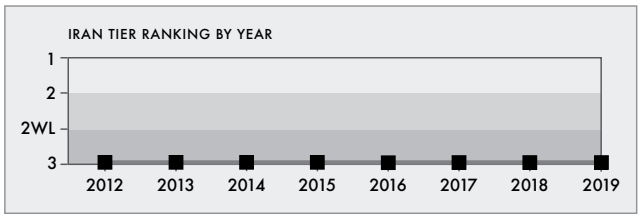
In Indonesia, labor traffickers exploit women, men, and children in fishing, fish processing, and construction; on plantations, including oil palm; and in mining and manufacturing. Traffickers exploit women and girls in domestic servitude. Sex

traffickers often use debt or offers of jobs in restaurants, factories, or domestic service, to coerce and deceive women and girls and instead exploit them in commercial sex across Indonesia but notably in Batam and Jakarta. Traffickers also exploit women and girls in sex trafficking near mining operations in Maluku, Papua, and Jami provinces. Traffickers increasingly use online and social media platforms to recruit victims. In 2017, an NGO estimated there were 70,000 to 80,000 child sex trafficking victims in Indonesia. Child sex tourism is prevalent in the Riau Islands bordering Singapore. Bali is a destination for Indonesians engaging in child sex tourism. Indonesians, including children, whose home or livelihood was destroyed by natural disasters are vulnerable to trafficking. Endemic corruption among government officials facilitates practices that contribute to trafficking vulnerabilities in the travel, hospitality, and labor recruitment industries.

Indonesian fishermen working on Taiwan, Thai, Malaysian, and Philippines-flagged fishing vessels operating in Indonesian, Thai, Sri Lankan, Mauritian, and Indian waters reported boat captains perpetrated pervasive abuse, forced labor, unpaid salaries, and, in some cases, murder. 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. Boat captains and crews prohibit fishermen 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 citizens of 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. Government officials continued to perpetrate or condone trafficking crimes with impunity both in Iran and overseas and failed to report law enforcement efforts to address the crime. The government continued to force or coerce children and adults to fight for Iranian-led militias operating in Syria, and it provided financial support to militias fighting in armed conflicts in the region that recruited and used child soldiers. In addition, the government failed to identify and protect trafficking victims among vulnerable populations and continued to treat trafficking victims as criminals, including child sex trafficking victims. Victims continued to face severe punishment, including death, for unlawful acts traffickers compelled them to commit, such as commercial sex acts and immigration violations.



PRIORITIZED RECOMMENDATIONS:

While respecting due process, investigate, prosecute, and convict sex trafficking and forced labor perpetrators—particularly complicit government officials—and sentence convicted traffickers to significant prison terms. • 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 child soldiers in Iraq, Syria, and Yemen. • Cease punishment of trafficking victims for unlawful acts traffickers compelled them to commit, such as commercial sex acts and illegal immigration. • Institute nationwide procedures to proactively identify trafficking victims, particularly among vulnerable populations such as persons in prostitution, street children, and undocumented migrants. • Offer specialized protection services to victims of all forms of trafficking, including shelter and medical, psycho-social, and legal assistance. • Develop partnerships with civil society and international organizations to combat trafficking and to help provide essential protection services to victims. • Increase transparency of anti-trafficking policies and activities. • Become a party to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report anti-trafficking law enforcement efforts, and officials continued to perpetrate trafficking crimes with impunity, including sex trafficking of adults and children and 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 if the trafficking offense involved an adult victim 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 criminalized 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 labor code criminalized forced labor and debt bondage, but the prescribed penalty of a fine and up to one year imprisonment was 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 continued to conflate human trafficking and human smuggling crimes, and efforts to address sex trafficking and forced labor crimes were either nonexistent or not widely publicized. The government did not report providing anti-trafficking training to its officials, and it did not report statistics on investigations, prosecutions, convictions, or sentences of traffickers. There was no evidence the government held complicit officials accountable for trafficking offenses, despite continued reports that officials were widely involved in trafficking crimes. The government condoned or directly facilitated the commercial sex of men, women, and children, including clear cases of sex trafficking, throughout Iran and in neighboring countries. Multiple reports alleged that Iran's Islamic Revolutionary Guard Corps (IRGC) and the Iranian Basij Resistance Force (Basij), a paramilitary force subordinate to the IRGC, continued to actively recruit and use—through force or coercive means—migrant and refugee children and adults, as well as Iranian children,

for combat in IRGC-led and commanded militias in Syria.

PROTECTION

The government failed to identify and protect trafficking victims. Official involvement in trafficking crimes and the abuse of trafficking victims by the government continued. The government reportedly continued to punish trafficking victims for unlawful acts traffickers compelled them to commit, such as prostitution and immigration violations. The government did not screen for trafficking among detained migrants pending deportation, and there were credible reports some of these individuals were victims of trafficking. Some of these individuals experienced severe physical abuse while in government custody, which at times resulted in death, and lack of food and water for extended periods of time. As in previous years, the government's lack of screening for trafficking and pattern of human rights abuses against victims of sexual abuse and persons in prostitution resulted in the government severely punishing trafficking victims—including potential adult and child sex trafficking victims—through lashings, public shaming, forced confessions, and imprisonment. Officials reportedly detained and deported Afghan migrants, including children, who did not comply with coerced recruitment by Iranian officials to fight in Syria.

The government did not provide comprehensive protection services specifically for trafficking victims. The Iranian state welfare organization reportedly offered rehabilitation services to women in prostitution, a population highly vulnerable to trafficking; however, it was unclear what types of appropriate protection services were available at these facilities. The government also operated health clinics that reportedly could offer "safe space" for potential trafficking victims, but it did not report on services it provided to any victims in these clinics in 2018. The government did not report providing support to or partnering with NGOs that offered limited services to populations vulnerable to trafficking. In fact, the government harassed some NGOs working in this space. The government did not encourage trafficking victims to assist in the investigation or prosecution of traffickers and did not provide witness support services. Based on available information, 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 failed to prevent trafficking. The government's persistent lack of efforts to prevent official complicity in trafficking crimes further exacerbated trafficking in the country and the region. The government did not have a national anti-trafficking coordinating body, nor did it dedicate resources to address human trafficking. 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. Efforts to amend relevant existing legislation or introduce new measures to improve the government's ability to prevent or address the country's pervasive trafficking problems were routinely stymied by hardline elements within the regime. The government did not make efforts to reduce the demand for commercial sex acts in Iran or child sex tourism by Iranian citizens traveling abroad; in fact, Iranian officials were reportedly actively involved in the promotion of commercial sex, including cases of sex trafficking. The government did not make efforts to reduce the demand for forced labor, nor did it report on efforts to regulate foreign labor recruiters for fraudulent recruitment practices. 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 trafficking. The government did not provide anti-trafficking training to its diplomatic personnel. In January 2018, the Iranian parliament approved a bill to join the UN Convention against Transnational Organized Crime (UNTOC); however, in July 2018, the media reported that Iran's Guardian Council rejected two bills aimed at paving the way for Iran to join the UNTOC. Iran is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Iran, and traffickers exploit victims from Iran abroad. The ongoing worsening of the Iranian economy, as well as serious environmental degradation in Iran, have significantly exacerbated Iran's human trafficking problem, particularly for vulnerable communities such as ethnic minority groups, refugee and migrant populations, and women and children. Iranian and some foreign women and girls, as well as some men, are highly vulnerable to sex trafficking in Iran. Although prostitution is illegal in Iran, a local NGO estimated in 2017 that prostitution is endemic throughout the country, and reports estimate sex traffickers exploit children as young as 10 years old. The government reportedly condones and, in some cases, directly facilitates the commercial sexual exploitation of adults and children throughout the country; Iranian police, Islamic Revolutionary Guard Corps (ICRGC), Basij, religious clerics, and parents of victims are allegedly involved in or turn a blind eye to sex trafficking crimes. The demand for commercial sex reportedly occurs in large urban centers, including major pilgrimage sites of Qom and Mashhad; reportedly Iranian, Iraqi, Saudi, Bahraini, and Lebanese women in these locations are highly vulnerable to trafficking. Poverty and declining economic opportunities lead some Iranian women to willingly enter prostitution whom traffickers subsequently force or coerce to remain in prostitution. 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. "Temporary" or "short-term" marriages—known as "*sigheh*" and for the purpose of commercial sexual exploitation—lasting from one hour to one week are reportedly widespread in Iran and take place in so-called "chastity houses," massage parlors, and private homes. These arrangements are reportedly tightly controlled and condoned by the state and regarded highly by religious leaders to allow men to sexually exploit female and male Iranian, as well as Chinese, Thai, and other victims, including children. Afghan girls are vulnerable to forced marriage with men living in Iran, which frequently leads to sex trafficking, forced labor, and domestic servitude.

Iranian women, boys, and girls are vulnerable to sex trafficking abroad, including in Afghanistan, Armenia, Georgia, Iraq, the Iraqi Kurdistan Region (IKR), Pakistan, Turkey, and the United Arab Emirates (UAE). In 2018, a prominent Iranian NGO reported a rise in the number of Iranian nationals in prostitution in nightclubs in Tbilisi, Georgia, including some child sex trafficking victims; pimps and madams in Tbilisi reportedly confiscate victims' passports and physically abuse and threaten victims. The media continued to report in 2018 an increase in young Iranian women in prostitution in Dubai; some

of these women are trafficking victims, whose pimps confiscate their passports and threaten them with violence or execution if they return to Iran. Some reports also suggest collusion between pimps in Dubai and Iranian police, the IRGC, and Basij. Consumers of Iranian women in prostitution, including trafficking victims, in Dubai are reportedly nationals from Saudi Arabia, Kuwait, and Qatar. Reports suggest that Iranian women are also vulnerable to sex trafficking in Turkey, particularly in Turkish cities close to the Iranian border. According to IKR press reports, more than 2,000 young Iranian women and girls entered the IKR in 2018, many of whom are victims of sex trafficking in cafes, hotels, and massage centers. Media reports from 2015 and 2016 also noted sex traffickers exploit Iranian girls in brothels in the IKR, especially Sulaimaniya. 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.

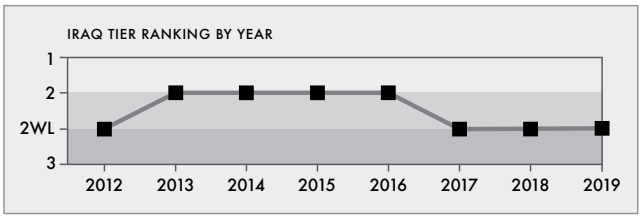
Iranian and Afghan refugee children, street children, and orphans in Iran are highly vulnerable to forced labor. The number of children working in transport, garbage and waste disposal, "dumpster diving," car washing, brick factories, construction, and the carpet industry reportedly continues to increase; these children experience abuse and withheld wages and may be exposed to infectious diseases. Young Afghan refugee children, mainly boys, are forced to perform cheap labor and domestic work, which often involves debt-related coercion, restriction of movement, nonpayment of wages, and physical or sexual abuse. Children are also highly vulnerable to organized criminal groups that operate child begging rings in Iran. 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 routinely subjected to physical and sexual abuse and drug addiction. Orphaned children are vulnerable to criminal begging rings that maim or seriously injure the children to gain sympathy from those passing on the street. Poor families "rent" their children by the day to criminal groups that force the children, some as young as five years old, to beg in the street; if the children do not collect a specified amount of money by the end of the day, the groups force children to work in illegal workshops. Reports indicate that organized gangs force some children, including Afghan refugee children, to conduct illegal activities, such as drug trafficking and smuggling of fuel and tobacco.

Foreign workers, Pakistani migrants, and Afghan migrants and refugees are highly vulnerable to forced labor and debt-related coercion in Iran. Organized trafficking groups subject Pakistani men and women migrants in low-skilled employment, such as domestic work and construction, to forced labor using debt-related coercion, restriction of movement, non-payment of wages, and physical or sexual abuse. Increasingly, employers seek adjustable work contracts for registered foreign workers' where employers deny workers their benefits and coerce them to work overtime, increasing the workers' vulnerability to forced labor. 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.

Iranian authorities force and coerce Afghan migrants and refugees, including children, as well as some Pakistani migrants and Iranian children, into armed groups in the region. Several credible sources continued to widely report the IRGC and Basij coerced male adult and child Afghans resident in Iran, including boys as young as 13 years old, to fight in the Iranian-led and funded Fatemiyoun Division deployed to Syria. Officials threaten these individuals with arrest and deportation to Afghanistan. Basij also reportedly recruits and trains Iranian children who are deployed to Syria. Sources also indicate the government exploits undocumented and impoverished Pakistani adults living in Iran to fight for the IRGC-led Zaynabiyoun Brigade in Syria. In addition, the Iranian government provides funding to militias operating in Iraq, Asa'ib Ahl al-Haq (AAH) and Harakat Hezbollah al-Nujaba (HHN), which recruit, train, and use child soldiers in combat in Iraq, Syria, and Yemen. 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 but is making significant efforts to do so. These efforts included establishing a cross-ministerial task force to address anti-trafficking deficiencies and establish recommendations for improvements. It also prosecuted and convicted more traffickers and identified some trafficking victims. The government provided shelter to seven victims in the government-run shelter in Baghdad. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Deficiencies in identification and referral procedures continued to prevent many victims from receiving appropriate protection services. Furthermore, authorities did not proactively identify trafficking victims among vulnerable populations, which resulted in the punishment of trafficking victims for unlawful acts traffickers compelled them to commit, such as children affiliated to ISIS including child soldiers, prostitution, and immigration violations. The government did not investigate or hold anyone criminally accountable for continued allegations of unlawful recruitment and use of child soldiers despite a few alleged cases among some non-compliant militia units affiliated with the Popular Mobilization Forces (PMF) operating under the Popular Mobilization Committee (PMC)—a component of the Iraqi armed forces. The government also did not acknowledge the recruitment and use of children by government-supported armed groups. The government also failed to investigate and hold criminally accountable military and security personnel for credible allegations of the sexual exploitation of women and girls in IDP camps; by failing to do so, it also did not protect and prevent this highly vulnerable population from trafficking. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Iraq was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Iraq remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Investigate and hold criminally accountable government officials for unlawful recruitment and use of child soldiers and sex and labor trafficking. • Develop and institute guidelines for proactive victim identification and referral to protection services for all relevant officials, and train officials on these procedures. • Prevent the recruitment and use of child soldiers by all armed groups, including units of the PMF and independent militias, and provide appropriate protection services to demobilized child soldiers. • Ensure trafficking victims are not punished for unlawful acts traffickers compelled them to commit, such as prostitution and immigration violations. • Ensure victim identification and protection measures are not tied to the prosecution of a trafficker. • Allow all relevant government authorities to officially identify potential trafficking victims and refer them to care. • Increase unhindered access to adequate protection services for victims of all forms of trafficking and their children, including trauma and psycho-social counseling, medical care, long-term shelter, reintegration services, employment training, and financial assistance. • Make significant efforts to investigate, prosecute, convict, and stringently sentence traffickers, including complicit government officials, even when victims do not participate in legal proceedings against their trafficker. • 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 accordance with the 2000 UN TIP Protocol. • 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.

PROSECUTION

The government increased law enforcement efforts, but did not hold criminally accountable officials complicit in trafficking, including child soldiering and sex trafficking. Iraq's 2012 anti-trafficking law criminalized some forms of labor and sex trafficking. Inconsistent with the definition of trafficking under international law, the anti-trafficking 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 anti-trafficking law prescribed penalties of up to 15 years' imprisonment and a fine of up to 10 million Iraqi *dinar* (approximately $8,790) for trafficking offenses involving adult male victims, and up to life imprisonment and a fine of 15 million to 25 million Iraqi *dinar* (approximately $13,180-$21,970) 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. Article 399 of the penal code criminalized "the prostitution of a child" and provided a penalty of up to 10 years' imprisonment, which was sufficiently stringent, although not commensurate with the penalties prescribed for 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 reportedly finalized a post-legislative review of its anti-trafficking law, in an effort to improve legal and law enforcement shortcomings. 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. In July 2018, the Iraqi Kurdistan Region's (IKR) regional parliament approved the 2012 Iraqi anti-trafficking law; however, at the end of the reporting period, the Kurdistan Regional Government (KRG) had not developed the regulatory and enforcement framework required to implement the law. Prior to the adoption of this law, the IKR did not have a comprehensive law that specifically prohibited human trafficking.

The Ministry of Interior's (MOI) anti-trafficking unit, within the anti-crime directorate, reported that its many responsibilities limited its ability to conduct trafficking investigations. Moreover, Iraqi and KRG officials continued to lack a general understanding of trafficking and ability to recognize trafficking indicators. Nevertheless, the MOI reportedly initiated the investigation of 356 trafficking cases, of which 110 were ongoing as of January 2019. There were reportedly 148 trafficking victims involved in these cases, including sex trafficking, forced labor, child trafficking, and forced begging. The MOI detained 426 people for alleged involvement in trafficking crimes, but it did not specify whether these were for sex or labor trafficking. Of these individuals, the government referred 105 for prosecution, while it acquitted 117 and released 43 on bail. The government convicted and sentenced 53 perpetrators, but it did not report under which laws the perpetrators were convicted nor did it report the details of the sentences prescribed. These statistics demonstrated an increase from the previous reporting period when the government initiated 266 investigations, 78 prosecutions, and 32 convictions. During the reporting period, the KRG reported it prosecuted 89 persons for trafficking offenses and convicted seven trafficking offenders, but authorities did not share additional information of these cases; in the previous year, the KRG reported 58 investigations, but it did not report any prosecutions or convictions. The Kurdistan Ministry of Interior (KMOI) also reported it opened an investigation into a forced labor case involving 22 Philippine migrant workers, who were ultimately forced to work in Baghdad; however, the case was hindered by KMOI's difficulty in gaining access to the victims.

Significant concerns of alleged official complicity in trafficking crimes remained. In 2018, there were reports that government officials in key security positions protected traffickers from investigation and prosecution. The government did not report efforts to investigate allegations that some non-compliant PMF-affiliated militias, including Asa'ib Ahl al-Haq (AAH), Harakat Hezbollah al-Nuijaba (HHN), and—as reported in 2017—Kata'ib Hizbullah (KH), recruited and used children. Furthermore, some foreign governments with large numbers of migrant workers in Iraq paid immigration fines for their citizens, including trafficking victims; embassies indicated Iraqi officials sometimes forced them to pay bribes, along with immigration fees, to release their citizens from detention and to repatriate them. The government did not report efforts to investigate or prosecute continued allegations that security and military personnel in IDP camps were complicit in the sexual exploitation and trafficking of women and girls, particularly those with ties to alleged ISIS members. While law enforcement at times investigated prostitution violations, officials failed to identify trafficking indicators among persons in prostitution.

During the reporting period, the MOI provided several trainings for MOI, MOJ, and MOLSA personnel on victim identification and protection. The KMOI did not report providing anti-trafficking training for its personnel.

PROTECTION

The government maintained efforts to identify trafficking victims, but major deficiencies in the government's identification and referral procedures prevented many victims from receiving care and led to the penalization of victims. The MOI reportedly identified 148 trafficking victims during investigations, which

included 74 female victims of sexual exploitation, 64 male and female victims of forced labor, one child trafficking victim, and nine male and female victims of forced begging. This represented an increase from the 41 victims the government identified in the previous reporting period. However, unlike in the previous reporting period, the government did not report how many victims the MOI referred to protection services. The government did not have a national victim referral mechanism and the government's ad hoc referral process remained deficient. Coordination on case referral across the country was limited, and coordination between ministries in both Iraq and the IKR was poor.

The government remained without government-wide victim identification guidelines for all relevant officials or first responders who came in contact with potential trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in prostitution. Civil society organizations reported Iraqi officials, including district-level police officers, did not proactively identify victims of trafficking, as officials lacked a general understanding of human trafficking. Government officials reported the MOI failed to properly identify victims, including during investigations of prostitution crimes that involved potential trafficking indicators. Government officials also reported victim identification efforts remained low because investigative judges were the only officials who could officially identify and refer a trafficking victim to protection services; because judges required victims to testify in front of the perpetrators in court, many victims did not come forward due to their fear of retaliation. Because of this requirement and the resulting absence of victim witnesses, judges determined—in many cases—there was insufficient evidence to officially classify a person as a trafficking victim, thereby denying victims access to protection services. Furthermore, the government did not have specialized judges or courts that were trained or dedicated to handling trafficking cases. Victims who filed police reports against their traffickers faced retaliation from their traffickers, which ultimately resulted in the arrest and detention of the victim.

Because of the government's victim identification and referral deficiencies, including authorities' lack of knowledge and understanding of trafficking, victims remained at high risk of criminalization and punishment. Trafficking victims in Iraq, including in the IKR, continued to be vulnerable to arrest, imprisonment, deportation, and financial penalties for unlawful acts traffickers compelled them to commit, such as prostitution, immigration violations, and child soldiering. Authorities often detained sex trafficking and foreign forced labor victims until authorities determined their status as a victim. Foreign migrant workers, including foreign labor trafficking victims, faced regular discrimination in the criminal justice process, re-victimization, and retaliation from traffickers. Foreign labor trafficking victims—both identified and unidentified—were often required to pay overstay fines to obtain an exit visa to legally exit the country and return to their home country. Although employers were legally responsible to pay any immigration fees or liabilities related to foreign workers under Iraq's sponsorship system—in practice—workers, including trafficking victims, often paid the fines. An NGO reported in 2018 that police occasionally detained children engaged in street begging and kept them in custody before releasing them; police did not screen these children for trafficking nor refer them to appropriate protection services. An international organization reported the government increasingly recognized that people arrested for prostitution could be victims of trafficking and should be treated as such; however, it was unclear how often this occurred in practice due to authorities' lack of knowledge on trafficking and ad hoc approaches to proactive identification.

The Iraqi government and the KRG provided limited protection services to victims of trafficking. Neither the Iraqi government nor the KRG operated shelters for male trafficking victims. The Iraqi government did not allocate funding in its budget specifically for victim protection services. Likewise, the MOLSA-run trafficking shelter in Baghdad did not have dedicated funding for its operation and therefore relied on donations from civil society organizations. During the reporting period, seven trafficking victims utilized the shelter, which was an increase from the previous reporting period during which the shelter was empty. Civil society organizations reported, however, that overall services provided in government-operated shelters remained poor and provided inadequate psycho-social and medical care and vocational training. Additionally, female victims were not allowed to freely enter and exit shelters and officials limited victims' ability to communicate with anyone outside of the shelter. The government also did not provide care for rape victims, including trafficking victims who were also victims of rape; due to social norms, rape victims were often encouraged by government authorities or sometimes forced by their families to marry their rapists. The Iraqi government did not provide funding or in-kind assistance to NGOs that provided victim care. NGOs reported a shortage of specialized shelters for trafficking victims, in part because NGOs were not allowed to legally operate shelters. The KRG continued to operate four shelters in the IKR for women, which could provide services to female victims of trafficking, but they rarely did so in practice. Victims required a court order to leave the shelters, thus significantly restricting their movement. The KRG did not report how many, if any, trafficking victims received services at these shelters during the reporting period. Recognizing the deficiencies in protection services in the IKR, the KMOI and an NGO continued their plans to jointly establish a shelter for female victims of trafficking and gender-based violence in Erbil; the shelter was not open at the end of the reporting period. In 2018, the KRG facilitated the release of several hundred Yezidis held captive by ISIS, most of whom were likely trafficking victims; however, the KRG did not report whether it provided essential psycho-social or other protective services to these victims. Neither the Iraqi government nor the KRG reported efforts to provide protection services to demobilized child soldiers of ISIS or the PMF, thus failing to prevent re-victimization or re-recruitment of these children into armed groups. Furthermore, Iraqi and KRG authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated to ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children's confessions; the government did not screen these children as potential trafficking victims. In addition, the government failed to protect and prevent the sexual exploitation and trafficking of women and girls in IDP camps, as security and military personnel and camp personnel allegedly committed acts of sexual violence and exploitation, abusing their position of power.

Neither the Iraqi government nor the KRG provided adequate protections or witness support to victims to encourage their assistance in investigations and prosecutions of trafficking offenders. 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 2018, likely due—in part—to the lack of protections or necessary services provided to victims during trial. Courts did not protect the privacy or identity of victims when testifying against their trafficker. The Iraqi government did

not allow trafficking victims to work, move freely, or leave the country during trials. Labor courts in the IKR did not provide translation and interpretation services for foreign workers, including foreign labor trafficking victims, creating difficulties for victims to sue abusive employers. 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 either, but it reportedly refrained from deporting victims. The Iraqi government and the KRG reportedly provided foreign victims relief from deportation or offer legal alternatives to their removal to countries in which they may face hardship or retribution. The Iraqi government and KRG reportedly both cooperated with an international organization to repatriate an unknown number of foreign trafficking victims during the reporting period.

PREVENTION

The government maintained efforts to prevent human trafficking. Iraqi law prohibited voluntary recruitment of any person younger than age 18 into the governmental armed forces, including governmental paramilitary forces, militia groups, or other armed groups. There were no reports of child soldiers used within the Iraqi military, and the government reportedly provided training to military officers on child soldier issues. However, the Iraqi government faced challenges in exercising complete control over certain units of the PMF, which sometimes undertook operations independent of political leaders or military commanders. The Iraqi government's inter-ministerial senior committee to monitor, evaluate, and report on children's rights violations in conflict zones in Iraq continued to coordinate with an international organization. The government also continued to discuss the development of an action plan—in cooperation with an international organization—for the government and the PMC to address the recruitment and use of children in armed conflict; however, as of March 2019, it was not completed.

Budget shortfalls, understaffing, a stagnant economy, internal conflict, and vast reconstruction needs limited the Iraqi government and KRG's ability to dedicate resources to combat trafficking. The Iraqi government's inter-ministerial counter-trafficking committee (CCCT), which was led by the MOI, showed increasing willingness to report on its achievements. The KRG expanded an anti-trafficking committee—established in 2016—to include 19 ministries and government agencies; the KRG's adoption of Iraq's anti-trafficking law also allowed it to become an active member of the CCCT. The Iraqi government drafted and implemented a national anti-trafficking action plan in March 2019. NGOs and journalists reported they were unaware of major government-funded anti-trafficking information or education campaigns. However, the Iraqi government reported it actively advertised its anti-trafficking hotline and posted anti-trafficking information at border crossings, airports, and transportation hubs. The Iraqi government continued to operate a 24-hour anti-trafficking hotline but did not report how many calls it received; NGOs reported the government initiated an unspecified number of trafficking investigations after receiving a call to the hotline. The KRG also operated a hotline where trafficking victims could seek assistance and report labor abuses. The Iraqi government made efforts to reduce the demand for commercial sex acts, but it did not make efforts to reduce the demand for child sex tourism. The Iraqi government and the KRG took some efforts to reduce the demand for forced labor. Both governments cooperated with each other to maintain an online visa system to track migrant workers and their sponsoring companies to prevent employers from committing labor abuses. The KMOI reported the system automatically blocked a company from sponsoring more than 50 foreign workers during the reporting period. The KMOI reported it blacklisted 29 companies, thus preventing them from sponsoring foreign workers; it was unclear, however, if the KRG prosecuted any of these companies for potential labor trafficking crimes. The Iraqi government did not report if it punished abusive recruitment agencies or employers of foreign workers. The Iraqi government reported it provided all government employees anti-trafficking training, including diplomatic personnel, but it did not adopt specific measures to prevent its diplomats from facilitating human trafficking.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Iraq, and traffickers exploit victims from Iraq abroad. 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. However, insecurity still remained in areas liberated from ISIS rule. Since January 2014, more than five million Iraqis have been displaced, with approximately 1.8 million still displaced as of the end of 2018, many of whom are female heads of household vulnerable to sexual exploitation and abuse due to their perceived affiliation with ISIS. In addition, more than 250,000 Syrian refugees remained displaced in Iraq, the vast majority in the IKR. With the defeat of the ISIS physical caliphate, the reported incidence of these violations has diminished. Between 2014 and 2018, ISIS militants kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially Yezidis, and sold them to ISIS fighters in Iraq and Syria, where ISIS fighters subjected them to forced marriage, sexual slavery, rape, and domestic servitude. ISIS maintained an organized system to buy and sell women and girls for sexual slavery, including sales contracts notarized by ISIS-run courts. The media has reported that ISIS sold some captives to wealthy individuals in Gulf countries, and reports suggested that some Yezidi captives were moved to Syria, Turkey, and Saudi Arabia. IKR-based civil society organizations also reported in 2018 that ISIS members and supporters kidnapped Yezidi children for exploitation in Turkey. ISIS reportedly kidnapped 120 Turkmen children in 2014. They have reportedly been sold multiple times for the purpose of sexual exploitation, and only 20 of the kidnapped children were rescued by the end of 2018. Throughout 2015-2018, thousands of women and children escaped ISIS captivity—many of whom were pregnant as a result of rape and sex trafficking; these women and girls, including IDPs among this population, remain highly vulnerable to various forms of exploitation, including re-trafficking. Some Yezidis reportedly reside in Iraqi IDP camps where they continue to live with Sunni families that formerly exploited them under ISIS rule. As of the end of 2018, 2,500 Yezidi women and girls remain missing; some reports indicate these women and girls remain with ISIS in eastern Syria and Turkey or have been exploited in other parts of the region, Europe, or Asia.

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. Despite the defeat of the physical caliphate, 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 were as young as 8 years old and some were mentally disabled. In 2018, multiple sources reported the PKK and YPG operating in the IKR and Sinjar continued to recruit and use children. Local NGOs reported in 2018 that Yezidi militias in Sinjar, including the pro-KRG Ezidxan Protection Force and Sinjar Command Force, recruited approximately 10 to 20 Yezidi boys. Some sources alleged that the KRG-aligned Yezidikhan Protection Force and ethnic Yezidi units of the KRG security forces operating in Sinjar may have had child recruits in their ranks. NGO and local government contacts confirmed that hundreds of Yezidi children have been recruited by the PKK-aligned Yezidi Civil Protection Units (YPS) and other PKK-affiliated militias. In 2018, civil society organizations reported the PKK recruited and trained children from Sinjar, Makhmour, and other locations, and sent them to bases in Sinjar, Turkey, and the Qandil Mountains between Iraq and Iran.

Since 2015, NGOs continue to report that some non-compliant, Iran-aligned PMF units recruit, use, and provide military training to children, though the incidence of these reports has declined with the defeat of ISIS' territorial presence in Iraq. In 2018, NGOs reported that some PMF-affiliated militias, including Iranian-backed Harakat Hezbollah al-Nujaba (HHN) and AAH, recruited boys younger than the age of 18 to fight in Syria and Yemen. In 2017, reports also indicated both the AAH and Kata'ib Hizbullah (KH) militias recruited and used child soldiers. Some of the forces in the HHN, AAH, and KH militias operate under the umbrella of the PMF, but they generally operate outside of the command and control of the Iraqi government. Civil society organizations and local contacts reported in 2017 that posters commemorating children 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. As reported in 2017, some AAH and KH members or brigades recruit children, most commonly out of schools. 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 2015 and 2016, multiple sources reported factions of the PMF recruited and used children in operations in Fallujah and other areas of the country, while PMF-affiliated media celebrated the service and sacrifice of child soldiers. Credible reporting in 2017 indicated Sunni tribal militias recruited boys out of IDP camps, some of which received military training. 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 members of the Iraqi Security Forces facilitated the recruitment of children from the camp.

Refugees and IDPs face heightened risk of forced labor and sex 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. Credible NGOs in 2017 and 2018 report that women and girls in IDP camps, whose family members have alleged ties to ISIS, continue to endure a complex system of sexual exploitation, sex trafficking, and abuse by armed actors residing in the camps, security and military officials, and camp personnel controlling access to humanitarian assistance and services. In 2015 and 2016, NGOs reported some personnel from the Asayish forces facilitated the sex trafficking of women and girls in Syrian refugee camps in the IKR. Reports from 2015 indicated a trafficking network exploited IDPs and some Syrian refugee women in sex trafficking 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. Criminal gangs reportedly force boys and girls to beg, especially IDP and refugee children and children with disabilities, primarily in urban areas; criminal gangs also force children to sell and transport drugs and weapons, particularly in southern Iraq.

Iraqi, Iranian, and Syrian women and girls, as well as LGBTI persons in the IKR, are particularly vulnerable to sex trafficking. According to IKR press reports, the collapse of Iran's currency and economic slowdown spurred an influx of more than 2,000 young Iranian women and girls into the IKR in 2018, many of whom were victims of sex trafficking in cafes, hotels, and massage centers. According to KRG law enforcement in 2018, IKR-based taxi drivers allegedly facilitate the transportation of these women and girls from Iran to the IKR under the cover of tourism. Numerous media reports in 2018 claim that girls as young as 11 years old are observed in night clubs and casinos in Baghdad as waitresses, dancers, and in prostitution; some militia groups, including AAH, reportedly provided security at these establishments and relied on them for income. In 2018, an NGO reported a new trend in the IKR in which male sex traffickers use the threat of publicizing compromising photos of women to sexually exploit or force them into prostitution. NGOs in 2016 reported cases in which criminal networks exploited girls who have run away from their families out of fear of honor killings in child sex trafficking. The media reported in 2018 that trafficking gangs increasingly used social media sites, particularly Facebook, to buy and sell women and girls for sex and labor exploitation. Reports from 2014-2017 suggested some Iraqi law enforcement officials have allegedly frequented brothels known for sex trafficking or accepted bribes to allow sex trafficking. Foreign media reports from 2018 suggest a growing trend of the child sex trafficking of Iraqi girls, aged 11-16, in Syria, Jordan, Saudi Arabia, Lebanon, and the UAE. Trafficking networks also reportedly sell Iraqi children in neighboring countries and Europe for commercial sexual exploitation.

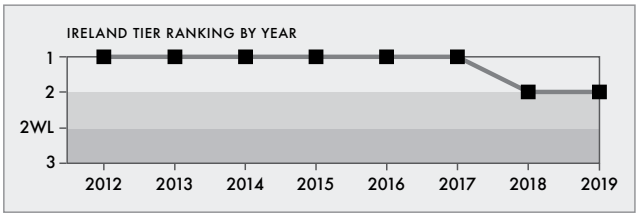
Traditional practices, including child forced and "temporary" marriages and fasliya—the exchange of family members to settle tribal disputes—also place women and girls at increased risk of trafficking within the country. For example, in October 2016, the media reported a girl from the Nada tribe in Maysan 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 reported in 2016 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. As reported in previous years, traffickers forced Syrian girls from refugee camps in the IKR into early or "temporary marriages" with Iraqi or other refugee men; some KRG authorities allegedly ignored, or may have accepted bribes to ignore, such cases, including those in which girls are sold multiple times.

Some men and women from throughout Asia and Africa who migrate—both legally and illegally—to Iraq are subjected to forced labor as construction workers, security guards, cleaners, handymen, and domestic workers. 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. 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 2018, the KMOI reported 22 workers from the Philippines legally entered the IKR under the sponsorship of a labor contracting company, but were subsequently forced to work in Baghdad. An international organization reported in 2018 that if a foreign worker had a complaint of abuse about an employer, recruitment agents move the worker to a different employer and do not report the employer to the police. Recruitment agencies reportedly operate clandestinely without permits and beyond the control of the government.

IRELAND: TIER 2

The Government of Ireland does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ireland remained on Tier 2. These efforts included beginning coordination with stakeholders to develop a new national identification and referral mechanism and identifying a greater number of victims. However, the government did not meet the minimum standards in several key areas. The government has not obtained a trafficking conviction since the law was amended in 2013. Authorities failed to initiate any prosecutions in 2018 and had chronic deficiencies in victim identification, referral, and assistance. The government lacked specialized accommodation and adequate services for victims.



PRIORITIZED RECOMMENDATIONS:

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 with evidence to corroborate 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 services to all victims without referral from police. • Increase efforts to identify and protect all victims, especially of labor trafficking and forced criminality, and stop joint inspections between labor inspectors and immigration authorities, which pose a barrier to identification of victims. • Adopt a legal provision to exempt victims from inappropriate penalization for unlawful acts traffickers compelled them to commit. • Offer specialized accommodation to victims. • Amend the atypical working scheme for sea fishers to reduce their risk of labor trafficking. • Increase legal assistance for trafficking victims, including for assisting investigations and court proceedings that can be accessed at the earliest opportunity and prior to engaging with police. • Establish a national hotline to report trafficking crimes and provide victim assistance and referral. • Increase access for victims to compensation, particularly for those involved in sex trafficking. • Establish an independent national rapporteur to help identify and address gaps in anti-trafficking strategy and efforts.

PROSECUTION

The government maintained insufficient law enforcement efforts. The 2008 Human Trafficking Act, amended in 2013, criminalized sex trafficking 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) Act 2017 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.

The national police trafficking unit initiated investigations. The government changed its methodology for reporting investigations, rendering the data incomparable to data from previous years (115 in 2017 and 90 in 2016). The government reported 64 investigations in 2018, equal to the number of identified victims; the government initiated each investigation in response to a separate allegation of human trafficking. Many of the cases reported in previous years did not involve trafficking via force, fraud, and coercion for the purpose of exploitation. The government did not initiate any prosecutions (three in 2017, nine in 2016). The government did not convict any traffickers 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 and noted the failure to convict traffickers and the absence of effective sentences that can contribute to impunity and undermine efforts to support victims to testify. The office of the director of public prosecutions had six personnel assigned to the team responsible for prosecuting trafficking and other crimes; they received quarterly briefings on trafficking-related legal updates, but did not receive trafficking training in the reporting period.

During the reporting period, 127 police officers participated in a three-day training course on trafficking (140 in 2017); 650 new probationary police officers received basic trafficking awareness training (240 in 2017); and 47 immigration officers stationed at an airport received trafficking awareness training (140 in 2017). The national police did not train front-line social protection officers (230 in 2017) or immigration officers at ports (19 in 2017). An additional 77 senior investigating officers (40 in 2017) and 81 detective sergeants received trafficking training (40 in 2017). Eight workplace relations commission inspectors received training on the identification of trafficking indicators (10 in 2017). Inspectors did not refer any suspected cases to the national police (four in 2017). 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 (two in 2017). The high court ordered the extradition of one suspect (one in 2017).

PROTECTION

The government maintained insufficient victim protection

efforts. Authorities identified 64 suspected trafficking victims, including five children, compared with 57 in 2017 and 41 in 2016; the government changed its methodology for reporting identified victims and removed non-trafficking victims from its data. Of the victims identified in 2018, 27 were exploited in sex trafficking, 35 in labor trafficking, and two in forced criminality; 33 were female and 31 were male. Victims identified in 2018 in Ireland included 14 from Romania, 10 from Egypt, nine from Nigeria, one from Ireland, and the rest from Europe, Africa, South Asia, the Near East, and South America. Thirty percent of victims were EU nationals. NGOs reported the number of victims in the fishing industry grew from 12 victims in 2017 to 23 in 2018, 16 of which the government identified as trafficking victims in 2018.

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. The formal identification scheme excluded EEA nationals, including Irish nationals, and asylum-seekers with pending applications. As a result, the government did not formally identify such persons 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. According to the government, in practice, domestic and foreign victims had equal access to all state services. Experts, however, asserted EEA-national victims were excluded from accessing social welfare and other state 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.

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 the national police lacked consistent standards 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 in 2017 created a potential conflict of priorities between law enforcement efforts and victim assistance. A formal victim statement to police and law enforcement referral were required for potential victims to access the national referral mechanism; victims unwilling to go to the police could access emergency accommodation, counseling, medical care, and legal services from two NGOs that received government funding but not through the referral mechanism. The government pledged in the 2016 national action plan to review the existing mechanism, and initially reported a new mechanism would be instituted in 2017. The justice department's anti-trafficking unit worked with various government entities to agree on a revised identification and referral mechanism, but the government still did not issue a new mechanism as planned for several years. Experts welcomed ongoing government plans to develop a new national identification and referral mechanism, but expressed concern with the slow pace of and lack of clarity surrounding the development of the mechanism and the impact gaps may have on the needs of potential victims. Of the 64 potential victims authorities identified, they referred all to services, although it was unclear how many were eligible to receive services due to Habitual Residency Condition restrictions.

Through the national referral mechanism administered at direct provision centers, the government 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 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 potential 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 could represent them. The government funded an international organization to repatriate 15 victims (13 in 2017), 13 of which the government formally identified.

The government provided €325,000 ($372,710) to an NGO for assistance for sex trafficking victims, compared with €310,000 ($355,500) in 2017. The government also provided €50,000 ($57,340) to another NGO to assist labor trafficking victims, the same amount as in 2017. There were no dedicated shelters for victims of trafficking. Although the government provided accommodation arrangements for potential 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 all victims, but especially for female victims who had been traumatized due to psychological, physical, or sexual violence. There were reports authorities removed victims from direct provision centers without any alternative accommodation in place or available. 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 reported ongoing conversations to develop alternative government-funded accommodation, which experts welcomed, but officials offered no concrete proposals.

The government gave suspected foreign trafficking victims temporary relief from deportation, depending on cooperation with an ongoing investigation. The government issued some form of immigration permission to 47 victims during 2018 (40 in 2017). The permissions were granted through a 60-day recovery and reflection period, a six-month temporary residence permission, or a two-year residence permission, which allowed the holder to engage in legal employment. The government precluded victims who sought asylum from obtaining six-month renewable residence permits, which limited their access to certain benefits, such as work permits. NGOs reported the six-month periods acted as a barrier to work. The temporary protection could evolve into permanent residency, and residency benefits were not linked to a conviction. Victims could obtain compensation through a court order, civil action, state bodies dealing specifically with work-related rights, and the criminal injuries compensation tribunal. The Workplace Relations Commission awarded lost wages to six sea fisher victims of trafficking during the reporting period. 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. NGOs reported only foreign embassies provided interpretation services to non-EEA national victims of labor exploitation in the fishing industry. An NGO

provided sea fishers it assessed as victims of labor trafficking with material support and assistance, as well as legal advice and representation, without public funding.

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 unlawful acts traffickers compelled them to commit. 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. A police officer with specialized trafficking training accompanied teams conducting arrests related to cannabis cultivation crimes to identify trafficking indicators and advise victims. Police conducted 70 reviews of cannabis production cases for possible trafficking indicators and did not identify any victims or overturn any prosecutions as a result of these reviews. Law enforcement failed to identify indicators of trafficking and punished undocumented potential victims for immigration-related offenses. The government reported the national police collaborated with the office of the director of public prosecutions to ensure victims were not prosecuted. Joint inspections between labor inspectors and immigration enforcement 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 once, and five working groups that included NGOs; only the awareness raising working group met during the reporting year. The government published in August 2018 a report on its efforts from 2017. The police provided partial funding for a research project on trafficking in Ireland, and ran an advertisement in a migrant-focused newspaper to raise awareness of trafficking. The workplace relations commission provided information on employment rights to approximately 57,300 callers (52,000 in 2017), made 58 presentations (54 in 2017) on employment rights, and published a leaflet on the rights of domestic workers in eight languages on its website. The workplace relations commission could not regulate agencies who recruited domestic workers under the designation of "au pairs," who were allowed to work up to 20 hours per week without the need for a work permit; NGOs reported employers regularly paid au pairs less than minimum wage and forced them to violate the 20 hours of work per week maximum, creating vulnerability to labor trafficking. The government also provided €159,400 ($182,800) for research and awareness raising projects in relation to the criminalization of the purchase of sex, compared to €76,400 ($87,610) in 2017 and €200,000 ($229,360) in 2016. The government did not make efforts to reduce the demand for forced labor. The government did not fund the operation of a dedicated trafficking national hotline, but the national police trafficking unit promoted a general crime hotline for anonymously notifying police about various crime incidents; police officers, six of whom received anti-trafficking training, staffed the hotline, which was available for 12 hours daily. The national police had a dedicated email address for reports of trafficking; the police took action stemming from 30 emails, compared with 31 in 2017.

Four UN Special Rapporteurs—on contemporary forms of slavery, trafficking in persons, racial discrimination, and human rights of migrants—sent a letter to the Irish government warning the government that its atypical working scheme for sea fishers was not in line with international human rights law and standards related to trafficking in persons and the human rights of migrants, making undocumented workers particularly vulnerable to trafficking and serious abuse on Irish fishing vessels. An NGO sought and was denied an immediate injunction requesting the government stop granting or reviewing further permissions under the scheme. The government took no concrete action during the reporting period to address a 2017 parliamentary committee report recommending changes to the scheme, 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. Mediation between the government and the NGO to address the atypical working scheme was ongoing at the end of the reporting period.

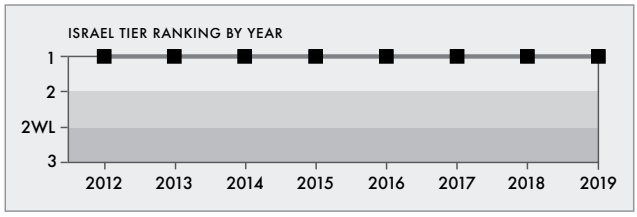
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Ireland and traffickers exploit victims from Ireland abroad. Traffickers subject Irish children to sex trafficking within the country. Foreign trafficking victims identified in Ireland are from Africa, Asia, Eastern Europe, and South America. Authorities and media 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 convicted for cannabis cultivation reported indicators of forced labor, such as document retention, restriction of movement, and non-payment of wages. Undocumented workers in the fishing industry and domestic workers, particularly au pairs, are particularly vulnerable to trafficking. 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 prosecuting and convicting more traffickers overall and investigating, prosecuting, and convicting more perpetrators of forced labor crimes. For the first time in several years, it identified five forced labor victims, and it continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services. Although the government met the minimum standards, it penalized some identified and unidentified trafficking victims among the irregular African migrant population for immigration violations. The government also continued to implement policies that exacerbated this population's vulnerability to trafficking, especially among Eritrean women. Additionally, the government's victim identification procedures delayed or

prevented some victims from receiving appropriate protection services.



PRIORITIZED RECOMMENDATIONS:

Proactively screen irregular African migrants to ensure trafficking victims among this population are not penalized for unlawful acts traffickers compel them to commit, such as immigration violations. • Amend the 2006 anti-trafficking law to include a definition of human trafficking consistent with international law. • Increase investigations, prosecutions, and convictions of labor trafficking offenders. • Impose stricter sentences on convicted traffickers, consistent with the seriousness of the crime. • Increase the number and geographic dispersion of government officials authorized to officially recognize identified trafficking victims, including victims referred by NGOs, to allow for more efficient access to protection services. • Repeal the "Deposit Law" (article 4 of the Prevention of Infiltration Law), which significantly increases vulnerabilities to trafficking for the irregular African migrant population. • Substantially increase anti-trafficking awareness and victim identification trainings for police officers at regional and local levels. • Provide access to the national healthcare system for victims of all forms of trafficking, including shelter and medical and psycho-social treatment, for the duration of their presence in Israel. • Increase labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors, and provide them with training on victim identification procedures. • Increase enforcement of foreign worker labor rights. • Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure any recruitment fees are paid by employers. • Designate a Knesset committee or sub-committee to address labor trafficking. • 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.

PROSECUTION

The government increased efforts to prosecute and convict traffickers. The 2006 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to 16 years' imprisonment for the trafficking of an adult, and 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 2018, police initiated 139 total investigations, including 114 investigations of potential sex trafficking crimes, eight potential forced labor crimes, and 17 potential child sex trafficking crimes; this compared with 231 sex trafficking investigations and zero forced labor investigations in 2017. In 2018, the government initiated 22 prosecutions (13 for adult sex trafficking, two for forced labor, and seven for child sex trafficking); this compared with 10 sex trafficking and zero forced labor prosecutions in 2017. In 2018, the government convicted five traffickers (one for forced labor and four for child sex trafficking) but zero for adult sex trafficking; this compared with three convictions for adult and child sex trafficking and zero for forced labor in 2017. Additionally, authorities opened 1,271 criminal investigations and filed 175 indictments for suspected violations of labor laws, leading to 35 sentences, with sanctions and compensation totaling approximately 8.46 million Israeli shekels ($2.27 million), as well as administrative fines of approximately 8.01 million Israeli shekels ($2.14 million); authorities also filed three indictments against employers for violating the rights of children. The government also reported it initiated an investigation into two government officials allegedly complicit in trafficking and trafficking-related offenses. It reported a case of a police officer, alleged to have solicited sex from trafficking victims whom he was assigned to protect in a transition apartment while the victims waited to testify against their traffickers; this case was ongoing at the end of the reporting period. The government also reported an ongoing investigation into a Ministry of Agricultural and Rural Development official, who facilitated the entry of Georgian citizens into Israel through the use of his employee pass in exchange for money from the Georgian nationals or their traffickers.

As in previous years, the government provided extensive anti-trafficking training, awareness-raising workshops, and seminars, which reached more than 925 officials. The government increased training to ensure that all judges hearing criminal cases participated in a mandatory training on sex crimes and trafficking in persons.

PROTECTION

The government maintained overall strong protection efforts; however, victim identification policies and procedures prevented some trafficking victims, especially among the African migrant population, from receiving appropriate protection services. The government continued to circulate trafficking victim identification guidelines widely to relevant ministries. In 2018, the government reported receiving 105 victim referrals from NGOs and government sources, 30 of which remained pending at the end of the reporting period. Of the 105 referrals, the government granted official trafficking victim status to 59 individuals—including 41 women and 18 men—which was a decrease from the 73 victims identified in 2017. Among the identified victims were five male victims of forced labor—the first forced labor victims identified by the government in eight years. The Israeli National Police (INP) Anti-Trafficking Coordinating Unit—which consisted of two police officers—was the only government entity with the authority to grant individuals official trafficking victim status, which allowed a victim full access to protection services. Because only two INP officers were authorized to review victim applications throughout the country, the process significantly delayed victims' access to much-needed protection services. Furthermore, NGOs reported that the government's strict evidentiary standard for granting official victim status, which required eyewitness accounts, dates, and details from the victims, prevented at least 18 victims referred by NGOs from receiving status and, thus, appropriate care in 2018. Furthermore, some NGOs did not submit cases of trafficking among the Eritrean and Sudanese irregular migrant community due to this high standard and the risk that the application process would re-traumatize victims but

not result in recognition. To address some of these concerns, the National Anti-Trafficking Unit (NATU), in coordination with the Ministry of Justice Legal Aid Administration (LAA) and NGOs, continued a fast-track procedure to more efficiently grant trafficking victim status.

The government continued to provide a wide range of protective services for victims of all forms of trafficking and to encourage victims to assist in the investigation and prosecution of their traffickers, but did not require their participation in court cases as a condition for receiving visas and protective assistance; victims could also opt to leave the country pending trial proceedings. 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 59 identified victims to shelters, but some declined to enter a shelter and instead utilized rehabilitative services at a government-run day center. In 2018, the women's shelter assisted 52 victims, in addition to six children of victims; the men's shelter assisted 45 victims; and the transitional apartments assisted 35 men and women, including 17 children. The majority of victims at the men's shelter were Ethiopian and Eritrean. In response to an increase in the number of children of trafficking victims staying at shelters in 2018, the government increased child-specific rehabilitation services at the shelters. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female trafficking victims who were waiting for a space at a shelter, chose not to reside at a shelter, or had completed one year 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 re-victimization in trafficking. In 2018, the center provided services to 236 male and female victims, all of whom were irregular African migrants primarily from Eritrea, as well as to 100 children of victims. 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 previously not entitled to receive free medical coverage at various government-funded health facilities; however, in 2018 the Ministry of Health approved provision of limited medical treatments at one facility for these victims. The government also expanded gynecological and dental care for recognized trafficking victims in shelters. In 2018, the government provided medical care to 94 male and female trafficking victims.

The LAA continued to provide free legal aid to trafficking victims, and staff regularly visited shelters and detention facilities to provide consultations. In 2018, the branch received 109 legal aid requests to assist potential trafficking victims, including 52 irregular migrants who may have been subjected to trafficking in the Sinai. In 2018, the government issued 15 initial B1 visas and 36 visa extensions to sex and labor trafficking victims. It also issued 28 visas preventing the deportation of trafficking victims and two extensions of such visas in 2018. The government 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, accepted no new requests to fund assistance in 2018.

The government maintained guidelines discouraging the prosecution of trafficking victims for unlawful acts traffickers compelled them to commit during their exploitation. However, the government did not systematically screen for trafficking among the irregular African migrant population and as a result authorities may have penalized unidentified and some identified victims for immigration violations. For example, the government continued to implement the "Deposit Law" (article 4 of the Prevention of Infiltration Law), which required employers to deposit a certain percentage of irregular migrants' wages—including those of identified trafficking victims—into a fund that migrants could not access until they departed from the country; the government could also add penalties to the fund for each day a migrant remained in the country without a visa. NGOs reported that some employers withheld but never deposited wages into the fund. Furthermore, NGOs reported this law pushed migrants—particularly Eritrean women—into the black market, including prostitution, which exacerbated their vulnerability to trafficking. In March 2018, the government closed the Holot detention center and released all detained irregular migrants, but it did not forcibly deport them as it had previously declared. In addition, in April 2018, the government—per a Supreme Court order—released all Eritrean migrants from Saharonim prison, except those suspected of criminal offenses. The government did not proactively screen released detainees for trafficking indicators, but an NGO reported identifying at least five trafficking victims among those released. The government continued to incentivize irregular African migrants to voluntarily depart Israel to third countries in Africa, by providing migrants with a $3,500 stipend and a paid plane ticket to Uganda or Rwanda; however, NGOs and UNHCR confirmed that migrants who arrived in Uganda or Rwanda did not receive residency or employment rights. An international organization reported that as of June 2018 "voluntary" transfers continued, but coercive measures to induce deportations were reduced, as those who refused to leave "voluntarily" could not be detained by Israeli authorities and had their permits renewed.

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. In January 2019, the government approved a new five-year national action plan, replacing its 2007 plan; the new plan included an emphasis on forced labor, victim identification mechanisms, enforcement of businesses and supply chains that facilitate trafficking, and new tools to combat online trafficking activities. However, the government did not allocate additional funds for full implementation of the new plan. The Knesset Subcommittee on Trafficking in Women and Prostitution met regularly, held 11 hearings and discussions, and conducted two field visits to NGO-run support centers during the reporting period. The Knesset held no hearings on labor trafficking.

In the first nine months of 2018, the Ministry of Labor, Social Affairs, and Social Services, which employed 261 labor inspectors and contracted translators during routine inspections, issued 681 administrative warnings, imposed 60 fines, and processed one criminal complaint involving two individuals that resulted

in fines for labor violations. NGOs continued to report 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 2018, the government signed two bilateral work agreements (BWA) with the Philippines to allow for employment of Filipino workers in the caregiving sector and in hotels. The new agreement did not apply to thousands of Filipino caregivers already working in the country, although it allowed them to access a complaint hotline. The government maintained BWAs with six other countries for agricultural and construction work; in 2018, 11,114 of the 25,358 foreign migrant workers who arrived in Israel did so through these agreements. The government stated that as of December 2018, foreign workers in the construction and agriculture fields could only be recruited via BWA's. NGOs reported that Israel's agreements with private Chinese employer associations required workers in the construction industry to pay licensed employment recruiters up to $30,000 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 students from developing countries who experienced forced labor in the agricultural industry. In accordance with Population, Immigration and Border Authority (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 nine languages: Chinese, Thai, Bulgarian, Russian, Nepalese, Sinhalese, Romanian, Ukrainian, and Turkish. In 2017, the hotline received 2,332 calls, the majority from Thai agricultural workers and Chinese construction workers. There was no comparable hotline for the approximately 74,000 documented migrant workers who worked in Israel through private recruitment, nor for the approximately 131,000 Palestinian workers in Israel and Israeli settlements in the West Bank. In November 2018, the Child Protection Bureau launched a toll-free hotline for online offenses against children, but the government did not maintain a separate hotline for potential child victims of all forms of trafficking. The government also maintained an emergency hotline for women and girls in prostitution, but it did not provide data on its operations in 2018. The government continued efforts to reduce the demand for commercial sex acts, including sex tourism.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Israel. Foreign workers, primarily from South and Southeast Asia, Eastern Europe and the former Soviet Union, and the West Bank and Gaza migrate to Israel for temporary work in construction, agriculture, and caregiving; some of these workers are subjected to forced labor. As of October 2018, data from the Israeli government, Palestinian Authority, UN, NGOs, and media indicated there were 215,000 legal foreign workers and 129,000 illegal foreign workers, including Palestinian workers, in Israel and Israeli settlements in the West Bank. Foreign workers, particularly Turkish, Chinese, Palestinian, Russian, and Ukrainian men, in the construction sector suffer from labor rights abuses and violations and labor 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. Traffickers subject some Thai men and women to forced labor in Israel's agricultural sector where they face conditions of long working hours, no breaks or rest days, withheld passports, and difficulty changing employers due to limitations on work permits. Some traffickers in the agricultural sector recruit students from developing countries to take part in an agricultural study program on student visas, and force them to work in the industry upon arrival, effectively circumventing the BWA process. 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 traffickers subject caregivers 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. Foreign caregivers constitute the largest share of all legal foreign workers in the country; the vast majority of these workers are women. The government's policy of refusing fast-track asylum claims has resulted in fewer claims from Ukrainian and Georgian applications; however, they were replaced by increased numbers of Russian and Moldovan workers following the same pattern: networks of workforce agencies recruit 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. Some Bedouin Israeli children are reportedly vulnerable to forced labor, experiencing long working hours and physical violence.

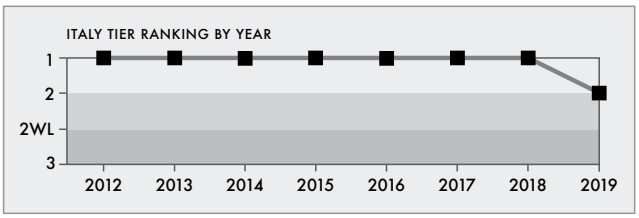
Eritrean and Sudanese male and female migrants and asylum seekers are highly vulnerable to sex and labor trafficking in Israel. As of October 2018, 31,000 African migrants and asylum seekers were present in Israel, nearly all of whom were from Eritrea or Sudan. According to NGOs, these migrants and asylum-seekers became increasingly vulnerable to trafficking following the government's implementation of the Deposit Law that reduced net wages for this population. Economic distress among women in this population, especially Eritrean women, greatly increases their vulnerability to sex trafficking. 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, 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.

Israeli children, Israeli Bedouin and Palestinian women and girls, and foreign women are vulnerable to sex trafficking in Israel. Traffickers use social media websites, including dating apps, online forums and chat rooms, and Facebook groups, to exploit girls in prostitution; an NGO reported in 2018 that there are approximately 3,000 Israeli child sex trafficking victims in Israel. Israeli Bedouin and West Bank Palestinian women and girls are vulnerable to sex and labor trafficking after family members force them into marriages with older men; these women and girls experience physical and sexual abuse, threats of violence, and restricted movement. NGOs report some Palestinian LGBTI men and boys in Israel are vulnerable to abuse and sexual exploitation, due to their lack of legal status and restrictions on work eligibility for Palestinian nationals in Israel. Some Israeli transgender women and girls are sexually exploited in prostitution in order to be able to afford gender-affirming care. Transgender women in prostitution sexually exploit some transgender children as young as 13 years old,

some of whom run away from home. Traffickers subject women from Eastern Europe and the former Soviet Union, China, and Ghana, as well as Eritrean men and women, 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 sex traffickers subsequently exploit them. Some traffickers reportedly recruit sex trafficking victims with false, fraudulent, or misleading job offers on the internet, sometimes through legitimate employment websites.

ITALY: TIER 2

The Government of Italy does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included increasing funding for victim assistance and international cooperation on prosecutions. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. Despite government commitments and efforts to crack down on trafficking rings in Italy, there was a decline in the number of trafficking arrests and investigations compared to the previous reporting period. While NGOs and international organizations referred many victims for government assistance, the government did not consistently assess risks to potential victims prior to forced returns or expulsions to countries where victims would face retribution or hardship. The government did not have legal protections from penalties against victims for unlawful acts traffickers compelled them to commit. Therefore Italy was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Consistently assess risks and provide legal protections to all potential victims prior to any forced returns or expulsions, including where such persons have entered Italian territorial waters, and during operations assisted by the Italian government in Libyan search and rescue areas. • Ensure victims who would face hardship or retribution in returning to their home country have the legal status and right to remain in Italy. • Improve and fully implement the national referral mechanism for trafficking victims across the country, including for vulnerable children, which should consider the special circumstances and needs of child victims. • Improve security standards in and around reception centers to limit contact between traffickers and victims or potential victims. • Vigorously investigate and prosecute trafficking cases and convict and sentence traffickers with adequate sentences. • Increase international cooperation with source and transit countries, especially Nigeria, Tunisia, and Libya, on information sharing and countering trafficking rings. • Intensify efforts to effectively screen for labor trafficking victims through increased inspections and improved training of labor inspectors to spot trafficking indicators and refer victim for services. • Consolidate data among different ministries and agencies that gather it, and make public a database on investigations, prosecutions, and convictions, including sentencing data.

PROSECUTION

The government decreased law enforcement efforts. The 2003 Measures Against Trafficking in Persons law criminalized sex trafficking 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. Article 600 of the penal code criminalized placing or holding a person in slavery or servitude and prescribed the same penalties. In 2018, authorities investigated 314 persons for trafficking, compared to 482 in 2017. Police arrested 99 suspected traffickers, compared to 133 in 2017. The government indicted 139 defendants under the trafficking law, compared to 73 in 2017. Trial courts and appellate courts convicted 46 traffickers under the trafficking law, compared to 28 in 2017, and the government also investigated 340 persons under Article 600 for slavery, compared to 412 in 2017, and indicted 119, with 81 convictions, compared to 108 convictions in 2017.

The government did not maintain a consolidated database on investigations, prosecutions, convictions, and sentencing of traffickers, or of their victims, a deficiency noted by GRETA. The data contained in the various government databases was not made public. In a notable case during the reporting year, a court in Palermo sentenced a Nigerian defendant in December to life in prison for sex trafficking, by bringing victims from Libya, and for other crimes committed at an illegal migration camp inside Libya. This was the first extraterritorial conviction in Italy for trafficking and related crimes committed by a foreigner in Libya. Specialized anti-mafia units handled trafficking prosecutions. Whenever investigators found clear evidence of trafficking, they referred the case to the anti-mafia unit, which triggered relaunching the investigation, extending the timeframe for prosecution and trial. To avoid this delay, non-specialized investigators and prosecutors sometimes charged perpetrators with crimes other than trafficking. Anti-mafia units prioritized investigations of criminal networks over individual cases, citing limits on available resources. The reduction in arrival and admission of irregular migrants by 80 percent compared to 2017 may have contributed to the lower number of investigations and arrests in 2018.

High-level officials met with representatives from Niger, Libya, Tunisia, Sudan, Ghana, and Nigeria, but Italian prosecutors and police continued to cite insufficient cooperation in investigations from officials in source and transit countries. Prosecutors cited continued cooperation with the Libyan Government of National Accord (GNA), as evidenced by the GNA-issued arrest warrants in 2018 for 200 suspected traffickers in Libya that stemmed from a joint trafficking investigation. Trafficking networks and gangs continued to grow more sophisticated and more violent, particularly Nigerian gangs linked to the Black Axe, Supreme Viking Confraternity, and the Eiye syndicate. Prosecutors continued their program with 22 African countries bringing African prosecutors to work alongside Italian prosecutors for six months of training, enhancing cooperation between Italy and source countries. Law enforcement agencies received training on victim identification and investigation of trafficking crimes within their standard curriculum. There were no investigations or prosecutions of government employees complicit in trafficking offenses.

PROTECTION

The government decreased overall protection efforts. The Department of Equal Opportunity (DEO), which coordinates protection efforts, reported government-supported NGOs assisted 1,373 trafficking victims in 2018, of which 597 were new cases, compared to 1,354 trafficking victims assisted in 2017. Of the trafficking victims NGOs assisted, 89 percent were victims of sex trafficking or exploitation, six percent labor trafficking, one percent forced begging, one percent forced criminality, and four percent other forms or unidentified. To reduce the flow of migrants from Libya, Italy continued training operations with the Libyan Coast Guard, and provided additional patrol vessels, as did other EU member states. However, many European and international NGOs criticized this coordinated effort of turning migrant vessels immediately back to Libyan shores, citing severe security and human rights conditions inside Libya and Libyan detention centers, and a heightened risk of trafficking for migrants forced to remain in Libya. To reduce the Mediterranean migrant flow, government policy barred NGO rescue ships carrying migrants from the Libyan search and rescue waters from docking at Italian ports. The government continued accepting a small number of pre-screened potential victims of trafficking, via UNHCR-approved "humanitarian corridors," some via direct flights from Libya and Niger. The government continued discussions with the EU on equitable burden-sharing for processing of arriving migrants. The government also funded four voluntary repatriation programs to source countries and provided support for similar repatriations by international organizations from Libya.

NGOs coordinated with law enforcement and immigration officials at both the arrival points and the longer-term reception centers. The government observed standard UNHCR procedures to screen for trafficking victims among asylum-seekers, although according to NGOs, authorities did not properly identify many of the victims on arrival and instead classified victims only as asylum-seekers or undocumented immigrants subject to deportation. Often victims, controlled by their traffickers, refused self-identification as a victim of trafficking. GRETA reported the government did not ensure that officials conducted individualized assessments of risks in all cases prior to any forced returns or expulsions, and noted such cases of returns to Tunisia and Nigeria. NGOs continued to stress the need for longer time periods for screening of migrants at arrival ports to more accurately ascertain victim status, but they acknowledged conditions were not conducive to a stay there beyond one or two days. NGOs also reported improvements in coordination with immigration officials and law enforcement on processing new arrivals. UNHCR trained 230 officials charged with reviewing asylum claims, as well as 70 interpreters, on methods of identifying victims of trafficking. IOM also trained reception center staff on victim identification.

NGOs, the EU, and the Catholic Church projected that the government's September decree tightening the availability of humanitarian protections for certain asylum-seekers could result in increased trafficking risks for irregular migrants already residing in Italy. Although persons already officially recognized as trafficking victims remained in a protected category, NGOs reported that many of these irregular migrants were either victims or potential victims, with most at risk of labor trafficking.

There was sufficient capacity of reception centers to meet demand due to stricter humanitarian protection qualifications and the overall reduction in irregular migrant arrivals. International organizations, however, continued to assert most centers remained under-equipped to fully address the unique needs of trafficking victims. The government often housed victims and potential victims with irregular migrants, and such housing lacked adequate security against traffickers inside and outside the centers seeking to recruit victims or remove those already under their control. With the 80 percent decline in numbers of irregular migrant arrivals compared to 2017, NGOs and international organizations found initial identification of victims improved, and thus the most acute need shifted to assistance to victims already in Italy. NGOs observed an increase in cooperation and information-sharing by law enforcement with NGOs, particularly in Rome, and particularly regarding new arrivals and minors from other European countries, although the level of police-NGO cooperation varied by region.

The government allotted €24 million ($27.52 million) to trafficking victim assistance programs implemented by NGOs in 2018, increased from €22.5 million ($25.8 million) in 2017 and €15.5 million ($17.78 million) in 2016. The government extended the availability of government-funded programs for assistance for victims to 15 months duration. Local governments provided additional funds to victim assistance programs, although the government did not report the amount. The government cooperated with NGOs and international organizations to provide shelter and services to victims. NGOs welcomed increased government funding for adding facilities, including for men, and for unaccompanied minors. However, funding levels remained insufficient to assist the number of trafficking victims present in Italy from past years. NGOs reported inconsistent quality standards of assistance programs across regions. The government did not implement a formal referral mechanism, for adults or for children, as recommended by GRETA and NGOs. NGOs and the DEO recognized inconsistencies in the efficiency and effectiveness of the current referral process between regions and found that quality standards were lower in the south. Availability of interpretation services for lesser-known African dialects, with victims coming from as many as 15 different language groups, remained a significant challenge.

Foreign victims received assistance for up to 12 months and were eligible for temporary residency and a work permit. Upon identification by authorities during initial screening upon arrival, trafficking victims were eligible for shelter in specialized facilities and could extend their temporary residence permit if employed or enrolled in a job training program. The government granted 270 residence permits to victims in 2018 under Article 18, a decline from 418 in 2017 and 340 in 2016. According to NGOs and pro bono lawyers, many victims applied for asylum upon arrival rather than protection as a victim of trafficking, either through pressure from their trafficker or believing that asylum status afforded greater freedoms, more immediate access to employment and services, and long-term residency.

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 under a 2017 law strengthening their protection. Many unaccompanied Nigerian minor victims misrepresented their age to gain placement in an adult reception center, giving greater freedom to leave the center unnoticed with their trafficker. NGOs, however, welcomed increased scrutiny by authorities of these age-claims, and authorities more often sent victims into child protection if unable to confirm adult age-status. NGOs estimated more than 5,000 minors in Italy were victims of sex trafficking in 2018. Foreign 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. NGOs cited shelters for unaccompanied minors were insufficient in number given the large need. Children received counseling and enrolled in public schools with the support of mentors. However, by the end of 2017, an estimated 32 percent of unaccompanied children had left the centers voluntarily, which greatly increased their vulnerability to trafficking.

The government did not require victims to cooperate with law enforcement to obtain assistance and a residence permit, although NGOs and international organizations reported authorities did not consistently implement this policy and sometimes gave preference to those who cooperated. The government also offered a single payment of €1,500 ($1,720) to victims, although NGOs noted the application procedure was overly complex and the amount insufficient. GRETA also reported the guarantee of compensation for victims was inadequate and cited insufficient criminal and civil legal options for victims to pursue restitution from traffickers. GRETA further recommended the government increase the use of existing legal remedies to provide restitution to victims and more proactively seize assets and pursue forfeiture against perpetrators.

Italian criminal law lacked a provision prohibiting punishment of victims for unlawful acts traffickers compelled them to commit. Current law required proof of exploitation in a criminal action against the perpetrator, which left victims and potential victims at risk of prosecution and conviction when a court did not first convict the perpetrators. NGOs also cited continued challenges in adapting to changing dynamics and methods of traffickers and the need for improved coordination on anti-trafficking strategies between national government ministries, international organizations, and ground-level NGOs, as well as increased cooperation by local police and prosecutors. 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. The DEO, as coordinator of the interagency steering committee on trafficking, was responsible for drafting the national action plan. The government had not completed its updated plan for 2019-2021, although it engaged NGOs and other stakeholders for input. The government had not appointed a rapporteur.

In 2018, officials inspected 116,846 sites, of which 7,146 were agricultural, and identified 33,800 unregistered workers, of which 1,332 were illegal migrants.

This compared to inspection of 160,347 sites, including 7,265 agricultural companies, and identification of more than 48,000 unregistered workers in 2017. The government did not report the extent to which it screened or identified potential trafficking cases in the inspections. The government allotted €11.1 million ($12.73 million), in addition to €11.9 million ($13.65 million) from the European Commission, for initiatives aimed at preventing and fighting labor exploitation and combating illicit labor brokers. GRETA recommended the government intensify efforts to more effectively screen for trafficking victims through increased labor inspections, expanded training of inspectors, and in monitoring of recruitment practices including in agriculture, domestic labor, hospitality and food service.

The DEO's hotline for victims of trafficking received more than 3,802 calls for information, of which seven percent were potential trafficking cases, compared to 4,033 calls in 2018. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. There was no coordinated national government effort to reduce the demand for commercial sex. The government did not make efforts to reduce the demand for child sex tourism by Italian citizens or for forced labor. Italy and Libya's GNA maintained agreements on judicial cooperation and extraditions. In March 2018, Italian police launched a two-year program based in Egypt training 360 law enforcement officials from 22 African countries on immigration and border control, including combating human trafficking. The government continued an awareness program across the Horn of Africa and West Africa to inform potential migrants of the risks of trafficking.

TRAFFICKING PROFILE

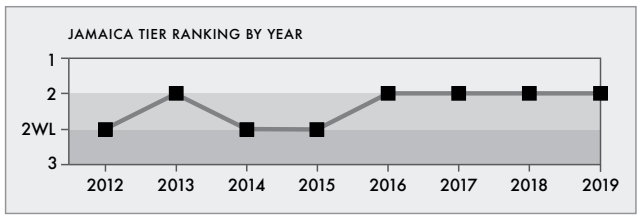
As reported over the past five years, human traffickers exploit foreign victims in Italy. Victims originate primarily from Nigeria and other African countries, China, and Eastern Europe, and include ethnic Roma. Italy has an estimated 1.5 million unregistered workers, who were particularly vulnerable to labor trafficking. Labor traffickers operate in agriculture, predominantly in southern Italy, and in construction, household labor, hospitality, and restaurants mainly in the north. Textile factories exploit Chinese and other victims in Milan, Prato, Rome, and Naples. Chinese criminal elements force victims to work in apartments and in massage parlors. Approximately 80 percent of trafficking victims are from Nigeria. International organizations estimated up to 75 percent of the Nigerian women and unaccompanied children who arrived in 2018 were trafficking victims. Nigerians represented nearly 36 percent of the victims who received residency permits in 2018, primarily women and girls subjected to sex trafficking through debt-based coercion and many coerced through voodoo rituals. Several Nigerian trafficking networks have expanded operations across Italy and reportedly receive protection from Italian crime syndicates. Of an estimated 40,000 to 45,000 individuals in prostitution on the streets, NGOs reported approximately 60 percent are trafficking victims or vulnerable to trafficking; the majority come from Nigeria or Romania, and between five and eight percent are minors. Italy has accommodated more than 700,000 seaborne migrants since 2011, although the rate dropped precipitously in 2018, due in part to government policy tightening the intake of irregular migrants and the government's assistance to the Libyan Coast Guard. Italy received 23,370 irregular arrivals by sea in 2018 and just more than half (12,977) via Libya, where many reported experiencing extortion, torture, and rape by militias or traffickers while awaiting passage.

Traffickers frequently target unaccompanied children, including boys forced to work in shops, bars, restaurants, bakeries, or in forced begging. Of the 61,000 persons requesting asylum in 2018, authorities estimate up to 30 percent are vulnerable to sex or labor trafficking while waiting for adjudication of their petition. According to the government, 3,534 unaccompanied children arrived in 2018, mostly boys and the majority from Africa, a significant decline from 15,731 arriving in 2017 and 25,846 in 2016. Asylum-seekers may legally work beginning two months after filing their application, although many seek illegal employment immediately in informal sectors, increasing their vulnerability to trafficking. Many also attempt passage to other European countries. However, under the European Commission's Dublin Regulation, countries may repatriate

victims to the EU country of their arrival. This regulation likely increased the number of asylum seekers or trafficking victims now forced to remain in Italy, or return to Italy from another EU country.

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. These efforts included investigating and prosecuting more suspected traffickers, achieving a swift conviction that included prison time, and publishing its first annual report on trafficking in persons in Jamaica. The government also increased funding for anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. Increased funding did not result in improved protections for victims or increased accountability for traffickers. The government identified fewer victims compared to the previous year; it provided minimal services to identified victims and did not refer any Jamaican victims to shelters; and it convicted only one trafficker. Public awareness and outreach activities were ineffective in increasing officials' and the public's capacity to identify and appropriately respond to suspected cases of trafficking in their communities.



PRIORITIZED RECOMMENDATIONS:

Increase effectiveness of victim identification efforts. • Develop, fully implement, and train officials—including local police, Center for the Investigation of Sexual Offences and Child Abuse (CISOCA) investigators, social workers, and justices of the peace—on government-wide SOPs to guide proactive identification of suspected trafficking victims and referral to services, including screening for indicators of trafficking among vulnerable groups. • Revise and standardize referral procedures such that authorities and the public can refer all suspected victims directly to government or NGO service providers, and make victims eligible to receive formal identification and trafficking-related services—including placement in the National Task Force Against Trafficking in Persons (NATFATIP), Child Protection and Family Services Agency (CPFSA), or NGO shelters—without police referral. • Increase efforts to provide more victims, whether identified in Jamaica or repatriated from abroad, with comprehensive services including legal, medical, psycho-social, shelter, case management, educational/vocational, and reintegration assistance. • Increase funding to enhance the capacity of ministries, departments, and agencies that provide victim services and to the Office of the National Rapporteur on Trafficking in Persons (ONRTIP) to fulfill its mandate to investigate reports of trafficking, report on violations of the rights of victims, and provide an annual report to the government. • Increase cooperation between law enforcement and service providers (both governmental and NGO) and increase efforts to employ victim-centered, trauma-informed procedures in law enforcement operations, investigations, and criminal justice proceedings. • Strengthen and institutionalize training on human trafficking and victim-centered procedures for police, prosecutors, and judges and assign cases to trained personnel. • Increase efforts to vigorously investigate, prosecute, convict, and punish traffickers. • Amend the anti-trafficking law to prescribe penalties for sex trafficking that are commensurate with penalties for other grave crimes, including by removing sentencing provisions that allow fines in lieu of imprisonment and increasing the available maximum imprisonment term. • Increase efforts to investigate, prosecute, and convict foreign tourists and Jamaicans who purchase commercial sex acts from child trafficking victims. • Improve the effectiveness of efforts to educate government officials and the public about human trafficking in Jamaica through community-based outreach and education activities that are audience-specific and action-oriented, with a particular focus on identifying, responding to, and preventing trafficking crimes within communities.

PROSECUTION

The government maintained limited law enforcement efforts. The government criminalized sex trafficking 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 for offenses involving an adult victim, and up to 30 years' imprisonment, a fine, or both for those involving a child victim. These penalties were sufficiently stringent; however, with respect to sex trafficking, by allowing for a fine in lieu of imprisonment and prescribing a lower maximum imprisonment term, these penalties were not commensurate with those for other serious crimes, such as rape.

Authorities reported investigating 36 potential trafficking cases during the reporting period, compared with 30 investigations during the previous reporting period and 40 the year before that. Officials initiated prosecutions against six defendants for sex trafficking offenses, an increase from three prosecutions initiated in the previous reporting period; nine prosecutions from previous years remained ongoing. Authorities dismissed two cases, and two suspects charged during a previous reporting period were released on bail and subsequently absconded. The government secured one conviction, a forced begging case initiated in 2017, compared with one conviction in the previous reporting period and two convictions two years ago. The court sentenced the convicted trafficker to two years' imprisonment for each of eleven counts, with the eleven sentences to be served concurrently. Prosecutors obtained a plea-bargain in this case, resulting in its timely resolution. The government sentenced a sex trafficker convicted during the previous reporting period to four years and five months' imprisonment in July 2018. In October 2018, a court dismissed an appeal and upheld a trafficking conviction from 2016, though it reduced the trafficker's sentence from 14 to 10 years' imprisonment. The slow pace at which other cases moved through the courts hampered efforts to hold traffickers criminally accountable and deterred victims from serving as witnesses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The government maintained a specialized police unit that investigated human trafficking and vice crimes and a team of prosecutors specialized in human rights, intellectual property, and sexual offenses. Some individual judges had specialized trafficking experience, but there was no mechanism to assign trafficking cases to these judges. The government included a

module on combating trafficking in its basic training for new police recruits and provided this training to 339 police officers during the year, compared to more than 600 in the previous reporting period. Police from the anti-trafficking unit delivered a presentation on trafficking to 50 prosecutors and one to 140 judges. The government reported international police cooperation in three investigations but did not specify which governments.

PROTECTION

The government maintained weak efforts to protect victims. While it increased funding for victim services, it identified a small number of victims, and identified victims received minimal services before authorities returned them to their homes. Authorities identified six sex trafficking victims, including five Jamaican children and one Chinese woman, a decrease from 13 victims identified during the previous reporting period. The government had written guidelines to assist healthcare workers, labor officials, diplomats, and officers in the Jamaica Constabulary Force's (JCF) anti-trafficking unit in proactively identifying potential trafficking victims. However, key stakeholder groups such as front-line police officers, CISOCA investigators, and social workers lacked standard procedures to screen for indicators of trafficking among the vulnerable populations they assisted. The children's registry operated a national hotline for cases of child abuse, including human trafficking, and received four reports of suspected child trafficking between April and December 2018; the government did not identify any victims as a result of these calls. Media reports and observations from NGOs indicated officials often failed to recognize indicators of trafficking—such as children receiving financial or material compensation for sex acts—among the cases they handled, and therefore did not identify these victims and refer them to care. Some police outside the anti-trafficking unit reported they lacked sufficient training on trafficking.

The government provided counseling, short-term accommodation in the NATFATIP trafficking shelter, and food and clothing for the foreign victim before repatriating her to China. The government reported providing medical care and counseling to the five Jamaican child victims, whom authorities returned to their families. The government did not refer any Jamaican victims to government or NGO shelters during the reporting period. Although several agencies had written procedures to guide trafficking victim referral, these procedures were sometimes vague and the government typically required all reports of suspected trafficking to go through the JCF's anti-trafficking unit. Officers from this unit interviewed potential victims and, in consultation with the NATFATIP secretariat, arranged confirmed victims' access to shelter and other services on a case-by-case basis.

During the reporting period, NATFATIP spent 17 million Jamaican dollars ($134,920) to renovate its trafficking shelter—which could accommodate 12 female victims—and 14 million Jamaican dollars ($111,110) on protection and assistance to victims. Most victims did not benefit from the shelter renovations; apart from the Chinese victim, the NATFATIP shelter assisted only one other victim, who has been a resident since 2013. The government continued to provide her with services and access to education but did not provide her with reintegration support to facilitate her long-term safety, wellbeing, and independence outside the shelter. The government provided school tuition, supplies, and financial assistance to support another victim identified in a previous reporting period. In addition to the NATFATIP shelter, authorities could place child victims in CPFSA facilities and female victims in NGO-operated shelters that were not exclusive to trafficking victims. There were no shelters for adult male victims. One NGO shelter could offer government-funded training and educational services to victims older than 16, but it did not assist any trafficking victims during the year. CPFSA had a protocol for providing services to child trafficking victims under the agency's care, and the government had victim management guidelines for facilities that provide care to victims of trafficking in Jamaica. In practice, however, officials referred few victims to shelter facilities unless they assessed an immediate threat to the victim's safety.

The government encouraged victims to participate in investigations and prosecutions and it provided one victim with a "court orientation" to overview the criminal justice process. However, it did not allocate adequate human or financial resources to provide victims with sustained support during legal processes. Local observers reported criminal justice officials often failed to employ a victim-centered approach, and victims lacked incentives to serve as witnesses in trials. Years-long court cases, re-traumatization through the criminal justice process, and fear of reprisal served as further disincentives for victims to report cases or participate in trials.

Although Jamaica's anti-trafficking law directed the court to order restitution to victims in a criminal case, courts did not award restitution to any trafficking victims during the reporting period. The government continued providing temporary relief from deportation for one foreign national victim identified in a previous reporting period. A foreign government reported it repatriated five Jamaican sex trafficking victims during the reporting period, although these victims did not receive assistance from the Jamaican government. Jamaican law protected trafficking victims from prosecution for immigration or prostitution-related offences traffickers compelled them to commit, but it did not provide immunity for other unlawful acts traffickers compelled victims to commit. Ineffective screening of vulnerable populations for indicators of trafficking may have resulted in authorities penalizing some victims.

PREVENTION

The government maintained efforts to prevent trafficking. NATFATIP, which included select nongovernmental representatives, continued to meet monthly and coordinated implementation of the government's anti-trafficking national plan of action, which expired at the end of 2018. The government drafted a new plan, valid through 2021, which congress approved in March 2019. The government allocated 33.4 million Jamaican dollars ($265,080) to the NATFATIP secretariat in the Ministry of Justice, compared with 34.8 million Jamaican dollars ($276,190) during the previous fiscal year, but it reported spending a total of 73 million Jamaican dollars ($579,370) on anti-trafficking activities during the year. With funding from an international organization, NATFTIP completed a national anti-trafficking policy to supplement the national plan of action. Centralized decision-making hindered interagency cooperation at the working level and individual ministries, departments, and agencies did not allocate sufficient resources to effectively combat trafficking.

The government provided a modest increase in staff resources to ONRTIP and this office published its first report on trafficking in persons in Jamaica in July 2018. However, ONRTIP continued to lack sufficient capacity to fulfill its mandate to investigate reports of trafficking, report on violations of the rights of victims, and provide an annual report to the government. The government continued to conduct public awareness activities through

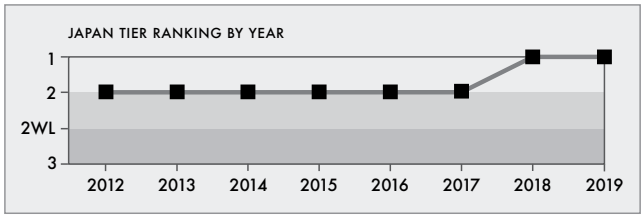
television, radio, internet, and print media and conducted extensive outreach to teachers, students, government officials, and community members. The Jamaican government entered into a partnership with another government to combat child sex and labor trafficking in May 2018. The labor ministry continued to educate groups of workers on risks of trafficking prior to their departure for employment overseas. The government held a session on human trafficking and child labor for 40 private employment agents. The government, in cooperation with foreign authorities, monitored foreign registered sex offenders attempting to travel to Jamaica and prevented their entry into the country. The government did not report any investigations, prosecutions, or convictions of foreign tourists for the purchase of commercial sex acts from child trafficking victims. 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, human traffickers exploit domestic and foreign victims in Jamaica, and traffickers exploit victims from Jamaica abroad. 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. 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. Girls, sometimes coerced by family members, are subjected to sex trafficking by men who provide monetary or material payment to the girls or their families in exchange for sex acts; local observers report this form of child sex trafficking may be widespread in some communities. Gang members may subject some boys to forced criminal activity. Traffickers subject women and children to domestic servitude and some children and adults to forced begging. Many children are reported missing in Jamaica; traffickers subject some of these children to forced labor or sex trafficking. Traffickers have subjected Jamaican citizens to sex trafficking and forced labor abroad, including in other Caribbean countries, Canada, the United States, and the United Kingdom. Traffickers subject foreign nationals 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. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore Japan remained on Tier 1. These efforts included increasing labor inspections of the Technical Intern Training Program (TITP) and convicting and incarcerating more traffickers than in the previous reporting period. Although Japan met the minimum standards, authorities again failed to identify a single trafficking case in TITP, despite multiple reports of forced labor among migrant workers in Japan under its auspices. The government did not 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 continued to prosecute traffickers under laws carrying lesser sentences, which courts often suspended in lieu of incarceration, and they continued to suspend the majority of convicted traffickers' prison sentences. Some traffickers received only fines. Interagency stakeholders relied upon disparate screening and referral procedures, leading to issues with proper identification and protection of victims. Law enforcement bodies continued to identify hundreds of children exploited in commercial sex without formally designating them as trafficking victims, and authorities continued to address many suspected cases of child sex trafficking and forced labor with administrative penalties or loss of business licenses rather than through criminal investigations and proceedings.



PRIORITIZED RECOMMENDATIONS:

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. • Increase implementation of the TITP reform law's oversight and enforcement measures, including by training Organization for Technical Intern Training (OTIT) personnel and immigration officials on victim identification, improving OTIT coordination with NGOs, increasing employer inspections, and terminating contracts with foreign recruitment agencies charging excessive commissions or fees. • Enhance victim screening to ensure victims, including children exploited in commercial sex without third party facilitation, migrant workers under the TITP program, and migrant workers entering Japan under the new visa regimes, are properly identified and referred to services, and not detained or forcibly deported for unlawful acts traffickers compelled them to commit. • Reduce migrant workers' vulnerability to debt-based coercion by amending relevant policies to eliminate the imposition of all worker paid recruitment- and service fees. • Increase enforcement of bans on "punishment" agreements, passport withholding, and other practices by organizations and employers that contribute to forced labor. • 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 trafficking 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 ($910) if fraudulent or coercive means were used, and up to three years' imprisonment and a fine of up to 100,000 yen ($910) 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 ($1,820) 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 3 million yen ($27,310), 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 ($27,310). The Supreme Public Prosecutors Office issued sentencing guidelines in March 2018 that reportedly directed prosecutors to recommend imprisonment for convictions of trafficking offenses that violated the Child Welfare Act. The majority of convicted traffickers continued to receive sentences allowing them to avoid jail time during the reporting period. Civil society organizations reported that 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.

The government reported initiating 39 investigations into crimes related to trafficking in 2018 (unreported in 2017; 44 in 2016), and courts newly indicted 34 individuals (26 in 2017), leading to 27 convictions (23 in 2017). Authorities did not disaggregate prosecutorial data by type of trafficking. Two of the 27 convicted traffickers were sentenced with fines alone. Sixteen received suspended sentences, allowing them to avoid serving prison terms (12 suspensions in 2017); and six of them also received fines ranging from 50,000 to 1 million yen ($455 to $9,100). Authorities sentenced the remaining nine traffickers to one to seven years' imprisonment (17 sentenced to two to four years in 2017) and incarcerated all nine (only five in 2017). The government reported investigating more than 700 adult individuals for cases involving "children in prostitution" without formally identifying them as trafficking crimes (956 in 2017); authorities indicted and convicted nearly 600 of these individuals, but did not report sentencing or incarceration data. In previous years, authorities reported convicting a small number of individuals under "child prostitution" provisions of the "Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children," but this figure often only included "child prostitution" cases the government formally recognized as trafficking; the true number of convictions under these provisions was therefore likely much higher. In an effort to streamline prosecutorial efforts, the central government instructed prosecutors' offices nationwide to designate trafficking-specific personnel to serve as law enforcement liaisons. The NPA also created and disseminated new leaflets with QR codes leading to a website offering emergency contact information in nine languages and encouraging victims to report abuses; authorities also featured this content in interagency awareness raising materials. In 2017, Japan passed a law containing a provision that criminalized bribery of witnesses, which would allow authorities additional grounds to pursue obstruction of justice charges against some traffickers. However, the government did not report to what extent it implemented this for trafficking cases during the reporting period.

Despite the prevalence of forced labor indicators identified through increased OTIT inspections, the government did not report prosecuting or convicting any individuals for involvement in the forced labor of TITP participants. The Labor Standards Inspection Office and regional immigration authorities conducted on-site inspections of more than 7,300 TITP implementing organizations allegedly abusing program participants; they found 5,160 of these organizations to be in violation of unspecified labor laws and issued corrective notices. They reported referring 19 of these cases to the Public Prosecutor's Office for further criminal investigation of "severe abuses" (40 cases in 2017 and 40 for lesser violations in 2016). NGOs claimed courts set prohibitively high evidentiary standards for forced labor cases involving foreign victims, thereby stymying appropriate law enforcement action. Some local law enforcement authorities reportedly assisted abusive TITP employers in blocking NGOs from rescuing and assisting victims of forced labor.

Authorities continued to take law enforcement action against child sex trafficking in *Joshi kosei* or "JK" businesses—dating services connecting adult men with underage girls—and in coerced pornography operations, but they did not provide data or case specifics, unlike in previous reporting periods. Seven major prefectures passed ordinances banning "JK" businesses, prohibiting girls younger than 18 from working in "compensated dating services," or requiring "JK" business owners to register their employee rosters with local public safety commissions. During the reporting period, authorities identified 137 of these operations nationwide (114 in 2017); they did not report closing any of these establishments for violating the terms of the ordinance (14 in 2017), but they arrested 69 individuals alleged to have been engaged in unspecified criminal activities surrounding the JK business. Some authorities were reportedly unaware of the crime or unsure how to prosecute it, often citing prohibitively high evidentiary standards. The government continued to provide training on investigative methods and victim identification for police officers, prosecutors, judges, and immigration bureau officials; despite these efforts, contacts noted an acute need for additional training to address lack of awareness among key judicial stakeholders.

PROTECTION

The government maintained insufficient efforts to protect victims, including by again failing to formally identify victims of trafficking within the TITP and among hundreds of children in commercial sexual exploitation. Authorities relied upon formal manuals instituted by an Inter-Ministerial Liaison Committee in 2010 encouraging government bodies to develop broad protection measures for trafficking victims. National Police Agency (NPA) officials also reported consulting an IOM-developed handbook to identify and refer victims to available protective services. In practice, interagency stakeholders followed disparate, often insufficient victim identification procedures—especially among child sex trafficking victims and migrant workers.

Authorities identified only 25 trafficking victims, compared

with 46 in 2017 and 50 in 2016. Of these 25, the government identified one underage male victim of forced labor (one male in 2017); three women forced to work as "hostesses," some of whom may have also been subjected to sex trafficking; and at least 20 female sex trafficking victims (31 in 2017; 37 in 2016), including four children. Only one victim identified in 2018 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. The government did not report national statistics on forcible TITP deportations. However, immigration authorities in one city reported interviewing at least 8,000 TITP participants leaving Japan prior to the end of their contracts to screen for unjust employer-initiated deportations; they detected nine attempted forcible deportations among this group, successfully intervened in five of the cases, and reinstated TITP employment for two of the workers.

Authorities identified and provided unspecified protection services to an additional 544 "children in prostitution"—a form of sex trafficking—among 827 offenses during the reporting period, but police did not identify any of them as sex trafficking victims (six of 654 in 2017; 10 of 518 offenses in 2016); authorities continued to separate these statistics based on persistent definitional discrepancies that may have affected service provision and proper law enforcement action. Contrary to definitional standards under the 2000 UN TIP Protocol, authorities did not consider children to be victims of sex trafficking unless the sex acts were mediated by a third party, preventing hundreds of children from formal designation. Police continued to treat some potential child sex trafficking victims as delinquents—particularly LGBTI children—and counseled them on their behavior instead of screening them for victim status, investigating their cases, or referring them to specialized services. Authorities arrested some child victims in connection with their trafficking situations.

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. Authorities reported assisting 16 of 27 victims in these shelters among those identified in 2018 (16 of 46 in 2017). 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 reported allocating more than 3.4 million yen ($30,950) for sheltering trafficking victims (3.5 million yen ($31,860) for male victims alone in 2017). 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; it reported fielding 2,197 calls from TITP participants, but it was unclear how many featured trafficking allegations. The immigration bureau operated a similar hotline but did not identify any victims through its use (two in 2017). Police also ran a general hotline through a private entity that received more than 14,500 calls, 295 of which the NPA identified as possible trafficking cases (433 of 19,078 in 2017). This hotline was only available in the Japanese language, and authorities did not report whether the calls culminated in positive victim identification or further investigation. 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, five foreign victims received repatriation assistance (seven in 2017; 23 in 2016). 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 sex trafficking or forced labor. 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 identifications. Temporary, long-term, and permanent residence benefits were available to foreign victims who feared the repercussions of returning to their countries of origin. The government reported granting one long-term and eight short-term visas under these circumstances (compared with two and 16, respectively, in 2017); some victims identified in 2018 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 2018. However, companies ordered to provide restitution—including TITP employers—often filed for bankruptcy, making receipt of restitution awards nearly impossible. Civil society organizations reported some victims of coerced pornography chose not to participate in court proceedings against their traffickers due to fear that doing so would create stigma-based challenges to their reintegration and rehabilitation.

PREVENTION

The government maintained efforts to prevent trafficking but demonstrated a lack of political will to adequately do so among highly vulnerable migrant worker populations. It produced its fourth annual report on government actions to combat trafficking and tracked measures against the stated goals of its anti-trafficking action plan. Authorities 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. 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 continued to implement the 2016 Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (TITP reform law), including by allocating more human and financial resources to OTIT—its oversight mechanism; increasing the number of inspections of TITP supervising organizations and worksites; and continuing the

issuance of corrective orders for labor violations detected during inspections. The TITP reform law mandated the MHLW approve work plans outlining living conditions, working hours, and other factors developed jointly by incoming TITP participants and their employers; as of December 2018, authorities reported having approved 383,240 of these plans since enactment of the law. With the implementation of the new law, enforcement shifted from the Immigration Services Agency to the Labor Standards Inspection Office within MHLW during the reporting period. The Labor Standards Inspection Office and regional immigration bureaus conducted 7,339 on-site investigations into TITP work sites (5,966 in 2017), leading to "corrective notifications" for 5,160 organizations (4,226 in 2017) and 19 cases of "severe abuses" referred for prosecution. The Immigration Services Agency also notified more than 100 TITP organizations of misconduct, leading to approximately 170 corrective notifications in 2018 (210 in 2017), including two firms who used trainees for unpaid nuclear decontamination work in areas affected by the Fukushima nuclear disaster. The MOJ reported authorities banned more than 100 organizations from receiving interns in 2018.

Civil society groups lauded the OTIT's work to increase monitoring of working conditions at TITP factories, but they continued to express concern the OTIT was too understaffed to adequately investigate allegations of abuse, including forced labor, within such a large program—particularly as the number of participants continued to grow. Authorities revoked only eight MHLW-approved work plans for unspecified violations in 2018; some observers expressed these work plans lacked enforceability due to the high number of TITP employers and participants relative to the small number of inspectors. Although the TITP reform law ostensibly expanded participants' rights to change employers at will once in Japan, observers noted most TITP participants were still barred from doing so; some participants reportedly fled from abusive conditions in their contracted workplaces, thereby violating the terms of their visas and becoming more vulnerable to trafficking in unemployment. Immigration officials issued orientation pamphlets with hotlines and contact information to all incoming TITP participants, but the content in some cases appeared to be intended to discourage them from seeking to change employers due to unfavorable working conditions. TITP employers continued to threaten participants with punitive fees if they attempted to leave. Some participants reported the OTIT was unresponsive to their request for mediation when their employers suddenly changed or terminated their contracts.

In an attempt to prevent TITP participants from incurring high debts in their sending countries, the government maintained memoranda of cooperation with Bangladesh, Bhutan, Burma, Cambodia, India, Laos, Mongolia, Pakistan, the Philippines, Sri Lanka, Thailand, Uzbekistan, and Vietnam, 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. This was especially true for Vietnamese participants, who constituted the highest proportion of TITP trainees. OTIT authorities could request that sending countries investigate allegations of recruitment fee violations, but the decision to penalize or ban sending organizations for the practice was at the discretion of sending country authorities; OTIT offices in at least one major TITP region did not report requesting any such investigations. Japanese authorities published the names of "discredited" TITP sending organizations on a website, but did not report steps to ensure incoming TITP participants avoided those organizations.

In December 2018, the government passed a new visa regime law that would allow an additional 345,000 migrant workers to enter Japan and fill positions in construction, shipbuilding, nursing care, and 10 other sectors with known labor shortages over the next five years. The new regime would permit qualifying individuals already participating in the TITP to switch their visas to the newly created categories, allowing them to extend their stay in Japan and change jobs within the same sector. However, observers expressed concern that the new visa categories could engender the same vulnerabilities to labor abuses, including forced labor, as those inherent to the TITP. The MOJ issued regulations requiring employers to compensate these workers at a rate equal to or greater than Japan's minimum wage. However, the law also enabled for-profit employment agencies and individuals to become "registered support organizations"—with no licensing requirements—to liaise between labor recruitment brokerages and employers for a fee. Observers were concerned these service fees would create additional vulnerabilities to debt-based coercion among migrant workers entering under the auspices of the new regime, and that the authorities had not instituted sufficient preventative measures in favor of accelerating the process to assuage urgent labor shortages.

The government had extraterritorial jurisdiction to prosecute Japanese nationals who engaged in child sexual exploitation abroad, but authorities did not report exercising this jurisdiction during the reporting period. The government conducted joint MHLW and NPA legislative information sessions targeting hundreds of companies involved in the adult film industry in an effort to prevent forced participation in pornography. The government also continued to convene a high-level interagency task force, led by the Minister for Gender Equality, to address violence against children perpetrated through forced participation in pornographic films and the "JK" business. The government did not make significant efforts to reduce the demand for commercial sex acts, and many of its awareness-raising content on the JK business appeared to be targeted toward victims, rather than the demand source. Authorities did not make significant efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the last five years, human traffickers subject Japanese and foreign men and women to forced labor and sex trafficking, and they subject Japanese children to sex trafficking. Traffickers subject male and female migrant workers, mainly from Asia, to conditions of forced labor, including in Japanese government-run programs. Men, women, and children from Northeast Asia, Southeast Asia, South Asia, Latin 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 sex trafficking in bars, clubs, brothels, and massage parlors. Traffickers keep victims in forced labor or forced prostitution using debt-based coercion, threats of violence or deportation, blackmail, passport retention, and other psychologically coercive methods. Employers require many migrant workers to pay fees for living expenses, medical care, and other necessities, leaving them vulnerable to debt-based coercion. Brothel operators sometimes arbitrarily impose "fines"

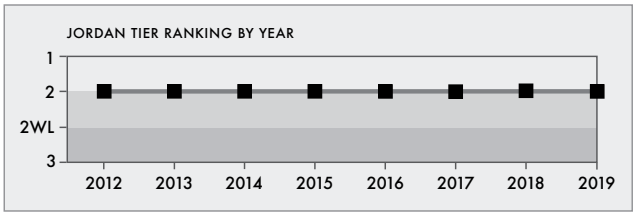
on victims for alleged misbehavior as a tactic to extend their indebtedness. Traffickers reportedly transport victims from elsewhere in the region through Japan before exploiting them in onward destinations, including East Asia and North America.

Traffickers also subject Japanese citizens—particularly teenage girls—to sex trafficking. Enjo kosai or "compensated dating" services 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 in commercial sex establishments, retail spaces, and reflexology centers. Some groups posing as model and actor placement agencies use fraudulent recruitment techniques to coerce Japanese men, women, and 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, the Philippines, and Vietnam pay sending organizations in their home countries up to $10,000 in excessive fees, deposits, or vague "commissions"—despite international agreements aimed at curbing the practice—to secure jobs in fishing, construction, and manufacturing. TITP employers place many participants in jobs that do not teach or develop technical skills, contrary to the program's intent; others place participants 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 indicative 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Jordan remained on Tier 2. These efforts included prosecuting a slightly increased number of potential traffickers than in the previous reporting period and providing a wide range of services to more victims in the government-operated trafficking shelter in Amman. 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. Although the government continued to demonstrate political will to address trafficking, efforts were hampered by insufficient funding and personnel resources. The government identified fewer victims than in the previous reporting period, and victims continued to be vulnerable to arrest, imprisonment, and deportation for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations and fleeing abusive employers.



PRIORITIZED RECOMMENDATIONS:

Amend the anti-trafficking law to ensure penalties for sex trafficking crimes are commensurate with those prescribed for other serious crimes. • Proactively screen for and identify trafficking victims among vulnerable populations, such as detained foreign migrants, domestic workers, workers in the agricultural sector, street children, and women in prostitution. • Significantly increase training for law enforcement, prison officials, and labor inspectors throughout the country to screen for, identify, and refer to protection services trafficking victims. • 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. • Finalize and widely distribute to all relevant officials the revised standard operating procedures (SOPs) for the victim referral mechanism. • Increase the number of specialized anti-trafficking "focal point" police officers throughout the country, including in Aqaba, and adequately train them on victim identification and referral procedures. • Continue to prosecute, convict, and punish sex trafficking and forced labor offenses with significant prison terms, 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. • Reform the sponsorship system by extending labor law protections to all workers in Jordan, including domestic workers, and allow workers to freely change employers. • Regulate and investigate fraudulent labor and recruitment practices.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. The 2009 Law on the Prevention of Trafficking in Human Beings criminalized sex trafficking and labor trafficking. The law prescribed penalties of a minimum of six months' imprisonment, a fine of 1,000 to 5,000 *dinars* ($1,410-$7,060) or both for trafficking offenses involving an adult victim. 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 kidnapping. The law prescribed penalties of up to 10 years' imprisonment and a fine of 5,000 to 20,000 *dinars* ($7,060-$28,250) for trafficking offenses involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as kidnapping. 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.

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. In 2018, the government investigated 402 potential trafficking crimes. Of these, the anti-trafficking unit investigated 307 cases, which included 287 cases involving domestic workers. Additionally, labor inspectors conducted 95 field visits to investigate potential labor trafficking cases in the textile and agricultural sectors; it was unclear if any of these inspections resulted in referrals for criminal prosecution. An NGO reported, however, that labor inspectors did not adequately investigate potential trafficking crimes in the agricultural sector. The Ministry of Justice reported it initiated the prosecution of 54 trafficking cases in 2018 and continued the prosecution of 26 trafficking cases initiated in previous years; this represented a slight increase from 52 prosecutions initiated in 2017. The government reported it secured convictions in 12 cases in 2018; in comparison, it convicted 10 traffickers in 2017. 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). Legal experts continued to report that judges 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. For example, during the reporting period prosecutors referred two cases of domestic servitude, in which the victims were each forced to work without pay for 10 years, to the MOL for minor offenses rather than for criminal prosecution. 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.

Jordan's overcrowded and underfunded judicial system lacked a sufficient number of trained judges and prosecutors who could specialize in trafficking cases. However, in 2018, the Ministry of Justice established and funded a specialized court to handle human trafficking cases. Nevertheless, qualified investigators in the anti-trafficking unit were rotated into other assignments every two years or less, which hindered the work of the unit. During the reporting period, the anti-trafficking unit reported conducting at least 23 training workshops for officials, in coordination with international organizations and NGOs. The PSD's Transparency and Human Rights Office also included anti-trafficking material in their mandatory human rights curriculum for its personnel. The Human Rights Department of the Ministry of Justice commenced a nationwide series of comprehensive trainings and awareness sessions for local government officials, NGOs, and students. Personnel from the government-run trafficking shelter also conducted 12 training sessions in coordination with the anti-trafficking unit—with funding from an NGO—for police and Ministry of Social Development (MOSD) staff.

PROTECTION

The government maintained mixed protection efforts. While it identified a decreased number of trafficking victims, it continued to provide essential protection services to an increased number of victims. The government continued to utilize formal written procedures to proactively identify trafficking victims, and it continued to receive referrals of potential victims from NGOs, international organizations, and police stations across the country. In 2018, the anti-trafficking unit identified 40 trafficking victims, including 24 male and 16 female victims, which was a significant decrease from the 75 victims the government identified in 2017. In 2018, the anti-trafficking unit visited a women's correctional center to proactively screen for and identify potential trafficking victims among female inmates; however, the unit did not report if it positively identified any victims during the visit. The government continued to utilize a national victim referral mechanism to refer identified victims to care, including an NGO-run shelter, and cases to the anti-trafficking unit for investigation. The government continued to work with an international organization to develop more detailed referral procedures to better guide officials; the government approved these procedures in March 2019. Nevertheless, the government and civil society organizations reported that labor inspectors, regular police officers outside of the anti-trafficking unit, and detention center officials lacked the specialized training to proactively identify and refer victims to protection services.

MOSD continued to operate and fund a shelter solely dedicated to protecting trafficking victims, which provided psycho-social care, medical treatment, legal assistance, vocational training, and specialized services for children. The shelter's staff included lawyers and specialists in psychology, social work, nursing, and education. In 2018, the shelter began offering computer classes, a book club, and religious services for both Muslim and Christian shelter residents; shelter staff also collaborated with a local NGO to host joint activities for children and victims to positively interact. The shelter had the capacity to serve a total of 40 victims, both Jordanian citizens and foreign nationals, with space for 27 women, three children, and 10 men. The shelter had a separate wing and entrance for male victims, and it was the only shelter in the country available for men. However, during the reporting period, an NGO reported male victims experienced difficulties receiving permission to stay at the shelter. In 2018, the shelter served a total of 153 trafficking victims; this represented an increase from 99 victims assisted at the shelter in 2017. The anti-trafficking unit referred most of the victims to the shelter, but NGOs also referred some victims during the reporting period. Shelter staff also reported cooperating with the embassies of Bangladesh, the Philippines, and Sri Lanka to provide assistance to their nationals. The majority of the victims that received assistance were adult female victims of forced labor, including domestic servitude, and a small percentage of victims of sex trafficking; the victims were nationals from Bangladesh, Cote d'Ivoire, Egypt, Ethiopia, Ghana, India, Indonesia, Jordan, Kenya, the Philippines, Sri Lanka, and Uganda. The government, through the trafficking shelter, was responsible for coordinating with NGOs and foreign embassies to assist in the repatriation of foreign trafficking victims; it helped facilitate the repatriation of

132 victims in 2018. The provision of shelter services was not conditional upon a victim's cooperation with law enforcement or judicial authorities. Victims could freely and willingly leave the shelter and were allowed to stay at the shelter for as long as two months; the average stay at the shelter was approximately 40 days. However, an NGO reported shelter residents, whose cases were ongoing in the court system, were unable to obtain approval to extend their stay at the shelter beyond the two-month limit. During the reporting period, shelter staff continued to coordinate with MOL to waive fees for victims' lapsed labor permits and assisted victims to find new employment if they chose to continue working. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. The government encouraged victims to assist in the investigation and prosecution of their traffickers; foreign victims also had the option to provide a deposition prior to being repatriated. However, victims were not able to file civil suits against their traffickers for compensation.

Despite the government's victim identification and protection efforts, authorities punished some foreign trafficking victims for unlawful acts traffickers compelled them to commit, such as fines, arrest, detention, and deportation if found without valid residence documents. However, the Ministry of Interior and MOSD reached an agreement during the reporting period to waive fees for residency violations of trafficking victims. Some trafficking victims still faced inadequate victim compensation from the government. Jordan's sponsorship system continued to prevent 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 subjected to fines and potential detention for their irregular presence in the country. Furthermore, bureaucratic and financial barriers and detention prevented some victims from repatriation, even if a worker left an employer because it was an exploitative situation. 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. NGOs reported that foreign labor trafficking victims were less likely to report abuses to the authorities due to fear of deportation or detention. 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.

PREVENTION

The government maintained strong prevention efforts. The government's inter ministerial anti-trafficking committee met on an ad hoc basis throughout the reporting period. In October 2018, the committee established a technical committee to meet monthly to oversee inter-ministerial coordination. The government enacted a new national anti-trafficking strategy in January 2019. The government continued to raise awareness about trafficking crimes throughout the country, including by distributing anti-trafficking information to all foreign migrant workers entering Jordan and at inspected work sites. The anti-trafficking unit conducted more than 200 lectures throughout the country, including at Za'atari refugee camp, to increase awareness of trafficking indicators. An NGO reported government-conducted awareness campaigns contributed to an increase in victim referrals. 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. Despite these efforts, Jordan upheld several bilateral labor agreements with other countries, which created greater vulnerabilities to trafficking. For example, a labor agreement between Jordanian and Egyptian governments specified that an Egyptian national cannot leave Jordan without permission from his or her employer, even if the employer was convicted of trafficking crimes. Similarly, though the Uganda government signed a labor agreement with Jordan, there was no Ugandan embassy or diplomatic representation in Jordan for Ugandan nationals, including potential trafficking victims, to seek assistance.

The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism but continued to make efforts to reduce the demand for forced labor. In 2018, the government continued to take measures to reduce the vulnerability of Syrian refugees to trafficking, including 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 formalize access to the labor market for 200,000 Syrians from host communities and refugee camps, and it issued 45,649 work permits to Syrian refugees in 2018, which helped to reduce this population's vulnerability to forced labor. For example in August 2017, the government began issuing a new type of flexible work permit to Syrians in the construction and agriculture sectors; the permit legalized the status of the workers in these sectors and allowed Syrians to work for multiple employers in these sectors in a 12-month period. The Ministry of Education (MOE) continued to increase Syrian refugees' access to public education by doubling the number of schools that could accommodate Syrian refugee children, reaching an additional 134,121 in 2018. The MOE also continued 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 anti-trafficking unit conducted 13 inspections of recruitment agencies of foreign workers in 2018, but did not report the outcome of these inspections. The MOL continued to implement regulations that required labor recruitment companies to maintain insurance policies for workers, which provided repatriation costs, health care, and death benefits. In January 2019, the government also cooperated with an international organization to eliminate recruitment fees for workers in Jordan's garment sector, where some workers are vulnerable to trafficking.

The government did not provide specific anti-trafficking training for its diplomatic personnel. 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. In 2018, the Jordanian Armed Forces began providing specific anti-trafficking training to peacekeepers before their deployment abroad.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Jordan, and traffickers exploit victims from Jordan abroad. Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria. In 2018, an NGO reported a large increase in Ugandan trafficking victims following the implementation of a 2016 bilateral labor agreement between the Ugandan and Jordanian governments. Jordan relies on foreign migrant workers—many

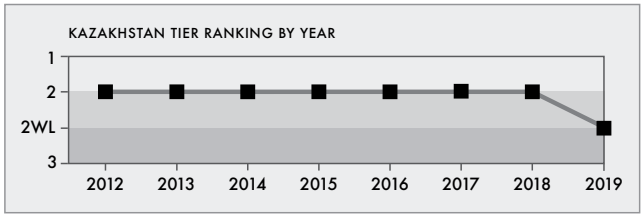
of whom are undocumented—in several sectors, including construction, agriculture, textiles, and domestic work; according to an NGO in 2018, workers in these sectors are the most vulnerable to trafficking because of informal work agreements and frequently changing employers. Some recruitment agencies fraudulently recruit victims from labor-source countries to Jordan, using false promises of money or other benefits. 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. For example, men and women from South and East Asia migrate to work in factories in Jordan's garment industry, some of whom experience withholding of passports, restricted movement, and unsafe living conditions. Some migrant workers from Egypt—the largest source of foreign labor in Jordan—experience forced labor specifically in the construction, service, and agricultural sectors. In 2017, the government estimated there were 82,643 foreign female domestic workers in Jordan, primarily from South and Southeast Asia and East Africa, who are highly vulnerable to trafficking. Some out-of-status domestic workers from Bangladesh, Indonesia, the Philippines, and Sri Lanka have been reportedly coerced and forced into prostitution while looking for an employer or after fleeing their previous employers.

Refugees from Iraq, the Palestinian Territories, Syria and are highly vulnerable to trafficking in Jordan. Syrian refugee children, in particular, remain acutely vulnerable to forced labor and child marriage, which could result in domestic servitude and sex 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 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.

Some Jordanian and Syrian 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 boys employed within the country in the service industry, agricultural sector, and as mechanics, street vendors and beggars may be victims of forced labor. NGOs and an international organization reported in 2018, there are an estimated 3,000 children begging in the streets in Jordan, some of whom are highly vulnerable to trafficking. Traffickers force Lebanese, North African, and Eastern European women 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.

KAZAKHSTAN: TIER 2 WATCH LIST

The Government of Kazakhstan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included adopting a new anti-trafficking national action plan and establishing a victim compensation fund that will be capitalized through monetary penalties applied to convicted traffickers. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Efforts to identify and protect foreign victims remained inadequate compared to the estimated size of the population, and foreign victims who did not participate in criminal investigations were ineligible for services and had no legal alternatives to removal. Law enforcement made limited efforts to investigate, prosecute, and convict labor trafficking crimes. NGOs continued to report allegations of police officers' complicity in human trafficking; there remained few investigations or prosecutions of police or other government officials suspected of complicity. While not applied in 2018, legislative norms allowed for alleged traffickers to pay a settlement to victims to withdraw their criminal cases. Therefore Kazakhstan was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance. • Significantly increase assistance available to foreign trafficking victims and ensure victim identification and assistance are not contingent on participation in investigation and prosecution efforts. • Ensure trafficking crimes are subject to criminal investigation and prosecution. • Vigorously investigate, prosecute, and convict suspected trafficking cases, respecting due process, including allegedly complicit government officials and police officers and labor traffickers. • Punish convicted traffickers with adequate penalties, which should involve significant prison terms. • Increase funding and resources for anti-trafficking police units. • Provide legal alternatives to deportation, especially where trafficking victims face hardship, abuse, or re-trafficking in the foreign country. • Provide specialized training to labor inspectors to identify victims of forced labor and report potential trafficking cases to the police. • Amend the trafficking law to align the definition of trafficking with international standards. • Provide anti-trafficking training or guidance for diplomatic personnel and peacekeepers to prevent their engagement in or facilitation of trafficking crimes. • Create mechanisms to ensure that the shelter service provider contract bidding process does not lead to any gaps in services available to victims.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Articles 128, 134, 135, 308, 125(3b), and 126(3b) of the penal code criminalized sex trafficking and labor 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 them an aggravating 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 2018, this article was not applied in any trafficking cases.

Police investigated 106 trafficking cases in 2018, compared to 101 in 2017. The government did not report the number of prosecutions. The government convicted 17 sex traffickers, compared to 29 traffickers in 2017; of the 17 convicted, eight received prison sentences ranging from three to nine years' imprisonment, five received conditional sentences ranging from 3.6 years to four years served outside of prison—one of whom was fined 2 million Kazakhstani tenge (KZT) ($5,330), and four received suspended sentences ranging from 4.6 years to seven years. In addition, the government opened 182 investigations of trafficking-related crimes, including pimping and brothel maintenance. Many of the trafficking and trafficking-related cases were the result of four multi-day special anti-trafficking police operations, called "Stop Trafficking," in which the police located and closed brothels, arrested pimps, and registered adults in prostitution.

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. The government reported law enforcement efforts in two cases of alleged official complicity in 2018, including an ongoing investigation of the Director of the Center for Employment and Social Protection in Turkestan for labor trafficking, and an ongoing court case against a police officer in Kostanay province for covering up potential trafficking crimes.

The government continued to train police, prosecutors, and judges in the identification, investigation, and prosecution of trafficking crimes and funded police participation in international anti-trafficking conferences. In 2018, the Judicial Academy trained 65 judges on the protection of trafficking victims during the criminal process. The Ministry of Internal Affairs' (MVD) Trafficking in Persons Training Center trained 115 police officers on investigative techniques. The Prosecutors General Office trained 93 prosecutors on protection and trial of criminal cases related to human trafficking. 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. Labor inspectors did not receive specialized training on identifying victims, nor did their official duties direct them to investigate trafficking indicators; they did not refer potential labor trafficking crimes to appropriate law enforcement. During the reporting period, the government jointly investigated 17 cases related to trafficking in cooperation with foreign governments, including Kyrgyzstan, Russia, Tajikistan, and Uzbekistan and conducted joint anti-trafficking operations with neighboring countries, resulting in the identification of 96 trafficking crimes. In 2018, the government extradited two foreign citizens wanted in their home countries for trafficking-related crimes.

PROTECTION

The government maintained protection efforts for Kazakhstani victims, but efforts to identify and assist foreign victims remained negligible, with no shelters available to foreign victims. The government identified 83 trafficking victims, an increase from 76 in 2017. Of those, all but six were exploited in Kazakhstan; 79 were victims of sex trafficking, three of forced labor, and one of forced begging. All but two of the identified victims were from Kazakhstan; the government identified two victims from Uzbekistan, one in forced labor and one in sexual exploitation. Six of the Kazakhstani victims were victims of sex trafficking in South Korea. The government identified the majority of sex victims during one of four anti-trafficking special police operations intended to uncover trafficking cases by locating and closing brothels, arresting pimps, and registering women in prostitution; the small number of labor victims indicated a lack of consistent proactive screening efforts during routine law enforcement efforts throughout the year. In 2018, NGOs reported assisting 122 trafficking victims, compared to 177 in 2017; among these, 36 were Kazakhstani and 86 were foreigners; 29 were victims of sex trafficking, 92 of forced labor; 42 were female, and 80 male. Of the 86 foreign victims, 82 were from Uzbekistan. Law enforcement referred 19 victims to NGOs, foreign embassies referred ten, NGOs referred 69, 23 were referred by international organizations, and 24 victims self-referred (including through hotlines). The government-funded and NGO-operated trafficking hotline received 1,834 phone calls in 2018, the vast majority of which were requests for information while 23 were referred to anti-trafficking police units, but they did not result in confirmed trafficking cases. 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 felt safer.

The government continued to fund 10 NGO-operated shelters; one shelter in Temirtau closed due to gaps in the funding cycle. The 10 NGO-operated trafficking shelters offered legal, psychological, and medical assistance and were accessible to all Kazakhstani trafficking victims, regardless of gender or age. These services were not conditional upon victim's cooperation with law enforcement; however, foreign citizens were not eligible to receive services at these shelters, and all assistance to foreign victims was contingent upon cooperation with law enforcement. Victims were required to decide on cooperation at the time of their identification. In 2018, the government allocated at least 92 million KZT ($245,240) to direct victim assistance, including 90 million KZT ($239,900) for shelters and 2 million KZT ($5,330) for victim assistance during investigations, a decrease from 162.7 million KZT ($433,690) in 2017; the government shelter allocation in 2017 was significantly higher than in 2018 due to costs related to opening seven new shelters during the year. The shelters were staffed in accordance with the 2016 established standards for trafficking victim shelters. Bidding for shelter operation contracts is conducted annually, as the funding cycle is limited to one year; NGOs reported severe administrative and financial constraints at the end of the calendar year due to the end of the funding cycle and delays to the awarding of new contracts, which limited their ability to provide services. The government adopted a law on victim compensation in 2017, 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. In July 2018, the government introduced means to the Criminal Code providing for the fixed withholding of payments from convicted criminals; these payments will be used to fund victims' monetary compensation. Victims could file a civil suit, but many could not afford attorney fees and were unaware of

their ability to do so; no victims pursued a civil suit in 2018. The government provided pro bono attorneys to trafficking victims, although NGOs reported these attorneys were often inexperienced.

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 had 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 and victims of labor trafficking remained 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. Such assistance ceased for foreign victims if the government did not initiate a criminal case. If a criminal case was not initiated, authorities did not recognize or give protective status to foreign victims. In 2018, the government provided one foreign victim legal protection (compared to two foreign victims in 2017 and 15 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 2018, there were no reports of authorities criminally punishing victims for crimes as a direct result of 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 traffickers compelled them to commit.

The government repatriated Kazakhstani women and minors, including potential trafficking victims, whose parents or spouses were alleged fighters with ISIS. ISIS was known to use child soldiers and perpetrate other forms of trafficking. The children were generally housed with family members, and the state fully funded and supported their rehabilitation and reintegration.

PREVENTION

The government maintained prevention efforts, under the direction of the Interagency Trafficking in Persons Working Group, led by the Ministry of Internal Affairs. The government adopted an anti-trafficking national action plan for 2018-2020. The new action plan included elements designed to improve victim identification and assistance, investigation and prosecution of human trafficking cases, prevention of human trafficking, and cooperation with international and non-governmental organizations. 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. The government continued to advertise an NGO-operated anti-trafficking hotline; the hotline received 1,834 calls in 2018, which led to the identification of trafficking victims, but no confirmed human trafficking cases. In 2018, labor inspectors under the Ministry of Health and Social Protection conducted 6,681 inspections to identify labor violations, which resulted in 3,057 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, although it was unclear if any cases included potential trafficking crimes. Migrant laborers reported using unofficial third party intermediaries to find employment and meet Kazakhstani migration registration requirements; these intermediaries often circumvented the law and facilitated the trafficking of foreign victims, but due to their unofficial status they were rarely held accountable. The government did not take any action to reduce the demand for commercial sex acts or forced labor. Although included in the 2018-2020 National Action Plan, the government did not provide anti-trafficking training to its diplomatic personnel and did not report providing anti-trafficking training to its troops prior to their deployment as peacekeepers.

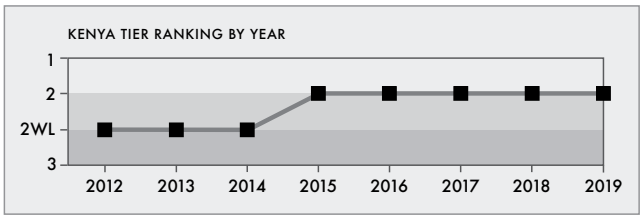
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Kazakhstan, and traffickers exploit victims from Kazakhstan abroad. Domestic trafficking remains a consistent problem, as traffickers lure victims 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 Nur-Sultan (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 identified significantly more foreign victims, likely only a portion of the overall victims in this migrant population. Many victims of trafficking in Kazakhstan are lured through fraud and deceit, sometimes by friends or acquaintances. Organized crime groups and small trafficking rings with recruiters in Kazakhstan operated in conjunction with brothel operators in Kazakhstan and abroad. NGOs reported increased instances of traffickers using debt-based coercion in the exploitation of migrants. 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 but is making

significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Kenya remained on Tier 2. These efforts included achieving more prosecutions and convictions of traffickers, investigating allegations of official complicity in trafficking crimes, and allocating new funding for its victim assistance fund. The government also expanded its dedicated Child Protection Unit to include cyber protection against child exploitation. In addition, officials vetted 69 recruitment agencies in compliance with registration requirements and a code of conduct, and concluded one bilateral labor agreement and continued to negotiate several others to protect citizens employed abroad. 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. The government also routinely tried trafficking cases as immigration or labor law violations rather than crimes under the anti-trafficking law, which resulted in traffickers receiving less stringent sentences.



PRIORITIZED RECOMMENDATIONS:

Ensure protective services are available to adult trafficking victims. • Fully implement a screening mechanism to prevent the penalization of potential trafficking victims. • Increase investigations and prosecutions of trafficking offenses and convictions of traffickers. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses. • Fully implement the formal process for law enforcement officials to refer trafficking victims for assistance, including adult trafficking victims and Kenyans repatriated from abroad. • Expand training to all levels of the government, specifically to law enforcement personnel and local authorities in the coastal region, on identifying, investigating, and managing trafficking cases. • Regulate enforcement of oversight of overseas recruitment agencies. • Conduct awareness campaigns throughout the country, focusing substantially on rural coastal areas.

PROSECUTION

The government increased law enforcement efforts. Incomplete data from the government made assessment difficult, but the government continued efforts to improve centralized data collection. The Counter-Trafficking in Persons Act of 2010 criminalized sex trafficking and labor trafficking and prescribed penalties of 15 years to life imprisonment, a fine of not less than 5 million Kenyan shillings ($49,120), or both. These penalties were sufficiently stringent. However, 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; these penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government continued to improve its centralized data collection capabilities, through increased inter-ministerial cooperation and data sharing, to ensure its anti-trafficking statistics were representative of all 47 counties; however, as in previous years, it reported partial data from only some regions. It reported at least 142 investigations of potential trafficking, compared to at least 148 investigations in 2017. From official data derived from an unknown number of counties, through mid-November 2018, the government reported 142 trafficking-related prosecutions—including 19 for adult trafficking and eight for child trafficking—and 98 convictions. This is compared to 148 trafficking-related prosecutions and 61 convictions it achieved in 2017. The government was unable to provide disaggregated data or details regarding the sentences administered to convicted trafficking offenders. Media reported judicial officials administered 30 year prison sentences each to two convicted child traffickers during the reporting period. Prosecutors continued to charge some defendants with immigration violations or labor exploitation vice human trafficking, as law enforcement deemed these crimes easier to prove and less costly and time-intensive to investigate. Given the general lack of awareness of trafficking crimes across the police force, and the tendency to conflate trafficking and smuggling, prosecutors often had insufficient evidence to file trafficking charges. Consequently, officials indicted most suspected trafficking offenders under other laws, such as the Sexual Offenses, Refugee, or Immigration Acts, and acquitted an unknown number of those suspected traffickers.

Corruption remained endemic across the government. Traffickers sometimes fraudulently obtained identity documents from complicit officials, and police often took bribes to warn traffickers of impending operations and investigations, particularly along the coast. The government reported an unspecified number of investigations into law enforcement officials who allegedly facilitated trafficking, although it did not report any successful prosecutions or convictions. In one example, media and NGOs reported an investigation of a Cabinet-level official who reportedly signed special sports and cultural work permits for women to dance in a *mujra* club notorious for exploitative practices; authorities removed the official from office shortly after the allegations surfaced, but investigations into the official's conduct remained ongoing at the close of the reporting period. In 2018, various NGOs and international organizations provided regular trainings reaching several hundred prosecutorial and judicial officials, border guards, police officers, and immigration agents on how to detect and respond to trafficking crimes in their respective capacities; the government provided varying degrees of logistical support for these training endeavors.

PROTECTION

The government demonstrated uneven protection efforts as services for adult victims in-country remained negligible, whereas it continued to make improvements for domestic child victims and victims abroad. In conjunction with NGOs, authorities reported identifying and referring to care at least 400 trafficking victims (adults and children) during the reporting period, of which the majority were subjected to forced labor. During the reporting period, the government provided 60 million Kenyan shillings ($589,390) from the federal budget for anti-trafficking efforts, including implementation of the National Referral Mechanism (NRM) and the victim assistance fund, which was a steady allocation from the previous year. Though the government trained relevant stakeholders on the NRM's identification and referral provisions, the mechanism was not fully functional or widely implemented; local authorities continued to bypass the NRM and directly contact NGOs to provide assistance to victims,

although NGOs reported strong working partnerships with key ministries. In 2018, the government funded the National Assistance Trust Fund for Victims of Trafficking and gazetted the board members; however, the authorities did not distribute the available funds to any trafficking victims during the reporting year. According to multiple government and civil society stakeholders, identification of child trafficking victims remained stronger than for adults, and the issue of forced prostitution was largely ignored. There were direct referrals to NGOs from victims or concerned witnesses; police during investigations; or via calls to the government-operated gender-based violence or NGO-run hotlines. The two national hotlines were operational 24 hours per day, year round. The government did not report how many trafficking-related calls either line received during the reporting period.

Victim care varied in quality across the country. Services consisted of medical care, psycho-social counseling, rehabilitation and reintegration support, food and clothing, legal aid, and transportation. The government and NGOs across Kenya jointly provided these protective provisions, although sometimes NGOs acted alone when the government was slow or failed to respond. Victim care was particularly challenging in the coastal region, due to lack of training and resources, where NGOs and government officials worked in tandem to provide trauma counseling, medical services, shelter, and reintegration support for trafficking victims returning from Somalia—some of whom left or fled al-Shabaab—and the Arabian Gulf. In 2018, the local police began providing complimentary overnight security to shelters in this region.

To continue addressing the exploitation of Kenyan nationals in Arabian Gulf States, Ministry of Labor (MOL)-assigned labor attachés continued to work in Kenyan missions in Qatar, Saudi Arabia, and the UAE and assisted an unreported number of citizens employed there. Reportedly, the attachés advocated for Kenyan workers' rights with host governments, helped identify trafficking victims, resolved workplace disputes, and partnered with licensed employment agencies to find legitimate work opportunities for Kenyans. The government concluded a bilateral labor agreement with the UAE during the reporting period, adding to previously concluded agreements with Saudi Arabia and Qatar to coordinate efforts to reduce cases of exploitative labor and other abuses against Kenyans abroad, to include trafficking. Also in 2018, officials commenced negotiations on bilateral labor agreements with Jordan, Lebanon, and Oman, and engaged in ongoing negotiations with Kuwait. It provided ad hoc monetary and logistical support 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 with partial government support. Officials assisted 71 Kenyans with their return in 2018, the vast majority of whom were Kenyan laborers with unresolved workplace grievances in the Arabian Gulf States.

Authorities reportedly penalized victims for crimes traffickers compelled them to commit, due to inadequate screening for trafficking indicators among vulnerable groups. NGOs across Kenya alleged the government charged an unspecified number of trafficking victims for contravening immigration laws as some officials continued to conflate smuggling with trafficking. Reports also alleged that some authorities treated potential victims as criminals, particularly women in prostitution. The government had formal procedures to encourage victims' cooperation in the investigation and prosecution of trafficking crimes, but did not report how many victims utilized the government's victim-witness protection program in 2018; it reported seven victims used the program in 2017. 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. In some cases, authorities obtained protective custodial orders for victims from courts to formalize provision of protection services pending repatriation. However, the government continued to initially misidentify foreign trafficking victims as violators of immigration law and consequently held them for deportation.

PREVENTION

The government marginally improved efforts to prevent trafficking. Authorities continued to operate under the auspices of the 2013-2017 national action plan and worked with international organizations and other stakeholders to finalize an updated 2018-2022 national action plan. In conjunction with a foreign government entity, the government expanded its police Child Protection Unit to include an online/cyber-crimes unit in August 2018 to exclusively monitor and arrest suspected perpetrators of child abuse and exploitation. The cyber-crimes unit conducted its first trafficking-related arrest during the reporting period. The government and civil society organizations continued to promote anti-trafficking awareness, particularly the prevention of child sex trafficking and labor trafficking. In 2018, the quasi-governmental commission on human rights held three public meetings on the dangers of child sex trafficking in the coastal region in conjunction with NGOs, and local commissioners in Mombasa and Kilifi mobilized several hundred participants for these events. Officials also hosted 21 train-the-trainer sessions for coastal community leaders to promote trafficking awareness among their respective populaces. One Kenyan NGO supported 11 trainings, funded by a foreign government and supported in-kind by several official Kenyan entities, in three counties, for an unknown number of media personnel, law enforcement officials, village elders, and child services officials on how to effectively and accurately employ the NRM. A dearth of government resources remained an impediment to regular, nation-wide anti-trafficking campaigns.

The MOL unevenly enforced registration regulations on agencies that placed 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 be signed in the presence of a labor ministry officer, and required applicants to register with the Kenyan embassy upon arrival in the host country. During the reporting period, the MOL approved registration for 69 private employment agencies—up from 45 and 25 in 2017 and 2016 respectively—and prohibited hundreds of others from recruiting in Kenya. Labor officials made the list of approved agencies for overseas employment publicly available on the Kenya Labor Market Information System website; however, 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. Officials

arranged anti-trafficking trainings during the reporting period for signatories to the Code. While government efforts to curb child sex tourism continued to improve during the year, local reports claimed these efforts largely involved prohibiting the entry of perpetrators at immigration check-points rather than arrests and prosecutions. The government made efforts to reduce the demand for commercial sex acts and forced labor. The Ministry of Foreign Affairs (MFA) 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 the legality of the domestic workers. The MFA provided all diplomats with an employment contract template for use with their domestic workers abroad. The government's training for troops deployed overseas on international peacekeeping missions included a module that addressed human trafficking.

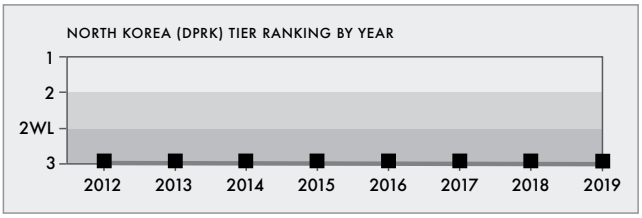
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Kenya, and traffickers exploit victims from Kenya abroad. Within the country, children are subjected to forced labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Girls and boys are also exploited in commercial sex throughout Kenya, including in sex tourism on the coast, in Nairobi and Kisumu, 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 IDPs, 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 Ethiopia and Uganda that recruit Ethiopian, Rwandan, 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. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian traffickers. Young Kenyan men and women are lured to Somalia to join criminal and terrorist networks, sometimes with fraudulent promises of lucrative employment elsewhere.

Kenya hosts approximately 470,000 refugees and asylum seekers, primarily located in two camps: Kakuma Refugee Camp and Dadaab Refugee Complex. Refugees are generally required to live within the camps and have limited access to education and livelihood opportunities, therefore increasing their vulnerability to abuse and exploitation, including sex trafficking. Children from East Africa and South Sudan are subjected to forced labor and sex trafficking in Kenya. Stakeholders assert domestic workers from Uganda, pastoralists from Ethiopia, and others from Burundi, Somalia, and South Sudan are subjected to forced labor in Kenya to work in jobs vacated by Kenyan youth who are being educated; however, this trend has reportedly waned. Nepalese, Indian, and Pakistani 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 through exploitation in 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. The government continued state-sponsored human trafficking through forced labor in mass mobilizations of adults and children, in prison camps as part of an established system of political repression, in labor training centers, and through 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 protect potential trafficking victims when they were forcibly repatriated from China or other countries.



PRIORITIZED RECOMMENDATIONS:

End the use of forced labor, including among North Korean workers abroad and in prison camps used as a source of revenue and tool of political repression. • End the practice of summary executions and other harsh punishments for victims who are forcibly returned from destination countries. • Provide assistance to victims exploited in the DPRK and to North Korean victims returned from abroad. • Criminalize sex trafficking and labor 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 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. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report any law enforcement efforts. It is unclear whether North Korean laws criminalized sex trafficking or labor trafficking. Fair trials did not occur in the DPRK, and the government did not explain what provisions of law, if any, were used to prosecute trafficking offenses. The government did not provide law enforcement data; there were no known investigations, prosecutions, or convictions of traffickers or government employees complicit in trafficking offenses.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims

or providing protective services, nor did it permit NGOs to provide these services. Authorities penalized victims for unlawful acts traffickers compelled them to commit. North Koreans, including potential trafficking victims, forcibly returned by Chinese authorities were sent to interrogation centers, where the government subjected them to forced labor, torture, forced abortions, and sexual abuse by prison guards and were 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.

PREVENTION

The government did not report any efforts to prevent trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to trafficking in destination countries. As many as 30,000 children born in China to North Korean women and Chinese men have not been registered upon birth, rendering them stateless and vulnerable to possible exploitation. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers—including government officials—exploit North Koreans in the DPRK and abroad. 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 in North Korean prison and labor camps, through mass mobilizations, and in overseas work. 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. 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 while receiving little food and being subjected to abuse, including regular beatings. Authorities reportedly send people to these camps if they are suspected of engaging in simple trading schemes or are unemployed; North Koreans who were not officially registered as being employed for longer than 15 days were at risk of being sent to labor camps for a minimum of six months.

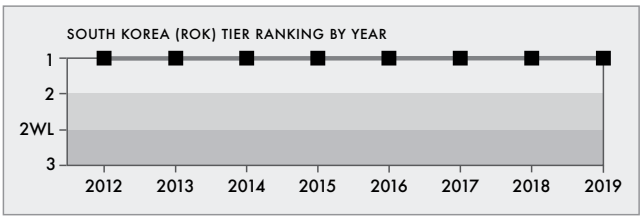
Officials forcibly mobilized adults and school children to work in various sectors, including in factories, agriculture, logging, infrastructure work, information technology, and construction. An NGO reported the government withheld food rations or imposed taxes against adults who did not participate in these forms of forced labor. Schools receive compensation from the government for labor conducted by children. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites. The effects of such forced labor on students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies.

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. In 2017, UN Security Council resolutions banned other countries from issuing new work authorizations to DPRK laborers and required the expulsion of North Korean nationals earning income, consistent with international human rights and refugee law, no later than the end of 2019. Reports suggested many countries took steps to reduce the number of North Korean workers in their countries during the year, although some reports suggested several countries resumed issuing work authorizations for North Korean workers in the second half of 2018. There were still roughly 90,000 workers earning revenue for the DPRK regime during the reporting period. The majority work in China and Russia, but workers were also reportedly present in Algeria, Angola, Bangladesh, Belarus, Brazil, Cambodia, Cameroon, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Fiji, Georgia, Guinea, Italy, Kuwait, Kyrgyz Republic, Laos, Mali, Malaysia, Mauritius, Mongolia, Mozambique, Nepal, Nigeria, Oman, Peru, Poland, Qatar, Republic of Congo, Senegal, South Africa, Sudan, Tanzania, Thailand, Uganda, the United Arab Emirates, Vietnam, Zambia, and Zimbabwe in 2018.

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 lure, drug, detain, or kidnap some North Korean women upon their arrival. Traffickers also operate networks spanning from China into North Korea to recruit North Korean women and girls to smuggle into China. These women are subjected to physical abuse and sexual exploitation by their traffickers, forced into prostitution in brothels or through internet sex sites, or compelled to work as hostesses in nightclubs or karaoke bars. Traffickers sell North Korean women to Chinese men for forced marriages, whereby they are subsequently forced into prostitution, domestic service, agricultural, or other types of work. 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, torture, forced abortions, or death.

KOREA, REPUBLIC OF: TIER 1

The Government of the Republic of Korea (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. These efforts included funding and operating facilities to assist trafficking victims, training government officials to address sex trafficking, cooperating with foreign law enforcement in the investigation of trafficking cases, and coordinating government efforts to address sex trafficking. Although the government meets the minimum standards, it did not create formal guidelines for the identification of labor trafficking victims or provide training to law enforcement focused on labor trafficking. The quality of services offered by the government was not sufficient for male, disabled, foreign, and juvenile victims and authorities penalized, detained, and deported some victims for unlawful acts their traffickers compelled them to commit.



PRIORITIZED RECOMMENDATIONS:

Proactively identify victims among vulnerable populations—including individuals arrested for prostitution and migrant workers. • Increase efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, and punish convicted traffickers to significant prison terms. • Establish and implement formal guidelines for police, immigration, labor, and social welfare officials to identify and refer both sex and labor trafficking victims to support services. • Cease the penalization of victims for unlawful acts their traffickers compelled them to commit. • Revise the definition of human trafficking under South Korean law to more closely align with the definition in the 2000 UN TIP Protocol. • Increase efforts to train law enforcement officers, prosecutors, judicial officials, and social service providers to better understand trafficking as defined by international law. • Increase trafficking awareness training to officials working at migrant support centers and government hotlines. • Increase investigations and prosecutions of those who use forced labor on South Korean-flagged fishing vessels. • Designate a government entity responsible for coordinating efforts to combat both sex and labor trafficking. • Increase inspection of industries at high risk for exploitation to proactively identify victims, rather than relying on self-reporting of abuse by victims. • Increase investigations and prosecutions of South Koreans soliciting child sex trafficking victims in South Korea and abroad.

PROSECUTION

The government maintained law enforcement efforts. Various articles under Chapter 31 of the Criminal Act, when read together, criminalized sex trafficking 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. Inconsistent with the definition of trafficking under international law, Article 289 (trafficking in persons) limited the definition of trafficking to require the buying or selling of another for exploitation and did not include a demonstration of force, fraud, or coercion as an essential element of the crime. However, Articles 288 (kidnapping, abduction, etc. for the purpose of indecent acts, etc.) and 292 (receiving, harboring, etc. of person kidnapped, abducted, trafficked or transported) could apply to trafficking offenses not covered under Article 289. Similarly, Article 12 of the Act on the Protection of Children and Juveniles Against Sexual Abuse incorrectly defined child sex trafficking to require transnational movement of the victim. However, various other articles under the law could be applied to child sex trafficking offenses that did not involve such movement. The absence of a law that defined trafficking consistent with international law resulted in inconsistent understanding of the crime among law enforcement and prosecutors, and inconsistent enforcement of trafficking-related laws.

Because there was no article in the Criminal Act that defined trafficking consistent with international law and because the government frequently conflated trafficking with related crimes such as prostitution, kidnapping, and other forms of sexual abuse, it was unclear how many of the investigations, prosecutions, and convictions reported by the government involved sex and labor trafficking. In 2018, the government reported investigating 372 cases (444 in 2017), indicting 109 suspects (101 in 2017), and convicting 75 offenders (90 in 2017) for crimes related to trafficking. The government reported sentencing the majority of those convicted for these crimes to unspecified terms of imprisonment; however, NGOs reported many traffickers did not receive significant prison terms. The government did not report any criminal investigations or prosecutions of child sex tourists, despite continued reports that South Korean men engaged in child sex tourism abroad. The government provided numerous trainings for police and prosecutors on sex trafficking; however, as in previous years, trainings for law enforcement did not specifically address labor trafficking, and some officials reportedly demonstrated a lack of understanding of the crime. Officials reported the Ministry of Employment and Labor (MOEL) treated some potential labor trafficking cases as administrative labor violations and did not refer these cases to law enforcement for criminal prosecution. Law enforcement entities did not have dedicated anti trafficking teams. The government cooperated with foreign law enforcement in the investigation and prosecution of sex trafficking cases. The government did not report any cases of investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, NGOs reported some police officers were involved in sexually exploiting children, some of whom may have been sex trafficking victims.

PROTECTION

The government maintained efforts to protect trafficking victims. However, it did not maintain comprehensive statistics on the number of trafficking victims it identified, and the government did not report if those assisted by the government were trafficking victims as defined by international law. Government officials used the Guidelines for the Identification of Sex Trafficking Victims to identify victims and refer them to support services. However, observers reported some officials did not adequately implement identification procedures and the government did not have formal guidelines for the identification of labor trafficking victims. The Korean National Police Agency operated teams that were responsible for guiding crime victims, including

trafficking victims, from the initial point of contact with law enforcement to protection and support systems. The Ministry of Gender Equality and Family (MOGEF) supported numerous facilities that provided services to victims of crime. These facilities were available to assist trafficking victims through counseling services, shelter, education, and rehabilitation support. While these facilities primarily served female victims, the government made some services, such as counseling and medical and legal assistance, available to male victims. Nonetheless, NGOs reported the government services were limited for male, disabled, foreign, and juvenile victims. The government issued G-1 visas to foreign victims of crimes, which allowed victims to stay and work in South Korea for up to one year while cooperating in investigations and prosecutions; the government did not report the number of trafficking victims issued G-1 visas during the reporting period. Victims could file civil suits to receive compensation; the government did not report whether any victims received such compensation.

NGOs reported some government officials' lack of understanding of all forms of trafficking resulted in misidentification and the penalization of some victims for unlawful acts their traffickers compelled them to commit. Insufficient coordination among agencies resulted in the deportation of some trafficking victims after the completion of investigations of their traffickers. In addition, the government detained some foreign sex trafficking victims during investigations against their traffickers and deported them after investigations were completed. Officials punished some foreign victims who willingly came to Korea—often through fraudulent recruitment—but were later exploited by traffickers, as visa violators. NGOs reported the government's policy requiring child sex trafficking victims to stay in government shelters deterred victims from seeking assistance. In addition, when exploited workers contacted government hotlines or migrant support centers, some officials reportedly did not take steps to screen cases for potential indicators of trafficking or refer victims to services, and instead often encouraged workers to remedy their situation through their employer. The government did not report screening the more than 355,000 undocumented migrants detained in government facilities for indicators of trafficking.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued efforts to raise awareness of sex trafficking through public broadcasting programs and ad campaigns. It did not report awareness efforts for labor trafficking. The Inspection Team for the Promotion of Policies for Preventing Sex Trade, which was responsible for coordinating governmental efforts to prevent prostitution and sex trafficking, met three times during the reporting period. The government did not take steps to coordinate efforts to address labor trafficking, and observers reported the absence of a dedicated government entity responsible for coordinating all anti-trafficking efforts resulted in insufficient efforts to protect victims. In August 2018, the government issued its third National Action Plan for the Promotion and Protection of Human Rights, which included some anti-trafficking efforts. MOGEF shut down websites used to advertise commercial sex acts and continued to distribute trafficking awareness leaflets to 20 diplomatic missions abroad. 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 (MOF) continued to operate a hotline for foreign crew members on South Korean fishing vessels; nonetheless, observers reported interpreters were sometimes not available when migrants called government hotlines, and the government did not report how many trafficking-related calls these hotlines received.

MOEL inspected 3,120 workplaces that employed migrant workers in 2018 but did not identify any cases of forced labor. MOF and MOEL conducted inspections of fishing vessels; MOF reported its inspections were mainly conducted with the companies that owned vessels, and inspectors rarely boarded vessels to speak with workers. MOEL provided pre- and post-arrival education to migrants working under the government's Employment Permit System (EPS); however, NGOs continued to report traffickers exploited migrant workers through EPS. MOEL provided interpretation, medical treatment, and counseling services to migrant workers through 43 support centers that were partially funded by the government. Local governments reportedly encouraged and provided financial assistance to South Korean farmers to pursue marriages to foreign women through brokers; these women may have been vulnerable to sex trafficking and domestic servitude. To reduce the demand for commercial sex acts, officials provided schools, government agencies, and other public organizations with anti-prostitution and trafficking education programs, and it publicized the illegality of child sex tourism in airports, train stations, and travel agencies. The government denied passport issuance to three South Koreans (11 in 2017) for engagement in sex tourism abroad. The government did not make efforts to reduce the demand for forced labor.

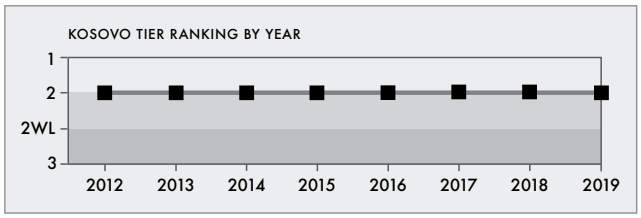
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in South Korea, and traffickers exploit victims from South Korea abroad. Traffickers exploit South Korean women and children in sex trafficking in South Korea and abroad. Some South Korean women enter destination countries on tourist, work, or student visas and are exploited in sex trafficking in massage parlors, salons, bars, and restaurants, or through internet-advertised escort services. Traffickers force victims who owe debts to entertainment establishment owners or loan sharks into prostitution. Traffickers have forced some physically or intellectually disabled South Korean men to work on salt and cattle farms. Traffickers subject men and women from China, Indonesia, the Philippines, Russia, Thailand, Vietnam, and other countries in Asia, the Middle East, and South America to forced labor and sex trafficking in South Korea. Some foreign women on E6-2 entertainment visas—mostly from China, Kyrgyz Republic, and the Philippines —are subjected to sex trafficking in entertainment establishments near ports and U.S. military bases. Migrant workers, especially those from China, Indonesia, Pakistan, and Vietnam can incur thousands of dollars in debt, contributing to their vulnerability to forced labor. Approximately 400,000 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. Traffickers exploit foreign workers on fishing vessels registered and operated by South Koreans. South Korea 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. Traffickers subject some women from Cambodia, China, the Philippines, Thailand, and Vietnam, who are recruited for marriage to South Korean men through international marriage brokers to sex trafficking or forced labor after their arrival. Some

South Korean men engage in child sex tourism in Cambodia, China, Mongolia, the Philippines, and Vietnam.

KOSOVO: TIER 2

The Government of Kosovo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Kosovo remained on Tier 2. These efforts included revising the criminal code to reclassify all forced prostitution offenses as trafficking; appointing a regional prosecution coordinator for trafficking in western Kosovo; and conducting robust joint investigations and inspections. The judiciary reduced its overall case backlog and the Supreme Court adopted new sentencing guidelines in an effort to ensure that judges apply aggravating or mitigating factors correctly and equitably, including for trafficking cases. However, the government did not meet the minimum standards in several key areas. The government convicted fewer traffickers and identified fewer victims. Judges continued to impose weak sentences on convicted traffickers. The government decreased funding for NGO-run shelters for the fourth consecutive year, forcing NGOs to rely on foreign donors. First responders lacked guidance and proactive identification efforts for victims of forced begging, especially children.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, and impose strong sentences. • Provide adequate and consistent funding for NGO-run shelters. • Designate trained prosecutors and judges in every region to handle trafficking cases. • Develop written guidance and enhance efforts to identify and assist children subjected to forced begging. • Continue providing advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions. • Further reduce the judiciary's backlog of cases, including trafficking cases. • Work with local authorities to strengthen victim protection in the northern municipalities. • Increase government support for comprehensive vocational training and reintegration services for victims. • Standardize data collection and create a database that disaggregate statistics for trafficking and trafficking-related prosecutions and convictions.

PROSECUTION

The government increased law enforcement efforts. Article 171 of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of five to 12 years' imprisonment and a fine for offenses involving adult victims and five to 15 years' imprisonment and a fine for offenses involving child victims. These punishments were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In November 2018, the government revised the criminal code to reclassify all forced prostitution offenses as trafficking and increased the minimum punishment for child trafficking from three years to five years. Authorities filed 12 criminal reports for trafficking (21 in 2017). Police arrested 22 suspects (28 in 2017) and seven additional suspects for "utilizing sexual services from a trafficking victim" (10 in 2017). The government prosecuted 34 for trafficking (27 in 2017). Courts convicted nine traffickers (29 in 2017) and convicted five perpetrators who "utilized sexual services from a trafficking victim" (one in 2017). Judges continued to issue sentences below the minimum penalty of five years' imprisonment. Five traffickers received imprisonment between two and four years and a fine between €200 ($230) and €4,000 ($4,590), one trafficker received imprisonment of six months, and three traffickers received suspended sentences. Five perpetrators who "utilized sexual services from a trafficking victim" received imprisonment between four and six months or a fine between €1,800 ($2,060) and €3,600 ($4,130). Courts reduced the overall backlog of cases, including trafficking cases; 78 cases remained open from previous years (88 in 2017).

The Trafficking in Human Beings Directorate (THBD) within the Kosovo Police (KP) investigated all trafficking cases with its eight regional units. THBD maintained a unit in the northern municipalities, a region that was recently integrated into Kosovo's judicial system. The Chief State Prosecutor's Office (CSPO) continued to designate a special coordinator for trafficking and appointed a regional coordinator for trafficking in western Kosovo. THBD conducted joint investigations with prosecutors and social workers resulting in the temporary closure of 91 out of 214 investigated bars, nightclubs, restaurants, and massage parlors. Separately, THBD cooperated with the Labor Inspectorate to conduct 157 joint inspections of bars, nightclubs, restaurants, and massage parlors (153 in 2017). Observers reported the lack of trafficking training and experience among 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 Supreme Court adopted new sentencing guidelines to ensure that judges applied aggravating or mitigating factors correctly and equitably, including for trafficking cases. Additionally, KP, especially border police, continued to not screen for and lacked guidance on when to classify forced begging of children by their parents as trafficking instead of as parental neglect or abuse.

CSPO trained judges and prosecutors and the KP training department, in cooperation with international organizations, held 44 training workshops (31 in 2017). The Justice Academy trained prosecutors, judges, and victim advocates on trafficking issues; however, many prosecutors trained under the Yugoslav criminal code required further training on the Kosovo criminal code. The government exchanged information with foreign governments on 21 trafficking cases (22 in 2017), conducted joint investigations with Albania and the Czech Republic, signed an extradition treaty with Turkey, and prepared to bring an extradition treaty with the United States into force. The government extradited one suspect to Albania. THBD, CSPO, and the KP Inspectorate cooperated to investigate government employees potentially complicit in 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. An appellate court affirmed four

2017 convictions against KP officers for sexual abuse of a trafficking victim and misuse of authority.

PROTECTION

The government maintained victim protection efforts. The government identified 15 trafficking victims (32 in 2017). Of these, 11 were subjected to sex trafficking, two to forced labor, one to "slavery and servitude," and one to domestic servitude through forced marriage (in 2017, 18 were subjected to sex trafficking, seven to forced labor, three to forced begging, and four to "slavery and servitude"). Twelve were children (19 in 2017); 14 were female and one male (29 were female and three were male in 2017); and 12 were from Kosovo, two from Albania, and one from the Czech Republic. First responders used standard indicators to screen vulnerable populations; 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. NGOs continued to report the NRM functioned well and highlighted good cooperation among actors.

The government licensed and partially funded two NGO-run shelters to provide services to 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. Authorities afforded foreign victims the same rights and services as domestic victims. Victims also had access to nine Ministry of Labor and Social Welfare (MLSW) support facilities, but the government did not have a care facility in the country's four northern municipalities. ISF temporarily accommodated 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 17 victims (35 victims in 2017). 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 had limited success due to a lack of resources and high overall unemployment.

The government allocated €150,680 ($172,800) for victim protection compared to €152,870 ($175,310) in 2017. The government continued to decrease funds for NGO-run shelters, which received €70,680 ($81,060), compared to €72,870 ($83,570) in 2017, €91,010 ($104,370) in 2016, and €101,930 ($116,890) in 2015. ISF received €80,000 ($91,740) in 2017 and 2018. NGO-run shelters continued to report government funding was inadequate and operations could not continue without foreign donors. In 2018, MLSW required funding applications for eight-month periods, an increase over the six month duration from the previous year. While the government allocated emergency funds to cover the activities during funding gaps, NGOs reported funds were insufficient and sometimes interrupted programming. The law entitled foreign victims to a 30- to 90-day reflection period in which victims can recover before deciding whether to cooperate with law enforcement. The law entitled foreign victims to a temporary residence permit for at least six months; no foreign victims requested a permit (one in 2017). The government repatriated three victims (11 in 2017). All 15 victims participated in investigations and court proceedings (32 in 2017). 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 allowed compensation from the state if victims could not get restitution from their traffickers. No victims received compensation in 2018, compared to 2017 when the first trafficking victim was compensated with approximately €5,000 ($5,730).

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, 2017, or 2018, compared to €288,000 ($330,280) in 2015. NGOs reported strong cooperation with NAATIP and the national coordinator, including responsiveness to recommendations and concerns. Twenty-eight of 38 municipalities allocated funds to participate in an annual month-long campaign aimed at potential victims. The government, in cooperation with an NGO, produced a film on how traffickers recruit victims. The government-operated hotline for victims of domestic violence and other crimes received 929 calls (907 in 2017), including eight potential trafficking cases (seven in 2017). The government did not report efforts to reduce the demand for commercial sex acts or forced labor.

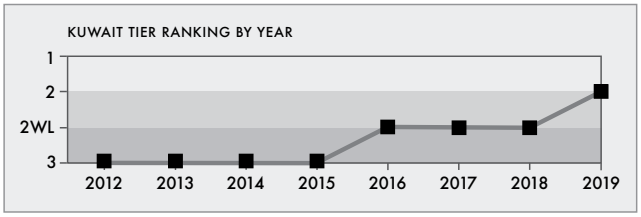
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Kosovo, and traffickers exploit victims from Kosovo abroad. Most victims are internally subjected to trafficking for sexual exploitation. Many sex trafficking victims in Kosovo are girls, although Kosovo criminal groups also force women from Albania, Moldova, Romania, Serbia, and other European countries into sex trafficking. 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 sex trafficking 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.

KUWAIT: TIER 2

The Government of Kuwait does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Kuwait was upgraded to Tier 2. The government demonstrated overall increasing efforts by deploying its specialized trafficking unit to initiate more

criminal investigations of potential trafficking crimes and more prosecutions under the anti-trafficking law. It referred significantly more potential trafficking victims for protective services, operationalized its central recruitment agency in an attempt to hire and better safeguard the rights of hundreds of domestic workers, and increased enforcement of its domestic worker law. However, the government did not meet the minimum standards in several key areas. Rather than prosecuting potential criminals for human trafficking, officials continued to routinely use arbitration and administrative penalties to resolve grievances filed by domestic and other migrant workers instead of investigating such cases as human trafficking crimes, and protracted litigation and subsequent appeals processes led most victims to decline to file court cases. By not holding traffickers criminally accountable with stringent sentences, the government perpetuated a climate of impunity that failed to deter future crimes. The government did not regularly use standard procedures for proactively identifying victims and continued to detain, prosecute, and deport trafficking victims, including those fleeing forced labor.



PRIORITIZED RECOMMENDATIONS:

Increase law enforcement efforts to investigate, prosecute, and convict traffickers, including Kuwaiti citizens, under the 2013 anti-trafficking law rather than treating potential forced labor cases as administrative violations. • Proactively screen for trafficking indicators among vulnerable populations, and during migrant round-ups and amnesty periods to ensure victims are not wrongfully penalized or deported for unlawful acts traffickers compelled them to commit. • Institute reforms to the sponsorship-based employment system, including by allowing all workers to change employers without necessitated employer approval and ceasing prosecution of workers who flee their employment. • In adherence to Kuwaiti labor law, increase investigations and punishment of employers who illegally confiscate migrant workers' passports. • Institute trainings for all relevant officials on mechanisms to proactively identify and refer to protection services all victims of human trafficking and routinely employ these procedures. • Continue to strengthen enforcement of the domestic labor law to ensure domestic workers' rights are protected. • Eliminate worker-paid recruitment fees. • Commence construction on or allocate existing facility space for a shelter to accommodate male victims. • Continue to convene the official governmental committee and strengthen implementation of the national anti-trafficking strategy. • Expand efforts to raise anti-trafficking awareness, particularly among vulnerable populations, including migrant workers.

PROSECUTION

The government maintained law enforcement efforts. The 2013 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to 15 years' imprisonment for offenses involving an adult male victim and up to life imprisonment for those involving an adult female or child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In addition, the Public Prosecutor's Office (PPO) and the Ministry of Interior (MOI) launched a new policy in January 2019 requiring all cases of buying and trading of fraudulent visas, withholding of salaries and passports in excess of three months, or forcing individuals into jobs different from those contractually agreed upon be prosecuted under the anti-trafficking law rather than the labor law; this accounted for 21 of the reported investigations during the period.

The government's specialized trafficking unit investigated 50 potential trafficking cases during the reporting year, compared to 60 investigations in the previous reporting period; 21 of the 50 investigations were the result of the new PPO/MOI policy guidance on the anti-trafficking law. It discovered such cases through tips from foreign embassies, civil society, hotlines, the government-run shelter, and the MOI's Domestic Labor Department (DLD). In 2018, officials prosecuted eight cases—four for forced labor and four for sex trafficking—compared to five cases in 2017. The government convicted an unknown number of defendants in one case under the anti-trafficking law, and seven additional trafficking cases awaited sentencing at the close of the current reporting period; during the previous reporting period, it convicted six sex traffickers in one case and sentenced them to between 15 years and life imprisonment. In 2018, the government did not report sentencing details or disaggregated information on convictions for forced labor versus sex trafficking crimes committed. However, in April 2018, the Criminal Court sentenced a Kuwaiti national and three stateless Arabs to life imprisonment for forcing 32 male workers into prostitution.

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. Officials commonly used arbitration, which resulted in monetary compensation and repayment of back-wages to victims, administrative fines, and closure of recruitment firms to resolve such cases. Such resolution neither enforces stringent punishment to deter future crimes, nor provides victims care to heal from the trauma of the trafficking experience. If a settlement could not be agreed upon, DLD officials referred the case to the labor 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. As a result, only severe cases of domestic worker abuse—usually involving significant bodily injury or death—were prosecuted, and typically as violations of other criminal laws instead of trafficking. In some cases, media reported the government sought prosecution of potential trafficking cases 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 commonplace among sponsors and employers of foreign workers. During the reporting period, the Public Authority for Manpower (PAM) received 2,489 complaints of confiscated passports; the government did not report how many employers PAM ordered to return employees' identification documents. Some government officials allegedly 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 two training sessions,

on trafficking indicators and a victim-centered approach to law enforcement efforts, for 37 trainees drawn from all MOI departments; in the prior year, there were four such training sessions. The government also participated in and provided in-kind support for three international organization-sponsored trainings and capacity-building programs for law enforcement sectors of the MOI, including the specialized anti-trafficking unit and DLD. Throughout the reporting period, more than 110 employees from PAM, MOI, and the Ministry of Justice attended two anti-trafficking seminars on how to identify victims. The DLD continued its production of internal training programs on a weekly basis targeting investigators and labor inspectors.

PROTECTION

The government demonstrated increased efforts to protect trafficking victims. In 2018, an international organization reported that the government had identified and referred approximately 800 vulnerable domestic workers and potential trafficking victims to its shelter, substantially up from the 48 potential victims it referred during the previous year. Of these, the MOI and PAM, in cooperation with an international organization, identified and provided voluntary repatriation and transition assistance for more than 300 identified trafficking victims during the reporting period. It provided shelter to a total of 1,600 domestic workers, of whom an international organization reported roughly 20-30 percent were likely trafficking victims; this is compared to 3,000 in 2017. Many of those admitted to the shelter had fled poor working conditions, including excessive hours and delayed payment of wages, or desired to return to their respective countries of origin. The government also used the facility to host domestic workers awaiting repatriation, or deportation if facing criminal charges. Additionally, of the total number of domestic worker complaints the DLD received, it referred 40 domestic workers to the government-run shelter during the year. Although the government had in place since 2015 a screening process to proactively identify potential trafficking victims among vulnerable populations, the extent to which the government employed this proactive screening mechanism was unknown. During the year, the government-run shelter received referrals from embassies, NGOs, international organizations, churches, private citizens, and other migrant workers. Officials ratified a national referral mechanism in 2018 that aimed to improve intergovernmental coordination, provide training for judicial and prosecutorial personnel, and expedite criminal charges in forced labor cases; however, the government did not implement this revised mechanism during the reporting period. The shelter served as a one-stop facility, providing medical and psychological care, food, rehabilitation support, and access to officials from various ministries to facilitate legal and repatriation assistance. Residents at the shelter had access to cell phones and freedom of movement to leave on supervised regular outings. Despite government allocation and budgetary approval for construction of a male shelter during the previous reporting period, Kuwait did not commence construction of such a shelter during the current reporting period.

The government provided an annual budget of two million Kuwaiti *dinar* ($6.6 million) for domestic worker shelter operations and protection programs for trafficking victims. 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 Kuwaiti government to seek compensation and legal redress for their nationals subjected to exploitative working conditions in the country. In cooperation with international organizations and foreign embassies, the government assisted victims in retrieving documentation and funding for repatriation; and in the case of administrative deportation officials provided airline tickets and worked to recoup associated costs from the accused employers. Beyond the repatriation and transition assistance, MOI and PAM provided for more than 300 foreign domestic workers who were trafficking victims during the reporting period, the DLD provided repatriation assistance for 120 female domestic workers who fled exploitative employers. 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. Rather, the government allowed all trafficking victims to change employers and maintain residence in Kuwait or otherwise be repatriated to a third country at the victims' request. In May 2018, the government allowed foreign nationals present in Kuwait in violation of their residency status, reported to have absconded from their employers during the period from January 2016 to April 2018, to seek amnesty and legalize their status or depart the country without penalty. The government did not report how many trafficking victims it identified from this offer of amnesty or if it proactively screened for trafficking indicators among applicants and subsequent deportees.

Authorities continued to arrest, prosecute, and deport some workers who fled their sponsors without permission or recourse to the judicial system. The risk of penalization, coupled with protracted litigation processes and exorbitantly high 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 their employees, including trafficking victims who reported abuse. This sometimes resulted in administrative deportation or detention of the employees and victims. Within worker communities, there existed a persistent fear that confiding in authorities would result in deportation, imprisonment, or return to the employer in question. 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. Media reported that the government directed settlements in response to individual civil suits against employers, but the government did not report how many victims received restitution during the year.

PREVENTION

The government continued robust efforts to prevent human trafficking. In November 2018, the Minister of Justice issued a ministerial decree on the formation of the Permanent National Committee for the Implementation of the National Strategy for the Prevention of Trafficking that was approved and funded by the Council of Ministers during the previous reporting year. The Committee did not officially convene during the reporting period; nonetheless, relevant government entities commenced implementation of several action items in the national anti-trafficking strategy. Key ministries, in collaboration with an international organization, financially supported and conducted numerous public awareness campaigns at shopping malls and the international airport to raise awareness of trafficking

and warned against using illegal domestic labor recruitment companies. Various officials also took part in anti-trafficking awareness messaging on local television, radio, and social media platforms. It continued to disseminate pamphlets to educate migrant workers on their rights, which were published in multiple languages and disseminated in airports, embassies, and labor-recruitment agencies.

The domestic labor law (Law 68/15) guaranteed domestic workers one day off per week, a maximum 12-hour workday, minimum wages paid per month, paid annual leave, and access to file formal grievances at the MOI, among other protections. The 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. During the reporting period, the government transferred the DLD from the MOI to PAM, based upon recommendations that having the DLD under the MOI deterred workers from seeking assistance. In adherence to the domestic labor law, the DLD received 433 complaints directly from domestic workers during the year, 1,835 from employers, and 60 from recruitment offices and companies. Of these, it referred 448 cases to the labor courts, collected 14,440 Kuwaiti *dinar* ($47,650) in unpaid wages for domestic workers, and referred 40 of these domestic workers to the government-run shelter during the reporting period. In addition, PAM shut down 72 companies and suspended 1,510 companies for being in violation of Kuwaiti labor laws. Authorities continued to apply the amended provisions of the domestic labor law by building a monetary reserve to adjudicate cases of labor law violations to pay unpaid wages and cover the costs of repatriation. For issuance or renewal of a license for a domestic labor recruitment firm, it enforced the rule that single offices must submit financial deposits of 40,000 Kuwaiti *dinar* ($132,010) with a two-year validity and larger companies to present a letter of guarantee worth 100,000 Kuwaiti *dinar* ($330,030).

The DLD continued to investigate domestic worker recruitment agencies and inspect residences to ensure compliance with the 2015 domestic labor law. In addition, it initiated investigations based on grievances filed by domestic workers, employers, and embassies of labor-sending countries. The government arbitrated such grievances and did not report referring any for criminal investigation or prosecution. During the reporting period, DLD officials received 1,328 work-related complaints, amicably resolved 579 in extrajudicial proceedings, referred 333 to labor courts for further investigation, and the others remained pending. The DLD also conducted 404 inspections of domestic worker recruitment firms and consequently permanently shut down 30 and suspended 11 such agencies for three to six months for violation of the domestic labor law, compared to 82 closures the previous year; officials did not refer any of these for criminal investigation or prosecution. Separately, the PAM received 16,626 official grievances from foreign laborers, the most common of which included pay discrepancies, denied requests to transfer employers, and disputes regarding overtime pay issuances. Authorities reported resolving 90 percent of the employment transfer grievances in favor of the employees, to include transference of employer or receipt of unpaid wages; it referred the remaining 5,805 unresolved cases via arbitration to the labor courts. At the close of the reporting period, the outcomes of these cases were unknown, and the government did not report referring any of these cases for criminal investigation or prosecution under the anti-trafficking law. In 2018, PAM investigated 248 companies engaged in fraudulent visa practices and referred all of them to the PPO or the MOI's trafficking-specific investigative unit.

In February 2019, media reported the government's centralized recruitment company—named Al Durra—recruited nearly 900 male and female domestic workers since its launch in late 2017. In adherence to the domestic labor law, Al Durra worked to reduce recruitment costs, curb illegal recruitment fees, provide greater oversight of recruiting practices, hire male domestic workers, and secure labor agreements for female employees. According to press reports, new workers from Sri Lanka, India, the Philippines, and Burkina Faso arrived to Kuwait via Al Durra, and 150 additional contracts remained in process at the conclusion of the reporting period. In May 2018, Kuwaiti officials signed an agreement with the Philippine government to regulate the recruitment and employment of Filipino domestic workers in Kuwait to better safeguard their legal protections. Based on this treaty, which entered into forced in January 2019, the Philippine government lifted its February 2018-imposed travel ban on sending Filipino workers to Kuwait. Similarly, in October 2018, Kuwait and India signed an MOU on broader protections for domestic workers, and ratified it in January 2019. This resulted in the end of India's 2014 ban on sending Indian female domestic workers to Kuwait. The agreement with India guaranteed registration of the employee-sponsor contact information with the Indian Embassy, an established monthly minimum wage for Indian laborers, and all employers would use the government's centralized recruitment company with Indian government-authorized recruitment agencies. In April 2018, the Commerce Ministry revoked the licenses of 116 domestic labor recruitment agencies for contravening Kuwaiti labor laws and exploiting an unspecified number of domestic workers during the course of their employment. This ministry also capped at 990 Kuwaiti *dinar* ($3,270) the ceiling for mandatory recruitment fees employers pay to agencies to recruit domestic employees; in actuality, a portion of these fees were transferred to the domestic employees. During the reporting period, authorities employed the services of the Mobile Labor Disputes Office to help workers in remote areas of the country file complaints against employers for labor law violations. The mobile unit was run by an emergency team of investigators, inspectors, translators, lawyers, and lay volunteers. Officials also advertised to migrant laborers online services that allowed workers and employers to dock and track workplace issues electronically, receive alerts if an employer filed an absconding charge, notify the respective source country embassy, and challenge legal settlements incurred. Both the DLD and the MOI's anti-trafficking department operated hotlines to assist vulnerable migrant workers, to include potential trafficking victims, but neither entity reported how many trafficking-specific calls they received during the reporting period. The government made efforts to reduce the demand for commercial sex. The government provided annual anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Kuwait. Men and women migrate primarily from South and Southeast Asia, Egypt, and the Middle East, to work predominantly in the domestic service, construction, hospitality, and sanitation sectors, and the vast majority arrive voluntarily. Unskilled laborers and female domestic workers are especially vulnerable to forced labor, as they often have limited access to assistance due to the absence of diplomatic representation in Kuwait. As conditions for many remain perilous, numerous labor-sending countries, including

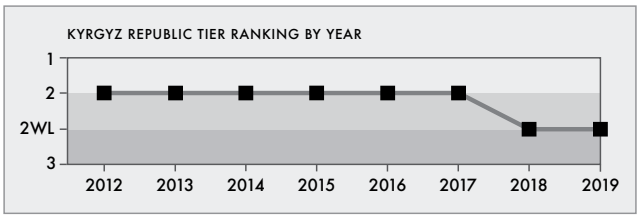
Bangladesh, Bhutan, Chad, Ethiopia, Ghana, Guinea, Indonesia, Kenya, Madagascar, Malawi, Nepal, Niger, Nigeria, Senegal, Sierra Leone, Tanzania, Togo, Uganda, and Zimbabwe, continue to restrict their female nationals from domestic employment in Kuwait. In January 2019, the Philippine government lifted the February 2018-imposed travel ban on Filipino workers to Kuwait due to strengthened regulatory oversight of recruitment and employment of Filipino domestic workers. Similarly, in October 2018, Kuwait and India signed an agreement on broader protections for domestic workers, which resulted in the end of India's 2014 ban on Indian female domestic workers. As more countries restrict labor movement to Kuwait, however, the government has continued its recruitment of domestic employees from African labor-sending countries including most recently from Cote d'Ivoire and Liberia.

Upon arrival, some sponsors subject migrants to forced labor through the following: non-payment of wages, protracted working hours contrary to contractual agreements, 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 unlawful, passport withholding by employers is ubiquitous in Kuwait. Furthermore, 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, officials do not provide workers 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 illegal 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. Some officials allegedly take bribes or overtly sell work permits to illegal labor recruiting companies or directly to migrant workers. For more than a decade, press reports indicated that the Democratic People's Republic of Korea (DPRK or North Korea) 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 worked 14 to 16 hours a day while the company retained 80 to 90 percent of their wages. The company also monitored and confined workers, who lived in impoverished conditions and were in very poor health due to lack of adequate nutrition and health care. In previous reporting periods, the government ceased issuing new visas to North Korean workers, discontinued all residency permit renewals, and repatriated virtually all of them.

Kuwait's sponsorship law—which ties a migrant worker's legal residence and valid immigration status to their employer—restricts workers' movements and penalizes them for leaving abusive workplaces. Domestic workers are particularly vulnerable to forced labor inside private homes, as endemic cultural attitudes—particularly regarding the sanctity of the private household—sometimes enabled the exploitation of expatriate workers. 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 sex trafficking by agents or criminals, who manipulate their illegal status.

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 but is making significant efforts to do so. These efforts included the adoption of revised criminal procedures codes that removed the requirement for a demonstration of force, fraud, or coercion in the prosecution of child sex trafficking cases and provided some measures to better enable victim-witness testimony. The government also increased training of law enforcement and judicial officials; referred more victims for assistance; created several regional-level anti-trafficking coordinating bodies; adopted standards for the management and operation of shelters, and established a government body tasked with supporting and protecting the rights of Kyrgyz citizens abroad. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government finalized, but did not formally adopt a national referral mechanism and standard guidelines on victim identification. The government continued to identify and refer a relatively small number of victims. Official complicity, corruption, and the lack of victim protection has led to reports of officials dropping charges, tipping off suspects, and allowing victims to be pressured or paid to drop charges against alleged traffickers. Therefore the Kyrgyz Republic remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute suspected trafficking crimes, including government officials allegedly complicit in trafficking or who abuse and exploit trafficking victims. • Convict and punish trafficking offenders, ensuring those convicted serve proportionate and dissuasive prison sentences. • 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. • Ensure victim identification and protection measures are not tied to the prosecution of a trafficker and allow all first responders to officially identify potential trafficking victims and refer them to care. • Consistent with amendments to the national trafficking law, adopt and implement a national referral mechanism to better identify, assist, and protect potential victims. • Implement child-sensitive investigation and prosecution procedures for cases in which children may be human trafficking victims. • 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 traffickers compelled them to commit. • In accordance with the criminal procedure code, allow for the use of alternate means to collect witness testimony. • Continue to collaborate with, and provide financial or in-kind

support to, civil society organizations providing assistance to victims.

PROSECUTION

The government maintained law enforcement efforts in some areas. Throughout 2018, the government utilized Article 124 of its criminal code, which 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." 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. On January 1, 2019, the government adopted amendments to the criminal code which addressed these gaps. Article 171 of the new code criminalized sex trafficking and labor trafficking and prescribed penalties of two and a half to five years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. The amended law also removed the requirement of a demonstration of force, fraud, or coercion to constitute a child trafficking offense and removed "child adoption for commercial purposes" as a form of exploitation under the definition of trafficking, thereby bringing the definition of trafficking in line with international law. 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 two trafficking investigations under Article 124 in calendar year 2018 but provided no additional information, such as how many involved sex or labor trafficking. The government reported initiating eight additional investigations under Article 124, all of which involved adoption fraud with no evidence of exploitation. In comparison, the government conducted four trafficking investigations in 2017. The government prosecuted eight suspects under Article 124, however all eight were involved in fraudulent adoption, rather than trafficking offenses. The government prosecuted seven alleged traffickers in 2017 and five in 2016. The government reported that Kyrgyz courts convicted five individuals under Article 124 during the first nine months of 2018, compared with convictions of seven traffickers in 2017. Limited data was available on sentencing; one trafficker was sentenced to seven years' imprisonment. In addition, the government opened 65 investigations of trafficking-related crimes, including pimping and brothel maintenance.

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, work with them as witnesses, and gather evidence outside of victim testimony. The government, in conjunction with international funding and partners, trained 1,112 officials, including judges, prosecutors, and law enforcement. An international organization noted that many of these trainings focused on a victim-centric approach.

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; legal researchers reported that changes to the criminal procedure code, implemented in January 2019, would reduce the likelihood that such bribes would be successful. Traffickers were reportedly also able to avoid punishment by offering victims payment to drop cases.

PROTECTION

The government increased efforts to protect trafficking victims. The government identified and referred 32 victims to international organizations and NGOs for assistance, compared with two identified victims referred to care by the government in the previous reporting period. The government also identified eight potential victims of sex trafficking and referred them to local NGOs for assistance. International organizations and NGOs reported assisting 183 victims in 2018, 171 of whom were subjected to forced labor, eight to sex trafficking, and four to both labor and sex trafficking; 29 of the victims were Uzbek citizens; one of the victims was a child and 106 victims were male. The government did not adopt standard identification procedures or a national referral mechanism that were initially drafted in 2017; experts have cited these gaps as an impediment to identifying and assisting victims. Although police sometimes referred potential victims to NGOs for assistance, it was not systematic. Local governments in Osh and Bishkek continued to provide rent-free facilities used by two NGO-run shelters that provided services for trafficking victims, including foreign nationals. One of the two Osh-based shelters discontinued on-site lodging for trafficking victims in 2018, after an international organization transferred operations to a local NGO; it continued to provide services on an ad hoc basis without support from the government. In March 2019, the government adopted standards to govern the operations, financing, and monitoring of shelters for victims of trafficking. Consular officials assisted eight trafficking victims abroad by providing no-cost travel documents, but the government did not report providing financial support for their repatriation. The government provided legal consultations to 29 foreign victims identified in 2018 and assisted with their repatriation.

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. The government finalized but did not adopt the referral mechanism during the reporting period. Experts reported that victims were highly vulnerable to pressure from traffickers to withdraw their complaint or settle informally; Ministry of Internal Affairs (MVD)'s witness protection unit reported assisting trafficking victims, but provided no additional details. 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. The new criminal code allowed for judges to receive victim testimony outside of court, or electronically over video calls. Government-provided attorneys reportedly lacked knowledge on handling trafficking cases. Analysts noted a lack of legal representation for

minor victims. While the law provided the opportunity to seize traffickers' assets and compensate victims, authorities did not report granting such restitution. 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 traffickers compelled them to commit; 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. In March 2019, the government formally designated the State Migration Service as the national coordinating body to prevent and combat trafficking in persons. The Coordination Council on Migration coordinated government efforts on migration issues, including combating trafficking in persons. The Council met four times at the local level to discuss implementation of the national action plan. The government created seven local level coordination councils, comprised of regional government representatives, NGOs, and local civic groups, and tasked with implementing the national referral mechanism, upon its adoption. In November 2018, the President's Office created the Council on Relations with Compatriots Abroad, tasked with supporting and protecting the rights and interests of Kyrgyz citizens abroad. The Kyrgyz Association of Women Judges conducted an analytical review of 254 criminal cases filed between 2014 and 2017 related to trafficking in persons; the analysis revealed keys gaps in the protection of victims and prosecution of alleged traffickers. The government cooperated with international organizations and 38 local NGOs to implement its media action plan to raise awareness on trafficking in persons, particularly among youth; the campaign reached an estimated 10,000 people across all seven regions of the country.

The government, with the support of an international organization, continued to operate employment centers in Bishkek and Osh that in 2018 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. 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; calls to the hotline in 2018 resulted in the identification of five trafficking 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.

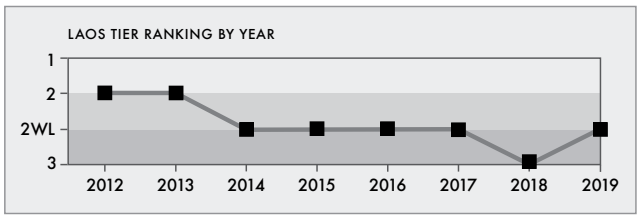
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the Kyrgyz Republic, and traffickers exploit victims from the Kyrgyz Republic abroad. 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, domestic service, and childcare provision. 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. The Russian re-entry ban has changed the nature of labor migration in the Kyrgyz Republic; approximately 77,000 Kyrgyz migrants are included and unable to legally return to Russia for work. Kyrgyz families on the Russian re-entry blacklist are increasingly sending their children to work in Russia, where they are vulnerable to trafficking.

Women and girls are subjected to sex trafficking abroad, reportedly in India, Kazakhstan, Russia, South Korea, Turkey, the United Arab Emirates (UAE), and within the country. Concerns persist about police misconduct and corruption, including allegations that police threaten and extort sex trafficking victims, including children, 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 traffickers. Women and underage teenaged girls from Uzbekistan and Tajikistan may be subjected to sex trafficking and Uzbek and Tajik men are vulnerable to forced labor 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 2 WATCH LIST

The Government of Laos does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Laos was upgraded to Tier 2 Watch List. These achievements included providing restitution to some victims of trafficking through the criminal justice process; directly providing services to trafficking victims, including male victims for the first time; issuing a decree in July mandating the creation of multi-sectoral anti-trafficking steering committees at the provincial and local levels; and conducting increased trainings and awareness-raising at the local level to assist with the implementation of the decree. Despite these achievements, the government continued to struggle to identify Lao and foreign victims of trafficking within Laos, despite growing concerns regarding vulnerability to trafficking in specialized economic zones, agricultural plantations, and large-scale infrastructure projects. Amid poor inter-ministerial coordination, policies constraining the operations of non-government service providers continued to impede effective protection efforts and the implementation of Laos' national action plan to combat trafficking.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to disseminate, implement, and train police and border officials on the National Victim Protection Guidelines, with a focus on vulnerable groups. • Screen for trafficking indicators among vulnerable groups, including but not limited to foreign workers and Lao men and boys working on large infrastructure, mining, and agricultural projects and returning from work overseas, and among Lao and foreign women in domestic prostitution. • Strengthen efforts to secure, formalize, and monitor border crossings in remote and mountainous areas commonly used by Lao labor migrants returning from abroad and screen for trafficking indicators among them. • Train law enforcement officials at the national and local level on updates to the Lao Penal Code to improve their ability to investigate, prosecute, and convict traffickers, including complicit officials and child sex tourists. • Collaborate with civil society to update and extend the National Action Plan beyond 2020, taking into account changing trends and trafficking vulnerabilities. • Increase government efforts and resources dedicated to service provision and assistance programs for victims, and expand these services for male victims. • Cease the requirement that victims formally request restitution in order to receive compensation from their traffickers. • 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 nongovernmental stakeholders. • Strengthen efforts at diplomatic missions overseas to identify and assist Lao victims of sex and labor trafficking.

PROSECUTION

The government increased law enforcement efforts. In November 2018, the government promulgated an updated penal code. Article 215 of the 2018 Penal Code criminalized sex trafficking and labor trafficking and prescribed increased penalties of five to 15 years' imprisonment and a fine of 10 million to 100 million Lao kip ($1,170 to $11,720); if the offense involved a child victim, the fine range increased to 100 million to 500 million Lao kip ($11,720 to $58,580). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2018, the Anti-Trafficking Department (ATD) within the Ministry of Public Security (MOPS) reported investigating 39 incidents (69 in 2017), culminating in the opening of 26 trafficking cases (44 in 2017). At the end of the year, there were 18 ongoing investigations (29 in 2017, 19 in 2016). Authorities initiated prosecutions in 12 cases against an unknown number of suspected traffickers (13 cases in 2017, 11 in 2016) and secured convictions against 27 traffickers in 11 cases (convictions in eight cases in 2017, six in 2016). Convictions included at least one case of sex trafficking of a minor, and at least one case of labor trafficking of Lao citizens abroad. In nine cases it was unclear if they met the definition of human trafficking; eight of these cases involved potential forced or fraudulent marriage of Lao women to Chinese men. Sentences ranged from one year and one month to 15 years and six months of imprisonment and fines ranging from 2 million to 100 million Lao kip ($234 to $11,720). Courts confiscated 70 million Lao kip ($8,200) in assets from traffickers. Courts ordered restitution in six cases, seizing assets ranging from 6 million to 110.25 million Lao kip ($702 to $12,920) and distributing amounts among the victims in each case. The government provided no information on prosecutions of foreign nationals in Laos who engaged in child sex tourism. However, the 2018 Penal Code added Article 262, criminalizing the travel from one country or place to another to engage in child sex tourism. Local village mediation units often handled citizens' complaints rather than the official judicial system; there were anecdotal reports that these units resolved some complaints of trafficking rather than referring them to law enforcement.

The Lao Anti-Trafficking Secretariat and National Steering Committee continued to provide training to law enforcement officials, and during this reporting period they directly funded trainings while collaborating with international organizations. Officials worked to disseminate the guidelines for management of trafficking cases, developed in partnership with an international organization, and a manual on prosecuting trafficking cases to judges and assistant judges throughout the country. MOPS, the Ministry of Labor and Social Welfare (MLSW), and immigration officials organized or participated in trainings on victim identification, interviewing skills, and referral and service provision for victims of trafficking. The Ministry of Justice organized trainings for district level police, the judiciary, and social welfare officials to disseminate information on laws related to trafficking. Lao law enforcement agencies continued to cooperate with multilateral organizations and counterpart agencies in Cambodia, China, Malaysia, Thailand, and Vietnam on transnational trafficking investigations and training opportunities. In at least one instance, this cooperation led to the conviction of a trafficker in Thailand who exploited a Lao national in the fishing industry.

Anti-trafficking organizations and media continued to report that some low-level officials may have 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 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 victim protection efforts. In furtherance of its adoption of the Coordinated Mekong Ministerial Initiative Against Trafficking in 2016, the government reported disseminating and implementing its victim identification manual to authorities beyond ATD officials, including border officials stationed near at-risk communities. For the first time, the government provided official assistance, including shelter, to male victims of trafficking, although the vast majority of services were available only for women. However, the government did not take adequate measures to identify domestic or foreign victims.

Authorities did not report a clear number of officially identified victims (86 in 2017, 184 in 2016). However, the Lao Women's Union (LWU) reported providing services, including shelter, to 52 victims of trafficking during 2018, including 47 victims of sex and labor trafficking abroad and five victims identified in Laos; all victims provided services were Lao citizens. Officials reported implementing National Victim Protection Guidelines, including in border areas with significant vulnerability to trafficking. The 2016 Anti-Trafficking Law entitles victims to temporary accommodation, legal advice, health care, education or vocational training, and financial assistance for reintegration. The LWU, which was responsible for government-provided services, operated a single shelter in Vientiane for victims of abuse that also offered services to trafficking victims. During a large operation against prostitution in Vientiane in October 2018, police detained 128 women including 35 foreigners; police did not screen these individuals to determine if they were victims of trafficking. Police reportedly identified four victims of sex trafficking, who they returned home without referring to services. Some victims received restitution through the criminal justice process; however, courts did not provide restitution or compensation unless the victim specifically requested it. Border authorities did not adequately screen returning migrants for trafficking indicators, especially those returning from Thailand.

Authorities in neighboring countries identified most Lao victims exploited abroad. Despite allegations of potential 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. The Ministry of Foreign Affairs conducted trainings for consular officers in China on how to handle claims of fraudulent marriage that could contain trafficking and how to repatriate victims; however, the Ministry did not report whether it trained officers in other countries on how to identify and assist victims. The MLSW provided a labor attaché in Thailand who monitored worksites, but it was not clear if they were trained to identify and refer trafficking cases.

PREVENTION

The government increased prevention efforts. In July 2018, the Prime Minister issued a decree mandating the creation of multi-sectoral anti-trafficking steering committees at the provincial and district levels to implement the 2016 Anti-Trafficking Law and National Action Plan. In furtherance of this decree, the government supported awareness campaigns and workshops to support sub-national jurisdictions to form their own anti-trafficking commissions. In an effort to implement the National Action Plan MLSW and the LWU held awareness-raising workshops on safe migration and the protection of victims of trafficking throughout the country, reaching 1,080 people. Trainings targeted district officials, public security, the labor and social welfare departments, the LWU, school administrators, and youth unions. MOFA held trainings to increase the understanding of regional and international conventions on transnational crime, including human trafficking, with a total of 352 participants. The Ministry of Education and Sports hosted awareness-raising seminars on human trafficking targeting education and sports administrators throughout the year, reaching 3,710 participants.

Regulations designed to prevent trafficking may in fact exacerbate vulnerability to trafficking for Lao workers migrating abroad. An MLSW regulation limiting the types of employment for Lao workers abroad potentially drove some workers to migrate through informal channels, increasing their vulnerability to unscrupulous agents and traffickers. MLSW oversaw 24 recruitment agencies authorized to recruit for jobs abroad; a study by an international organization found formal recruitment centers pass on fees to workers, increasing their vulnerability to trafficking.

In practice, inter-ministerial efforts on trafficking prevention remained uncoordinated amid resource constraints and restrictions on operating space for civil society. NGOs reported increased cooperation with the government; however, the 2017 Decree on Non-Profit Associations hampered cooperation, as it 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 funding levels or how it allocated this funding. In December 2018, the National Assembly approved a draft law on Lao Government Representative Offices Overseas that stipulated penal measures for the members and staff in Lao diplomatic offices who engage in human trafficking; the law was pending promulgation at the close of the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit victims from Laos abroad, and to a lesser extent, traffickers exploit domestic and foreign victims in Laos. Lao trafficking victims, especially from the southern region of the country, are often migrants seeking opportunities abroad whom traffickers exploit in labor or sex trafficking in destination countries—most often Thailand and China, as well as Vietnam, Malaysia, Taiwan, and Japan. Some victims migrate with the assistance of legal or illegal brokers charging fees, while others move independently through Laos' 101 official border crossings using valid travel documents. Many of these border crossing are managed by provincial or district level immigration authorities with less formal training and have more limited hours of operation, making them easier transit points for traffickers to facilitate the movement of Lao victims into neighboring countries. 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. Vehicle drivers sometimes intercept migrants when they return to Laos and facilitate their re-trafficking. Traffickers in rural communities often lure acquaintances and relatives with false promises of legitimate work opportunities or promises of marriage in neighboring countries then subject them to sex or labor trafficking.

Traffickers exploit a large number of Lao victims, particularly women and girls, in Thailand in commercial sex and in forced labor in domestic service, factories, or agriculture. Traffickers exploit Lao men and boys in forced labor in Thailand's fishing, construction, and agricultural industries. 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.

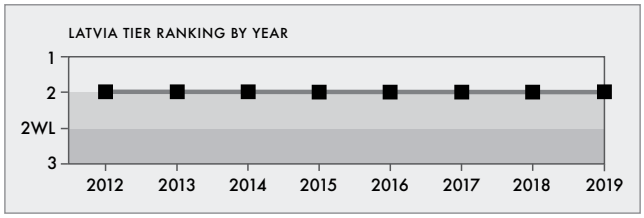
Laos is reportedly a transit country for some Vietnamese and Chinese women and girls who are subjected to sex trafficking and forced labor in neighboring countries, particularly Thailand. Sex traffickers also exploit Chinese women and girls in Laos.

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. There are reports that Burmese nationals working as manual laborers or 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—may be victims of trafficking, and are at significant risk of trafficking due to low pay and few legal protections within Laos.

Agricultural plantations and special economic zones continue to draw workers from outside Laos, with Chinese firms bringing in thousands of foreign nationals to work on project sites. 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. With insufficient oversight by local authorities, these workers are vulnerable to forced labor in mines, hydropower plants, and agricultural plantations. Other Lao communities may be vulnerable to labor exploitation, including 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. Lao workers are increasingly vulnerable to forced labor within Laos as they migrate internally for work opportunities on foreign investment projects; citizens receive government services based on their registration within their home province, and are often essentially undocumented and unable to obtain services for themselves or their family in another province within Laos without formal assistance from their employer to re-register, potentially leaving them at the mercy of unscrupulous employers. Traffickers exploit Vietnamese, Chinese, and Lao women and children in 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 and potentially vulnerable to sex trafficking, 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 and the July 2018 collapse of the Xe-Pian Xe-Namnoy saddle dam 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Latvia remained on Tier 2. These efforts included seizing approximately $2.3 million in assets from suspected traffickers; increasing the maximum amount of state compensation victims are legally able to receive; and collaborating in international anti-trafficking cases and projects. However, the government did not meet the minimum standards in several key areas. Authorities investigated fewer trafficking crimes and prosecuted fewer suspected traffickers. Many judges and prosecutors lacked a sufficient understanding of all forms of trafficking and applying anti-trafficking laws, resulting in courts issuing sentences with no prison time and fewer overall convictions. Officials enrolled fewer new victims, including no child trafficking victims, into the state assistance program; nevertheless, children in state orphanages remained vulnerable to sex trafficking. Additionally, children in state orphanages remained ineligible for state-funded trafficking victim assistance program benefits.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking cases under the trafficking statute (Section 154-1 of the criminal law) and punish convicted traffickers with prison sentences. • Identify trafficking victims, particularly minors in state care institutions induced into commercial sex, victims of sexual exploitation in Latvia's legal prostitution industry, and foreign workers in the agriculture and construction industries. • Amend regulations to allow for the enrollment of persons from state care institutions, such as orphanages, into the state-funded victim assistance program. • Establish a dedicated unit of prosecutors specializing in trafficking issues. • Expand efforts to train officials involved in judicial proceedings, particularly prosecutors and judges, 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. • Provide specialized services to child trafficking victims in residential institutions. • Train authorities from agencies tasked primarily with non-trafficking issues, such as the State Labor Inspectorate, State Employment Agency, State Border Guard, the Office of Citizenship, and Migration Affairs (OCMA), to identify trafficking cases for investigation and refer victims for assistance.

PROSECUTION

The government decreased law enforcement efforts. Sections 154-1 and 154-2 of Latvia's criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years' imprisonment for offenses involving adult victims and between three and 12 years' imprisonment for offenses involving child victims. These penalties were 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.

The State Police's anti-trafficking unit, comprising 19 officers, specialized in investigating trafficking, brokered marriages, and related crimes. In 2018, investigations and convictions continued a multi-year decline. Police investigated four new cases (three sex trafficking and one labor trafficking) involving eight suspects under Section 154-1, compared with seven cases involving four suspects in 2017. Authorities indicted one trafficker under Section 154-1, compared with three in 2017. Courts convicted one trafficker in 2018, compared with four in 2017. The convicted trafficker received a conditional sentence of five years, resulting in no prison time. Under Section 165-1, authorities investigated two new cases, indicted one defendant, and convicted one suspect, who did not receive a prison sentence. By comparison, in 2017, authorities investigated eight cases, indicted five defendants, and convicted six suspects. In 2018, the anti-trafficking police unit seized approximately $2.3 million in assets from suspected traffickers. The prosecutor general's office completed three judicial assistance requests in trafficking cases from the United Kingdom and Ukraine, and the government extradited four traffickers to the United Kingdom as a result of a 2017 joint investigation on a labor trafficking case. A 2014 case involving two Riga police officers charged with facilitating pimping remained in court at the end of the reporting period.

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. Furthermore, unlike the police, neither the prosecutor general's office nor the courts had units of prosecutors or judges specializing in trafficking or staff dedicated to trafficking issues. Consequently, prosecutors and judges possessed a limited understanding of trafficking. Experts 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 educational efforts during the reporting period by organizing a two-day training on prosecution and victim protection issues for 115 participants, including judges, prosecutors, police, and NGO representatives. Additionally, Latvia's judicial center coordinated various courses on trafficking for prosecutors, judges, and judges' assistants; however, only four percent of the total number of currently appointed judges registered for the training. Latvia's municipalities also organized a nine-part training series for police, attorneys, and prosecutors on victim identification, at-risk groups, rehabilitation, and interagency cooperation, and the State Border Guard trained its border guards in victim identification.

PROTECTION

The government maintained efforts to protect victims. The government contracted two NGOs to assist victims in the state-funded, NGO-run victim assistance program. This program offered victims medical and psychological assistance, legal representation, housing, and reintegration services. The government allocated the same amount of funding for the program as in 2017—€135,110 ($154,940). Authorities enrolled victims in the program based on decisions by either law enforcement or an NGO-led panel of experts. Authorities enrolled 20 new victims (24 victims in 2017). Ten were adult males; 10 were adult females. Eleven were victims of labor exploitation, including forced criminal activities; five of domestic or international sex trafficking; and four of forced sex or labor trafficking as a result of brokered marriages. All victims in the state program were Latvian nationals. While the government reported concerns of suspected labor trafficking of Ukrainian guest workers in the Latvian agriculture and construction industries, no victims were identified. 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 Labor Inspectorate, State Employment Agency, State Border Guard, and the OCMA, rarely referred trafficking cases for investigation or victims for assistance. Identifying child sex trafficking victims domestically remained a challenge, and the government did not identify any such victims in 2018. Observers expressed concern that state orphanages did not report cases of commercial sexual exploitation of institutionalized minors and instead gave victims limited assistance available onsite. Regulations did not allow persons from state care institutions, such as orphanages, to enroll in the state trafficking victim assistance program. Experts also expressed concern about human trafficking 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 victims.

NGOs reported good cooperation with law enforcement on trafficking investigations. Seven victims in the state rehabilitation program cooperated with law enforcement in 2018 (13 in 2017); male victims were often reluctant to work with police. In 2018, the state compensation program provisions changed, increasing the maximum amount of state compensation to up to 90 percent of five months' salary at minimum wage. Four trafficking victims received compensation from the State Agency for Judicial Assistance, which administered the victims' compensation program. Two 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. Several ministries published quarterly and annual reports on trafficking, including a survey on the scope and social backgrounds of identified victims. The government participated in a project assisting the Government of Moldova in implementing international anti-trafficking standards. The government also participated in a multi-country project, establishing a comprehensive approach to the prevention and investigation of labor trafficking cases, particularly cases combining economic crime and illicit financial flows. The Office of the Ombudsman in conjunction with an NGO monitored sexual abuse in orphanages and boarding schools to identify the risks of sex trafficking in this sector. The government amended Latvia's law on tourism to require the licensing of tourism operators to reduce the risks of child sex tourism and increase controls over safe tourism. The state monitored the activities of licensed employment agencies and canceled licenses for 12 agencies in violation (34 in 2017). Various ministries contributed to a number of awareness-raising activities, including promoting

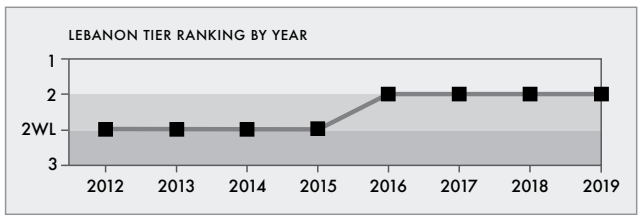
campaigns focusing on safe travel and labor exploitation. The government maintained emergency helplines that received 56 calls on potential trafficking situations; specialists referred eight cases to law enforcement and NGOs.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and, to a lesser extent, foreign victims in Latvia, and traffickers exploit victims from Latvia abroad. Traffickers subject Latvian women and girls to sex trafficking in Latvia and other parts of Europe. Latvian women recruited for brokered marriages in Western Europe are vulnerable to sex trafficking, domestic servitude, and forced labor. Traffickers target single women with limited education, minors from disadvantaged families, students, unemployed adults, and people with mental disabilities by word-of-mouth and through social media. 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. Government officials report concerns of possible domestic labor trafficking of Ukrainian guest workers in the agriculture and construction industries.

LEBANON: TIER 2

The Government of Lebanon does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Lebanon remained on Tier 2. These efforts included increasing investigations of suspected trafficking cases and identifying an increased number of trafficking victims. The government also strengthened its partnerships with NGOs, including through improved cooperation to screen for potential victims in a government-run migrant detention center. However, the government did not meet the minimum standards in several key areas. The Ministry of Justice (MOJ) reported that collection of judicial data across the country remained a serious challenge, thus officials reported they were unable to provide complete judicial statistics on trafficking cases. The government did not fully implement victim identification and referral procedures, which resulted in the potential for some victims to face arrest, detention, or deportation for unlawful acts traffickers compelled them to commit. Moreover, Lebanon's sponsorship system, which places a significant amount of power in the hands of employers of foreign workers, continued to create vulnerabilities for the exploitation of migrant workers and remained a significant impediment to authorities identifying and protecting trafficking victims. In addition, the government did not report identifying or referring any victims of labor trafficking, despite several cases being addressed by law enforcement.



PRIORITIZED RECOMMENDATIONS:

Develop and implement procedures to identify trafficking victims among vulnerable populations, such as illegal or detained migrants, women holding *artiste* visas, domestic workers, and Syrian refugees and subsequently refer them to protection services. • Increase efforts to ensure trafficking victims are not arrested, detained, or deported for unlawful acts traffickers compelled them to commit, such as immigration or prostitution violations. • 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. • Strengthen and expand efforts to reform the sponsorship system to ensure all foreign workers, including domestic workers and *artiste* visa holders, are not bound to abusive employers, and allow workers full freedom of movement. • Screen all detained domestic workers for potential trafficking victims in detention centers and refer those victims to care. • Take concrete steps to establish greater oversight over *artiste* visas, a program that largely contributes to the vulnerability of women to sex trafficking. • Ensure the judiciary coordinates with the Directorate of General Security (DGS) to consistently apply Lebanon's anti-trafficking law by granting temporary residency permits for trafficking victims and allowing victims to work. • 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. • Improve the judiciary's capacity to collect, compile, and track data and outcomes of trafficking cases from all courts. • Formally establish the victim assistance fund. • Adopt and implement the draft national action plan. • Enact the labor law amendment extending legal protections to all foreign workers, including domestic workers and *artiste* visa holders. • Launch an awareness-raising campaign.

PROSECUTION

The government increased investigations of suspected trafficking cases, but the government's judicial data was incomplete due to limitations in data collection and management. The 2011 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of five to seven years' imprisonment and fines if the offense involved an adult victim, and 10 to 12 years' imprisonment and fines for those involving a child victim. 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.

In 2018, the Internal Security Forces (ISF) investigated 45 cases of suspected sex trafficking and child trafficking, involving 151 victims. DGS investigated 167 suspected trafficking cases involving migrant domestic workers and women holding *artiste* visas. The 212 investigations in total represented an increase from the 134 total investigations initiated by both the ISF and DGS in the previous reporting period. The DGS reported that 124 of the 167 cases resulted in the following outcomes: referral to judicial or law enforcement authorities for further investigation, payment of back wages to workers, and repatriation of migrant workers. The MOJ reported its judicial data was incomplete due to limitations and challenges in collecting country-wide data. Nevertheless, during the reporting period, the MOJ reported that public prosecutors referred at least

38 cases to investigative judges, who charged and prosecuted 69 alleged traffickers under the anti-trafficking law; these cases involved sex trafficking, labor trafficking, and forced child begging. Sixty-five of these prosecutions remained pending at the end of the reporting period; these cases, like many in Lebanon's overworked judicial system, took significant time to resolve. During the previous reporting period, the MOJ reported more comprehensive judicial data reflecting that public prosecutors referred 109 trafficking cases to investigative judges. During this reporting period, the government convicted and sentenced four traffickers, three involving forced child begging and one involving sex trafficking; these traffickers received sentences that ranged from three to 15 years' imprisonment. In the previous reporting period, in late March 2018, the government convicted and sentenced four traffickers, each of whom received five-year jail sentences. Officials generally sought to resolve trafficking cases involving foreign workers through mediation between the employer and worker, rather than referring 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 visa program that sustained a significant commercial sex industry in Lebanon and enabled sex trafficking.

The ISF anti-trafficking unit remained understaffed and underfunded, with only 23 officers covering Lebanon and no field offices outside of Beirut, which continued to limit the ISF's work and ability to recruit and train new officers for the unit. The ISF, DGS, and MOJ occasionally included training and awareness of trafficking issues as a part of their curriculum for personnel. Additionally, during the reporting period, the ISF trained 24 officers at the ISF Academy on victim protection and investigative techniques for cases of trafficking and sexual exploitation. The government also continued to encourage and allow officials to participate in anti-trafficking trainings provided by NGOs.

PROTECTION

The government increased efforts to identify trafficking victims, but authorities continued to arrest, detain, and deport potential trafficking victims. 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. Through the course of investigations during the reporting period, the ISF identified 149 victims of sex trafficking, as well as three newborns who traffickers allegedly attempted to exploit; this represented a substantial increase from the 55 victims the ISF identified in the previous reporting period. The ISF referred seven of the 149 identified victims to protection services, while the DGS referred an additional 25 victims to care. Although the ISF did not report if the remaining 142 identified victims received appropriate care, ISF and NGOs reported that some sex trafficking victims preferred or requested not to receive shelter or other protective services. In addition, the government reported a DGS-operated hotline received 660 calls that resulted in the repatriation of 97 female *artiste* visa holders—some of whom may have been unidentified trafficking victims—following DGS investigations. 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, even though men among the Syrian refugee population remained vulnerable to trafficking. Pursuant to a longstanding memorandum of understanding between the government and an NGO, the DGS referred female victims to an NGO-run safe house and provided security for the location; victims were not allowed to work while receiving assistance at the safe house. In 2018, the safe house assisted 201 trafficking victims. 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 continued to collaborate with an NGO through a committee dedicated to drafting a handbook that outlined 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 unlawful acts traffickers compelled them to commit, such as domestic workers who fled abusive employers, out-of-status or irregular migrant workers, women holding *artiste* visas, and persons in prostitution. Under Lebanon's sponsorship system, foreign workers—including foreign trafficking victims—who left their place of employment without permission from their employer forfeited their legal status, thereby increasing the risk of arrest, detention, and deportation. 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. 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. For the past 18 years, the DGS has allowed an NGO to operate a permanent office inside the detention center that allowed their staff unhindered access to detainees to provide medical and psycho-social services. The DGS also continued to permit the NGO to interview detainees to identify trafficking victims among the detention center population; the NGO identified and assisted 25 victims in the center in 2018. 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.

Victims were able to file civil suits to obtain compensation. Victims were also 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. 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 modest efforts to prevent trafficking. The national anti-trafficking steering committee continued its monthly meetings during the reporting period. The government did not adopt its draft national anti-trafficking action plan, but relevant ministries continued to implement portions of the plan. The government did not report efforts to implement anti-trafficking public awareness campaigns during the reporting period. DGS, Ministry of Labor (MOL), and ISF continued to operate hotlines to receive reports of abuse and migrant worker complaints, including for trafficking crimes. During the reporting period, the municipality of Tripoli—in cooperation with an NGO—continued to operate 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 objected to the visa's terms, she was free to return to her home country. Under a directive from the DGS, airport officers continued to return passports directly to foreign domestic workers upon their arrival in Lebanon; however, NGOs reported that many employers ultimately confiscated workers' passports in private.

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 maintained 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. In 2018, the MOL revoked the licenses of 13 employment agencies for either violating a regulation prohibiting agencies from withholding employees' salaries or because of labor complaints filed against them. The government, however, did not report prosecuting any recruitment or employment agencies for potential trafficking crimes during the reporting period. The MOL and ISF continued to require Syrian refugees to hold work permits that bound them to their employers in some formal work sectors, such as in restaurants, grocery stores, and some forms of manual labor; this requirement created greater vulnerability to forced labor. 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. Easing these restrictions reduced incentives for this vulnerable population to enter into illicit employment or engage in child street begging. Following an agreement signed in early 2017 between DGS, MOL, and the Farmers' Union in Lebanon that addressed protections of foreign children—primarily Syrians—younger than the age of 16 from agricultural work, MOL continued to provide training to DGS officers and farmers in the Bekaa Valley. The government did not provide anti-trafficking training for its diplomatic personnel.

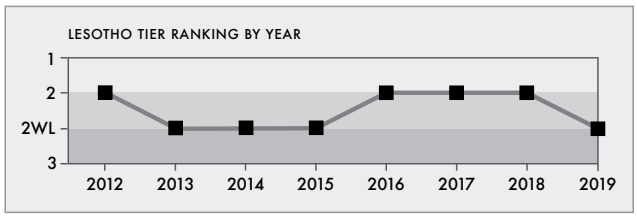
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Lebanon, and traffickers exploit victims from Lebanon abroad. Women and girls from South and Southeast Asia and an increasing number from East and West Africa are subjected to domestic servitude in Lebanon. 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 exploited or abused by their employers; some employment agencies recruit workers through fraudulent or false job offers. Women primarily from Russia, Ukraine, Belarus, Moldova, Morocco, and Tunisia legally enter Lebanon to work as dancers in nightclubs through Lebanon's *artiste* visa program, which is valid for three months and can be renewed once. 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 that sponsor them, and nightclub owners withhold the women's passports and wages and control their movement; these women also experience physical and sexual abuse and domestic servitude. The government reported 3,105 women entered Lebanon under this program in 2018, which was a significant decrease from 10,363 *artiste* visa holders that entered Lebanon in 2017.

Men, women, and children among the estimated 1.3 million Syrian refugees in Lebanon are at high risk of sex trafficking and forced labor. 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, Syrian 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. Similarly, an international organization reports evidence of bonded labor within refugee communities where child labor is used in exchange for living in informal tented settlements. Child labor and forced 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 on the streets of main urban areas such as Beirut and Tripoli and in the agricultural sector of Bekaa and Akkar; for example, in 2019, international organizations anecdotally reported the presence of children working in illegal cannabis farms in the North Bekaa region. Furthermore, NGOs report that some Syrian refugee 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. Family members or powerful local families force some Syrian refugee women and girls into commercial sex acts or early marriage 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 in Lebanon. An international organization reported in 2017 that some employers coerce Syrian refugee men to perform sex 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 WATCH LIST

The Government of Lesotho does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included providing financial support to an NGO partner who provided protection services to all identified victims, conducting awareness-raising activities in partnership with an international organization and a local NGO, and updating the 2014 national action plan. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not investigate or prosecute any potential trafficking cases and did not convict any traffickers for the third consecutive year. Despite serious concerns of official complicity in trafficking crimes, the government did not report any investigations, prosecutions, or convictions of government officials for such acts, which appeared to restrict all law enforcement actions during the year. The government identified fewer victims, and did not finalize standard operating procedures on victim identification or the national referral mechanism for the third consecutive year. The government did not allocate funding for the Victims of Trafficking Trust Fund for the eighth consecutive year or fund the Child and Gender Protection Unit (CGPU), responsible for handling trafficking cases within Lesotho law enforcement. The government did not train front-line responders, which often resulted in law enforcement re-traumatizing potential victims. 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. Therefore Lesotho was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers through independent and fair trials, including officials complicit in trafficking crimes. • Finalize and implement guidelines for proactive victim identification and standard operating procedures for referring identified victims to care, in line with the anti-trafficking act regulations. • Provide trafficking-specific training to police investigators, prosecutors, judges, and social service personnel. • Adequately fund the CGPU and establish a CGPU focal point in all 10 districts of Lesotho to ensure effective responsiveness to all potential trafficking cases. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment and remove the requirement of force, fraud, or coercion to constitute a child sex trafficking offense. • Allocate funds for the Victims of Trafficking Trust Fund and implement procedures for administering the funds. • Allocate funding to support operation of the multi-agency anti-trafficking task force. • 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. • Provide anti-trafficking training to diplomatic personnel. • Increase efforts to systematically collect and analyze anti-trafficking law enforcement and victim protection data. • Increase oversight of labor recruitment agencies licensed in Lesotho.

PROSECUTION

The government decreased law enforcement efforts, and the human trafficking law remained inconsistent with international law. 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 ($69,690) for the trafficking of adults and up to life imprisonment or a fine of 2 million maloti ($139,370) 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 ($2,090) or 30 months' imprisonment, or both; these penalties were not sufficiently stringent nor commensurate with other grave crimes, such as rape.

During the reporting period, the government did not investigate any potential trafficking cases and did not prosecute any suspected traffickers, despite many cases being reported to the police. In comparison, during the previous reporting period, the government investigated one case of sex and labor trafficking and prosecuted 10 cases. For the third consecutive year, the government did not convict any traffickers. The CGPU, a specialized anti-trafficking unit within the Lesotho Mounted Police, was operational but did not receive adequate financial or political backing to effectively investigate potential cases of trafficking. The government did not report any investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns and appeared to inhibit all law enforcement action during the year. For example, while experts reported the significant case backlog dating back at least six years was the result of the government officials never prosecuting such cases due to corruption; rather, authorities commonly postponed cases until the court dropped or removed them from the docket following payment from alleged traffickers. Although the government was aware of an organized crime syndicate operating a brothel in South Africa where sex trafficking of Basotho women occurred, efforts to liaise with South African officials did not yield tangible results, such as arrests, prosecutions, or convictions of the traffickers involved. Observers reported the lack of progress over several years to disrupt the suspected traffickers was due to official complicity of both Basotho and South African officials closely linked to the brothel. Observers alleged Basotho diplomats in South Africa were involved with facilitating fraudulent documents to support illegal migration during the reporting period, which may have involved trafficking victims. Many law enforcement officials had limited understanding of trafficking, how to protect victims

from potential intimidation from traffickers, and often did not demonstrate a victim-centered approach.

Many front-line officials believed trafficking to be a movement-based crime and did not screen for trafficking among vulnerable groups, including migrants. Border points between Lesotho and South Africa were extremely porous, immigration officials did not screen for trafficking indicators, and law enforcement officials were allegedly complicit with traffickers regularly operating at the Maseru Bridge border crossing. Moreover, senior immigration officials acknowledged that people regularly cross the borders in plain sight illegally, including with children, without repercussion. Front-line responders regularly conflated gender-based violence and trafficking and some police officers exhibited extreme insensitivity towards child victims of sexual abuse, including potential trafficking victims. Observers noted that reporting potential trafficking cases to the police made child victims more vulnerable. Despite the significant need for training across all agencies, the government did not train front-line officials during the reporting period. There was a lack of coordination between law enforcement officers and prosecutors, which sometimes resulted in acquittals if police did not collect proper evidence, prosecutors were unable to charge a suspect for trafficking, and magistrates could not amend the charge once it reached them. For the fourth 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.

PROTECTION

The government decreased efforts to identify and protect victims. The CGPU identified seven victims of labor trafficking, while five victims either self-identified or were identified by family members. In comparison, during the previous reporting period, the CGPU identified 12 victims. The CGPU referred the seven victims it identified to an NGO that provided counseling and assistance, while victims who self-identified referred themselves to the same NGO. The CGPU had limited capacity to respond to potential cases in Lesotho's ten districts because it operated centrally from Maseru, the capital, and could only provide guidance at a distance to other police units who were less capable of responding to trafficking cases. Furthermore, the government did not provide a budget line item to fund the CGPU or its anti-trafficking activities for the CGPU; limited resources restricted its effectiveness assisting victims. Observers reported government social workers often did not respond to requests to certify victims or respond to potential cases. The government continued to provide 168,000 maloti ($11,710) for rent and 15,000 maloti ($1,050) for utilities at an NGO-run shelter that cared for all identified victims throughout the reporting period; however, funding was consistently delayed and, as a result, the NGO was many months behind on paying rent for the shelter. There were no shelters equipped to provide protective services for male victims. For foreign victims, provision of care beyond a 60-day reflection period was dependent on their cooperation with law enforcement; authorities repatriated victims who did not cooperate with law enforcement after the reflection period. The government did not allocate funding for the Victims of Trafficking Trust Fund for the eighth consecutive year, which it had established to ensure consistent provision of protective services and to provide restitution for victims. The government did not finalize standard operating procedures for victim identification or the national referral mechanism for the third consecutive year.

The anti-trafficking act and its implementing regulations prohibited the prosecution of victims for unlawful acts traffickers compelled them to commit, afforded foreign victims permanent residency as a legal alternative to their removal, and encouraged victims to assist in the investigation of traffickers; however, the government did not implement these provisions during the reporting period. In the case of a victim whose travel documents were missing, the Ministry of Foreign Affairs had the responsibility to coordinate with the victim's home country for the issuance of travel documents within 60 days of victim identification. In the case of one Nigerian labor trafficking victim, however, various government officials intentionally impeded his efforts to obtain a new Nigerian passport, issuing him only an exit visa for Lesotho to travel to the Nigerian embassy in South Africa. When the victim expressed his concerns that the authorities would not let him re-enter Lesotho, they refused to issue him a visa allowing his return. Government officials responsible for anti-trafficking efforts publicly expressed doubt about his legitimate status as a victim, despite clear trafficking indicators and being a certified victim, and refused to grant him immigration relief or allow him to see his family in Nigeria despite the protracted, five-year wait for his case to be tried.

PREVENTION

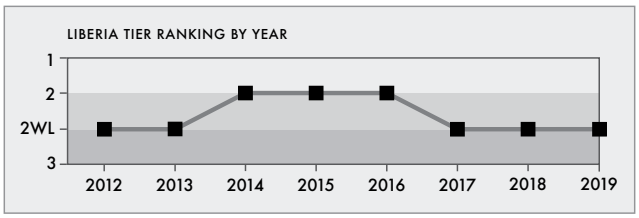
The government decreased its efforts to prevent trafficking. The multi-sectoral committee (MSC) met four times, and its member ministries, in partnership with an international organization and a local NGO, conducted public awareness activities in two previously neglected regions, Mafeteng and Qacha's Nek, which both share a border crossing with South Africa. These activities targeted 5,000 students, included five radio spots, and posting and distribution of printed material in public areas. The MSC lacked formal processes, including administrative procedures, to determine action items and track progress against national anti-trafficking goals; it lacked coordination among members and the Director of Public Prosecutions (DPP) office did not regularly attend. Senior government officials did not support and appeared to impede efforts made by the MSC. Moreover, the MSC did not invite NGOs to participate in its meetings, which reduced transparency and efficacy of its national anti-trafficking efforts. In coordination with an international organization, the government began updating the 2014 national action plan, set to be finalized by the end of 2018; however, the draft remained pending completion at the close of the reporting period. The government continued to participate in the Southern African Development Community regional data collection tool by uploading information on trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. The government drafted a national labor migration policy in 2018, but did not provide information on its efforts to regulate and oversee labor recruitment. The government had an agreement with the Government of South Africa that aimed to increase 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; it is unclear if this agreement resulted in tangible progress to reduce vulnerability of such Basotho vulnerable to trafficking. 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, human traffickers exploit domestic and foreign victims in Lesotho, and traffickers exploit victims from Lesotho abroad. In Lesotho, traffickers exploit Basotho children in domestic servitude and animal herding; traffickers increasingly exploit children, especially orphans who migrate to urban areas, in sex trafficking. Basotho women and girls seeking work voluntarily migrate to South Africa, where traffickers detain some in prison-like conditions and exploit others in sex trafficking. Traffickers exploit some Basotho men who migrate voluntarily, although illegally and often without identity documents, to South Africa for work in agriculture and mining in 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. Traffickers connected to organized crime syndicates operating in South Africa exploit and sometimes kill Basotho men by depriving victims of oxygen in derelict mines. Traffickers also compel Basotho 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 but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by supporting victims during trial by providing transportation, security, and shelter; organizing public awareness events with high-level officials; and training more law enforcement officials on identifying and investigating trafficking. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Complicity and corruption inhibited anti-trafficking law enforcement action, and law enforcement officials continued to lack adequate resources and understanding of trafficking to effectively investigate and prosecute trafficking crimes. Shelter and services for victims remained limited, and the government did not allocate an operating budget to the anti-trafficking task force or its working-level body, the TIP Secretariat. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Liberia was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Liberia remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to more vigorously investigate and prosecute trafficking cases, including internal trafficking cases and officials accused of complicity. • Amend the 2005 anti-trafficking law to remove the requirement of a demonstration of force, fraud, or coercion in child sex trafficking cases and to prescribe penalties for adult trafficking that are sufficiently stringent and commensurate with the penalties for other grave crimes. • In partnership with international organizations and experts, train and equip law enforcement, immigration officials, labor inspectors, and social workers to more effectively identify trafficking victims as well as to identify, investigate, and prosecute trafficking offenses. • Provide operating and victim protection budgets and in-kind resources, as feasible, to the anti-trafficking task force. • Endorse the national referral mechanism, and facilitate training for law enforcement and social workers on implementation. • Increase efforts to raise awareness of trafficking, including internal trafficking. • Expand victim services—particularly for victims outside the capital, males, and victims requiring long-term care—through increased financial or in-kind support to shelters. • Enforce the 2005 law requiring restitution be paid to trafficking victims.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2005 Act to Ban Trafficking in Persons criminalized some forms of sex trafficking and all forms of labor 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 child sex trafficking were commensurate with those prescribed for other serious crimes, such as kidnapping, but those prescribed for adult sex trafficking were not. 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 government investigated five cases, initiated prosecutions of two defendants, and convicted one trafficker, compared with four investigations, four prosecutions, and four convictions in the previous reporting period. Many officials continued to view internal trafficking, especially child domestic servitude, as a community practice rather than a crime and therefore did not often investigate or prosecute these cases. In other cases, prosecutors may have pursued other charges, including rape, in lieu of sex trafficking. Beginning in May 2018, judges prosecuted a suspected labor trafficker; the government convicted the suspect, a Sierra Leonean woman, and sentenced her to eight years' imprisonment. In March 2019, the government initiated prosecution of a suspect who allegedly brought two children from Guinea and exploited them in street vending; the prosecution was ongoing at the end of the reporting period. The government did not report efforts to investigate, prosecute, or convict allegedly complicit officials. Contacts reported law enforcement occasionally accepted bribes from suspected traffickers to end investigations. During the previous reporting period, the United Kingdom expelled two Liberian diplomats for allegedly facilitating prostitution and potentially sex trafficking; the government has not reported investigating these allegations and one of the accused diplomats is reportedly serving in a new post. NGOs and officials reported some government employees may have been directly complicit in child trafficking, including for domestic servitude and street vending.

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 forced labor, and the Liberian

Immigration Service (LIS) could investigate transnational trafficking. LIS created a new Anti-Human Trafficking and Migrant Smuggling Unit comprising five officers, with one stationed at each of Liberia's five major ports of entry. 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. With support from an international organization, the LNP incorporated anti-trafficking training into its curriculum and trained 12 LNP trainers who then trained approximately 41 law enforcement officers. The head of the LIS anti-trafficking unit trained 30 border security officers on trafficking. The government partnered with an international organization to conduct a four-day workshop on human trafficking and child labor attended by 17 government officials from the MOL, LIS, LNP, Ministry of Gender, Children, and Social Protection (MOGCSP), Ministry of Justice, and Ministry of Internal Affairs. The government provided some support for two officials to participate in two separate international conferences on trafficking. Nonetheless, officials and NGOs 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 identified at least two trafficking victims, compared with four trafficking victims identified the previous reporting period. Poor record keeping and inadequate resources hindered reliable data collection, and statistics were often not disaggregated to differentiate trafficking from similar crimes. The MOGCSP estimated that it provided assistance to at least eight victims and 30 potential child trafficking victims during the reporting period. While the government had standard operating procedures to identify trafficking victims, authorities reported the majority of law enforcement, immigration, and social services personnel lacked training on such procedures and, at times, identified some trafficking victims 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 this lack of awareness of trafficking among authorities and communities, as well as insufficient government resources to identify trafficking victims, most trafficking victims remained unidentified. In November 2018, the government finalized the national referral mechanism to direct victims towards services, but the cabinet must formally endorse the mechanism before it can be implemented. 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 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. Government-provided shelter and services remained basic and short-term. The MOGSCP reported that it 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 previous 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. Shelter and services were available to both domestic and foreign victims. No shelter was available for adult male victims, although some MOGCSP shelters could accommodate young boys. Adult victims were sometimes allowed to leave the shelters at will. Shelters often could not protect victims' identities, and stays were limited, usually up to three months due to capacity. MOGSCP could arrange foster care for victims who required longer-term care. MOGSCP continued 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 two Sierra Leonean trafficking victims identified in Liberia.

The government did not systematically encourage victims to participate in investigations and prosecutions of their traffickers but at times provided victim-witnesses support to offset the costs of participating in a trial; the government, in partnership with NGOs, provided transportation, accommodation, and security for two Sierra Leonean victims when they returned to Monrovia for their alleged trafficker's trial. 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 penalized victims for unlawful acts traffickers compelled them to commit; 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 efforts to prevent trafficking in persons. The anti-trafficking task force met regularly but neither the anti-trafficking task force nor the TIP Secretariat had an operating budget. The government implemented some activities in the 2013-2018 anti-trafficking national action plan but activities were limited due to lack of resources. During the reporting period, the government collaborated with NGOs and international organizations to review the 2013-2018 anti-

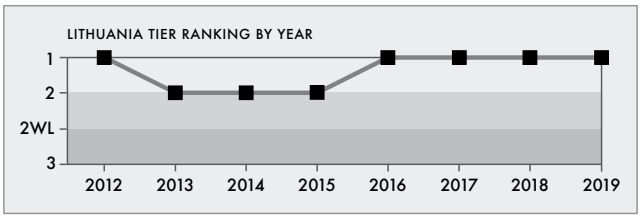
trafficking national action plan and propose inputs for the 2019-2024 national action plan, which was finalized in March 2019. During the review process, the government extended the 2013-2018 national action plan through June 2019. In July and August 2018, the government, including the anti-trafficking task force collaborated with international organizations and NGOs to organize public awareness activities around World Day Against Trafficking with participation of high-level officials such as the president pro-tempore of the senate, minister of gender, and the deputy minister of justice. The president recorded a video-message about human trafficking that the government broadcasted on television and radio for several weeks. In collaboration with NGOs, the MOL continued to staff an anti-trafficking hotline during business hours; the hotline received 30 calls in 2018, five of which were referred to the LNP, MOGCSP, or MOL. Similar to the previous reporting period, LNP visited popular beaches and entertainment centers in Monrovia known to have high instances of child sex trafficking, spoke with community groups, and distributed fliers to sensitize citizens on child protection issues; the LNP arrested two suspects for potential trafficking crimes. MOGCSP continued a government-funded program to provide shelter, psychological counseling, and family reunification to vulnerable street children and provided services to approximately 200 children through this program. The government made limited efforts to reduce the demand for commercial sex and forced labor. The government inspected artisanal gold mining operations—where most child labor in the gold mining sector took place—for child labor or forced child labor but did not report any such violations. The government did not provide anti-trafficking training for its diplomatic personnel; there were allegations that two Liberian diplomats in the United Kingdom engaged in human trafficking during the previous reporting period.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Liberia, and traffickers exploit victims from Liberia abroad. 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 small-scale 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, about 25 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 vending 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. In previous reporting periods, officials documented allegations of women in sex trafficking in Chinese-run hotels. Authorities identified 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. In the past, 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. These efforts included convicting significantly more traffickers; increasing funding to NGOs for victim assistance programs, resulting in the provision of support to more victims and at-risk individuals; and implementing reforms to the childcare system, including the removal of children from state-run institutions, such as orphanages. Although the government meets the minimum standards, authorities investigated and prosecuted fewer trafficking cases. A lack of victim protection during the investigation and trial process hampered law enforcement efforts, and a lack of knowledge within relevant agencies in recognizing indicators of child trafficking resulted in fewer child victims identified. Authorities inconsistently implemented victim identification and referral mechanisms throughout the country, especially in rural areas where officials' propensity to blame trafficking victims persisted.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to proactively investigate and effectively prosecute sex trafficking and labor trafficking cases and impose prison sentences on convicted traffickers. • Increase efforts to identify victims, particularly children, through enhanced training for police and child protective services officials. • 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. • Provide specialized services to child victims in foster care homes and mixed-use shelters. • Ensure victims have access to appropriate mental health professionals during the interrogation process. • Expand training for investigators and prosecutors on building trafficking cases, including collecting evidence to corroborate victim testimony. • Develop training for officials on working with victims and understanding all forms of trafficking.

PROSECUTION

The government decreased law enforcement efforts, but increased the number of convictions. Articles 147 and 157 of the criminal code criminalized sex trafficking 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 11 investigations (one for sex trafficking, 10 for labor trafficking, including forced criminality and forced begging), compared with 35 in 2017. The government initiated prosecutions of 31 suspected traffickers (54 in 2017) and convicted 44 traffickers under articles 147 and 157 (20 in 2017). Nearly all traffickers received prison sentences with terms ranging from one to eight years. However, courts suspended eight traffickers' jail sentences and sentenced four traffickers with fines and no jail sentences. Government officials reported collecting adequate evidence remained a problem in prosecuting trafficking cases, specifically cases that occurred outside of Lithuania. The government collaborated with foreign counterparts in 32 international trafficking investigations, compared with 21 in 2017. The general prosecutor's office received one request for extradition (one in 2017) and issued two European arrest orders in trafficking cases (five in 2017). The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The National Police organized training sessions on how to conduct trafficking-related criminal investigations for 30 police officers, 72 judges, and 33 specialized prosecutors who participated in conferences and trainings dedicated to combating trafficking. The border guard arranged anti-trafficking training events for 36 border officials. The interior ministry organized a seminar in five municipalities; approximately 220 local authorities and law enforcement officials attended.

PROTECTION

The government maintained protection efforts. Authorities identified 58 victims in 2018 (60 in 2017); three were minors (eight in 2017). Government-funded NGOs supported 239 trafficking victims and at-risk individuals (219 in 2017). The central government allocated NGOs €165,000 ($189,220) for victim assistance programs, compared with €115,000 ($131,880) in 2017; local governments allotted €48,000 ($55,050) to support trafficking victims. The government assisted 19 Lithuanian trafficking victims exploited overseas in obtaining legal documents, providing consultations, and coordinating with local NGOs for additional aid. While authorities implemented formal victim identification and referral mechanisms for victim assistance, observers reported authorities in some parts of the country underutilized both. Observers also continued to report local officials' tendency to blame trafficking victims, especially in rural areas.

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 lacked knowledge in recognizing indicators of child trafficking, especially in rural areas. Child sexual abuse victims, including trafficking victims, 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; government-funded NGOs assisted 128 male victims. Law enforcement's shortcomings in adequately protecting victims during the investigation and the trial process contributed to victims' reluctance to assist cases. In particular, traffickers threatened victims as they were entering or exiting the courtroom and victims' lacked access to mental health professionals during or after their interrogations by law enforcement. 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 no foreign victims in 2018 and 20 in 2017. While the government provided legal representation to victims, observers reported attorneys had little experience with trafficking issues; as a result, NGOs often hired private attorneys for victims. In 2018, 19 victims received approximately €70,000 ($80,280) in compensation; in 2017, 13 victims received approximately €34,000 ($38,990) in compensation.

PREVENTION

The government increased prevention efforts. The government allocated approximately €183,000 ($209,860) to implement its national action plan and maintained an interagency commission for coordinating anti-trafficking efforts. Municipalities financed and implemented reforms to the institutional child care system with the goal to move all children from institutions to families by 2020; for instance, the municipality of Kaunas moved 79 children from all state-run institutions, such as orphanages, to foster care homes. The interior ministry developed guidelines to help municipalities counter human trafficking at the local level; 19 municipalities adopted these guidelines. The interior ministry cooperated with the United Kingdom (UK) on combating trafficking, including partnering with civil society in the UK to provide assistance to victims. The interior ministry also organized an awareness campaign in schools located in Lithuanian communities in the UK and Spain. The government partially funded and participated in a regional project aimed at developing the Baltic countries as an international model for providing sustainable assistance to trafficking victims, and strengthening cooperation networks with countries of origin. The government and NGOs participated in awareness-raising campaigns organized by the interior ministry in cooperation with regional municipalities; the interior ministry allocated €53,000 ($60,780) towards the campaigns. The police advertised and managed an email account that the public could use to report potential trafficking situations and ask for advice. The government made efforts to reduce the demand for commercial sex acts. The Labor Inspectorate established centers in five major regions to monitor trafficking and illegal labor practices targeting migrants in Lithuanian companies. The centers included representatives from multiple government institutions, including the police and migration department. 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. The General Prosecutors' Office organized an anti-trafficking training, and 15 labor inspectors attended. The State Labor Inspection Office also organized five training sessions throughout the country; 42 inspectors participated.

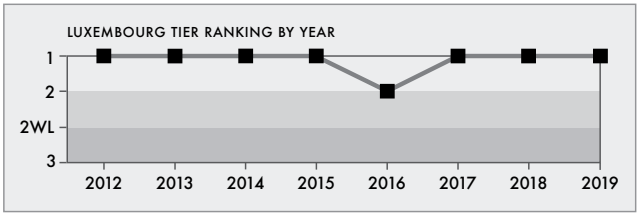
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Lithuania, and traffickers exploit victims from Lithuania abroad. Law enforcement reports the majority of trafficking cases involve Lithuanian trafficking networks that prey on Lithuanian victims. Traffickers exploit Lithuanian men and boys in criminal activities, such as shoplifting, and Lithuanian women and children in commercial sex in Western Europe and Scandinavia. Women and girls exploited in sex trafficking within the country remain 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 Belarus, Russia, and Ukraine are at risk of labor trafficking as long-haul truck drivers, builders, ship hull assemblers, and welders. The approximately 2,800 children 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 increasing investigations and prosecutions, identifying more victims and increasing resources and funding for victim assistance. Although the government meets the minimum standards, courts fully suspended most prison sentences for convicted traffickers, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting nationwide efforts to fight trafficking.



PRIORITIZED RECOMMENDATIONS:

Sentence traffickers with strong prison sentences and ensure convicted traffickers serve those sentences in practice. • Develop safeguards for victims to protect them against traffickers freed on suspended sentences. • Increase law enforcement efforts against labor trafficking. • Promote a victim centered approach in child victim identification procedures and refer all child victims to specialized youth shelters. • Revise the trafficking law to clarify that force, fraud, or coercion are core elements of the crime of trafficking of adults. • Provide all potential trafficking victims with the full suite of care services, regardless of their willingness to meet with police. • Increase the number of labor inspectors in the field. • Require victim identification training for labor inspectors. • Increase funding to NGOs to provide full-time availability for victim assistance. • Include measurable outcomes in the national action plan to assess its progress. • Fund and conduct trafficking research to create an evidence base for future policy decisions. • Establish a victim assistance hotline.

PROSECUTION

The government increased law enforcement efforts. Luxembourg criminalized sex trafficking and labor trafficking through Articles 382-1 and 382-2 of the criminal code and prescribed penalties of three to 10 years' imprisonment and a fine for trafficking offenses involving adult victims and 10 to 15 years' imprisonment and a fine for offenses involving child victims. 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, fraud, or coercion as aggravating factors rather than essential elements of the crime.

In 2018, the government initiated 10 investigations (four of forced labor, five of sex trafficking, and one of forced begging of a minor), compared with seven investigations in 2017 (five of forced labor and two of sex trafficking). The government initiated six new prosecutions (one in 2017) and convicted seven for sex trafficking in 2018 (eight in 2017), and one for forced labor (zero in 2017). Courts issued weak sentences for trafficking convictions, a perennial problem that undercut efforts to hold traffickers accountable and protect victims. In addition, courts fully or partially suspended all sentences; they fully suspended six out of eight, requiring only two of the convicted traffickers to serve any prison time. The courts ordered all convicted traffickers to pay fines ranging from €500 to €20,000 ($570 to $22,940). The average effective prison term decreased for the third consecutive year to 10 months (15 months in 2017). In a 2018 appeal of a 2016 case, a court upheld convictions against two traffickers, but it reduced their sentences; one trafficker's sentence was fully suspended and another trafficker's €10,000 ($11,470) fine eliminated. In 2018, the police organized crime unit responsible for investigating trafficking increased its staff of investigators from 12 to 14. Through police reform efforts, the government made the victim protection unit independent from the organized crime unit to further separate victim assistance and investigations. In 2018, the government held three iterations of anti-trafficking and victim identification training attended by police, prosecutors, and judges. During the reporting period, the police mandated anti-trafficking training for all new recruits. Police and investigators participated in a joint investigation with Belgium for an ongoing trafficking investigation. 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 14 trafficking victims (eight forced labor victims, five sex trafficking victims, and one forced begging victim), compared with 11 in 2017 (eight sex trafficking victims and three forced labor victims). All were foreign citizens, including 10 women, three men, and one boy. All victims received assistance from government-funded shelters. Labor officials reported labor inspectors continued to be chronically understaffed, despite a slight increase of personnel during the year, and not required to complete victim identification training, which negatively affected the proactive identification of forced labor victims. Labor inspectors have not identified a victim to date, as only police officers are legally entitled to do so, but inspectors have helped in their detection; the government's ratio of field inspectors to workers is less than half of the ILO's recommendation for highly industrialized countries. The government utilized a national mechanism for victim referral and provided €286,270 ($328,290) to the two NGOs responsible for coordinating trafficking victim care, an increase from €164,200 ($188,300) in 2017. This funding level enabled the two NGOs to operate a maximum combined total of 60 hours per week (40 hours in 2017). The two NGOs improved coordination over the reporting period but the limited operating hours continued to cause delays in victim assistance and hindered proactive operations. When the government identified victims outside operational hours, police could directly refer adult female and child victims to shelters; adult male victims could be housed

temporarily in hotels until longer-term housing could be identified. NGOs reported instances where authorities placed children in youth detention centers when there was no space available in specialized shelters. Adult male victims received the same access to long-term accommodation and other victim services as adult female and child victims. Victims could leave the shelters unchaperoned and at will during opening hours of their respective shelter. The government also provided €6.8 million ($7.8 million) to assistance centers that provided shelter and assistance to adult female and child victims of crime, including trafficking victims, compared with €6.6 million ($7.57 million) in 2017. In 2018, the government signed new agreements with NGOs that increased shelter bed spaces for male and female adult victims. The government had legal alternatives to removal to countries in which victims would face retribution or hardship. 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. Victim assistance was not contingent on cooperating with an investigation; however, the police were the sole authority to officially identify a victim and refer to government assistance. Victims who refused to meet with police did not benefit from the full range of assistance. NGOs reported the police conducted too many interviews with child victims at the beginning of their identification process, which increased the risk of victim traumatization. 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. The government granted one victim restitution during the reporting period; the victim appealed on the grounds of insufficiency, but the court rejected the appeal.

PREVENTION

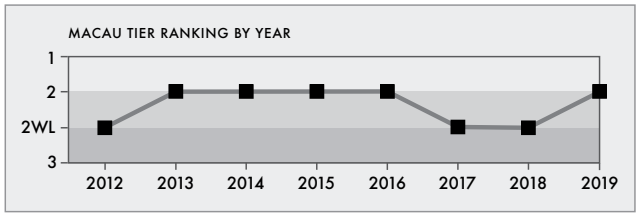
The government maintained prevention efforts. The government's inter-ministerial trafficking committee, chaired by the Ministry of Justice, met four times in 2018 to coordinate anti-trafficking efforts and the national action plan. GRETA reported the national action plan, endorsed in 2016, is vague and lacked a timeframe on meeting objectives. In 2018, the government granted the inter-ministerial committee its own dedicated budget of €15,000 ($17,200) to fund awareness activities compared to €15,000 ($17,200 in 2017). The Advisory Committee on Human Rights served as the independent rapporteur and will produce its second biannual report in 2019. In 2018, the government trained civil servants by offering its basic and advanced level anti-trafficking courses. The government continued its annual multi-faceted awareness campaign across media and news outlets. GRETA reported the need to coordinate data collection across stakeholders as well as conduct research on trafficking, specifically on forced labor and child victims. From 2017 to 2019, the government provided €264,614 ($303,460) to an NGO for local awareness campaigns focused on the prevention of child sex tourism. Diplomats are encouraged, but not required, to attend anti-trafficking training. Labor law allowed for recruitment fees, but criminalized excessive amounts. A new law passed in 2018 made it illegal to steal, modify, damage, or destroy another person's travel documents. The government did not make efforts to reduce the demand for commercial sex acts. The government did not operate a victim assistance hotline.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Luxembourg. Traffickers exploit victims from Europe, Africa, Asia, and South America in sex trafficking operations in cabarets, private apartments, and on the street. Traffickers engage in forced labor crimes, sometimes involving Chinese, Pakistani, or eastern or southern European men, women, and children in various sectors, including restaurants and construction. Traffickers transport Romani children from neighboring countries for forced begging in Luxembourg. Groups vulnerable to traffickers' illicit schemes 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

The Government of the Macau Special Administrative Region of the People's Republic of China does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Macau was upgraded to Tier 2. These efforts included convicting sex traffickers for the first time since 2014, providing numerous anti-trafficking trainings for government officials, and investigating suspected cases of forced labor. However, the government did not meet the minimum standards in several key areas. The government identified only one victim, did not utilize its trafficking law to prosecute traffickers, and has never obtained a conviction for labor trafficking.



PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to investigate, prosecute, and convict sex and labor traffickers, and do so using the trafficking law. • Provide training on the use of the trafficking law to prosecutors and judges. • Improve and consistently implement proactive victim identification methods, especially among vulnerable populations such as migrant workers and persons in commercial sex. • Significantly increase efforts to screen for and identify labor trafficking and male victims. • Institute a minimum wage for foreign domestic workers.

PROSECUTION

Authorities increased anti-trafficking law enforcement efforts. Law 6/2008 in the penal code criminalized sex trafficking 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. Article 170 criminalized the "pimping of minors" and prescribed penalties of one to five years, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Authorities initiated one sex trafficking and two forced labor investigations in 2018 (three sex trafficking and zero labor

trafficking investigations in 2017). The government initiated two prosecutions (one in 2017) and convicted two sex traffickers in 2018; courts sentenced these offenders to 15 and 18 months' imprisonment. This represented the first convictions of traffickers in Macau since 2014. However, authorities used the "pimping of a minor" statute and did not prosecute any cases under the trafficking statute, which carried higher penalties. Observers reported prosecutors and judges often believed trafficking crimes must involve organized groups or evidence of physical force. The Court of Final Appeals sentenced two previously convicted sex traffickers to nine and 16 years' imprisonment. 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 also organized numerous trainings focused on trafficking awareness and victim protection for police, customs, immigration, social welfare, and other law enforcement personnel in 2018. Authorities did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses.

PROTECTION

Authorities maintained minimal efforts to protect trafficking victims. Police identified one child victim of sex trafficking in 2018 (three sex trafficking victims identified in 2017). The government has never identified labor trafficking victims in Macau. Authorities had formal victim identification procedures, an operational referral process, and standardized screening questionnaires that could guide law enforcement, immigration, and social services personnel to screen individuals vulnerable to trafficking. Officials distributed questionnaires to suspected illegal workers to promote self-identification. However, it was unclear if officials routinely screened individuals in prostitution for indicators of trafficking when conducting law enforcement operations in suspected brothels, massage parlors, and spas or among migrants working in industries vulnerable to forced labor, such as domestic work and construction. Police and social welfare bureau (SWB) officials referred the child victim identified in 2018 to a government-funded NGO that offered shelter, counseling, and economic and medical assistance. SWB designated shelters for female and male trafficking victims but did not report providing shelter to any adult victims in 2018. The government allocated approximately 1.77 million patacas ($220,630) on victim protection services, including allocations to NGOs for service provision at shelters, compared to 1.9 million patacas ($237,500) allocated in 2017. Insufficient screenings may have resulted in the penalization of victims for unlawful acts their traffickers compelled them to commit. The government took steps to establish a standard operating procedure for ensuring safe repatriation of foreign victims. 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 that allowed foreign victims to reside and work in Macau on the basis of "well-founded humanitarian reasons," although no victims benefited from this policy.

PREVENTION

Authorities slightly increased efforts to prevent trafficking. The interagency Human Trafficking Deterrent Measures Concern Committee, led by the security bureau, coordinated Macau's anti-trafficking efforts. In March 2019, the government completed an anti-trafficking national action plan. The government allocated 3.7 million patacas ($462,500) to the committee for anti-trafficking activities in 2018, compared to 3.6 million patacas ($450,000) allocated in 2017. The labor affairs bureau (LAB) and law enforcement agencies disseminated television commercials, online videos, as well as pamphlets and posters in several 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 20,000 students and migrant workers, including those in the domestic helper and construction industries. SWB collaborated with an NGO to organize seminars for university students and sponsor the launch of an awareness-raising video created by students. There was no minimum wage established for foreign domestic workers, which may have increased their vulnerability to being subjected to exploitation. LAB adjudicated the labor dispute cases of 1,280 migrant workers, and it conducted 43 inspections at construction sites and at 220 employment agencies for labor violations. In March 2019, the government shut down an employment agency that created fraudulent employment contracts for migrant workers. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

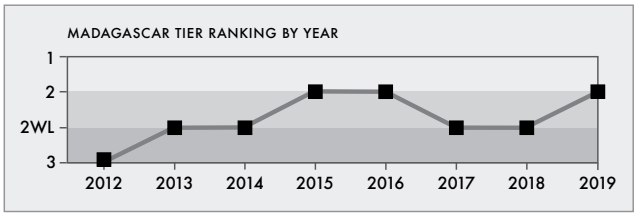
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Macau. Sex trafficking victims originate primarily from mainland China and Southeast Asia; many are from northern Chinese provinces. Many trafficking victims respond to false advertisements for jobs, including in casinos in Macau, but upon arrival, traffickers force them 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 bring foreign workers to Macau to renew work visas for other countries while restricting their movement and withholding their passports.

MADAGASCAR: TIER 2

The Government of Madagascar does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Madagascar was upgraded to Tier 2. The government demonstrated overall increasing efforts by operationalizing, staffing, and providing a dedicated budget to the National Office to Combat Human Trafficking (BNLTEH) and opening a new shelter dedicated to assisting trafficking victims. The government investigated and prosecuted more suspected traffickers and provided care, assistance, and repatriations to more victims compared to the previous reporting period. The government also operationalized a new anti-corruption court whose mandate included human trafficking cases that were transnational or involved criminal networks; this court initiated prosecutions of several human trafficking cases during the reporting period. The government also adopted a national identification and referral mechanism, although implementation outside of Antananarivo was limited. 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, contributing to a culture of impunity for offenders. 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 or the dismissal of trafficking cases. Efforts to address internal trafficking crimes, including domestic servitude, forced begging, and sex trafficking of children remained inadequate. Although the government increased training to officials, many officials continued to lack an understanding of trafficking, impeding the government's ability to hold traffickers accountable. The government did not systematically provide services to victims, adopt strong policies to effectively regulate labor recruiters, or sign any new bilateral labor agreements with destination countries.



PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to effectively prosecute and convict suspected trafficking offenders through independent and fair trials, including complicit officials and perpetrators of internal trafficking crimes, and sentence convicted traffickers to adequate penalties. • Institutionalize the training of front-line officials on case investigation and the use of the national identification and referral mechanism to ensure systematic identification and referral of victims to appropriate services. • Systematically and proactively identify and refer trafficking victims to appropriate care, especially for victims of internal trafficking, including domestic servitude, forced begging, and sex trafficking of children. • Establish and implement strong regulations and oversight of recruitment companies, and improve enforcement, including by prosecuting those involved in fraudulent labor recruitment. • Collaborate with destination country governments to protect Malagasy migrant workers and jointly address cases of abuse, including through bilateral labor agreements. • Increase migrant worker protections by prohibiting recruitment fees charged to migrant workers and requiring minimum salaries, pre-departure training, a mutually enforceable standard contract, a complaints mechanism for returning workers, and a public blacklist of abusive employers. • Continue to implement the expiring national action plan (NAP), including the use of a standard form for identification and referral of victims and work to adopt a new NAP. • Improve coordination between law enforcement and prosecutors/investigating judges, including regular case conferencing and conducting prosecution-led investigations. • Utilize the national centralized anti-trafficking data collection and reporting tool to improve data collection, distinguishing between trafficking and other crimes, including the number of victims identified, cases investigated and prosecuted, and the number of convictions. • Improve the national identification system, including a database and anti-fraud features, to prevent child sex trafficking through issuance of fraudulent documentation. • Increase efforts to raise public awareness of labor trafficking, including of adults subjected to forced labor.

PROSECUTION

The government maintained uneven law enforcement efforts and did not address reports of official complicity in trafficking crimes, which continued during the reporting period. Law No.2014-040 criminalized sex trafficking and labor trafficking and prescribed penalties ranging from two to five years' imprisonment and a fine of one million to 10 million Malagasy ariary (MGA) ($288 to $2,880) for offenses involving an adult victim, and five to 10 years' imprisonment and a fine of two million to 20 million MGA ($576 to $5,760) for those involving a child victim. These penalties were sufficiently stringent. For offenses involving children, with respect to sex trafficking, these penalties were commensurate with those prescribed for other serious crimes, such as rape; however, offenses involving adult sex trafficking were not commensurate with those prescribed for other serious crimes.

National statistics on prosecutions and convictions remained difficult to obtain and verify, and the government did not maintain a national database for trafficking crimes. The government reported initiating trafficking investigations involving at least 74 possible suspects in at least 34 cases; however, as smuggling and trafficking were frequently conflated, this figure may include investigations of smuggling crimes as well. For comparison, the government initiated investigation of at least 32 suspects in 32 cases in the previous reporting period. The government reported initiating the prosecution of 56 suspected traffickers in 20 cases—charging the majority of these suspects under the anti-trafficking law, compared to the prosecution of 15 alleged traffickers in 2017. The government did not convict any traffickers during the reporting period, nor did it convict any traffickers in the prior reporting period. The Central Unit of Specialized Investigation and Fight Against Documentary Fraud within the National Police reported investigating 39 suspects for fraudulently recruiting Malagasy women for work in China; traffickers forced the women to marry Chinese men and were subsequently subjected to involuntary servitude upon arrival in China. However, efforts to investigate and prosecute internal trafficking crimes, including domestic servitude, forced begging, and sex trafficking of children, remained inadequate compared to the scale of the problem. The government operationalized an anti-corruption court whose mandate included trafficking cases that were transnational, involved criminal networks, or fraudulent documentation; the court had initiated several prosecutions during the reporting period.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. There were allegations that a high-level law enforcement official was complicit in trafficking, which allegedly led to the official's removal from his position; however, the government did not report taking law enforcement actions against this official. Reports indicated some government officials may have helped Malagasy nationals obtain fraudulent travel documentation to circumvent the 2013 travel ban. Sources allege that a network of government officials was involved in the falsification of identity documents used to facilitate child sex trafficking; however, the government did not report initiating an investigation into these continued allegations. During the year, reports emerged that a corrupt high-level official facilitated the dismissal of trafficking cases by placing a working-level employee in a position to purposely assign trafficking cases to judges unfamiliar with the crime, frequently leading to case dismissal; the government did not report investigating these allegations. There remained a lack of coordination between agencies combatting trafficking in persons and a reluctance of victims to file charges due to fear of reprisals. The government facilitated and led eight trainings in seven cities, funded by an international organization, to

educate 158 law enforcement officials, judges, civil society members, and the new Anti-Corruption Court on the use of the national victim identification and referral mechanism. The government also facilitated and led trainings, funded by an international organization, to educate 106 officials in the National Gendarmerie Academy of Moramanga and the Police Inspectors Academy of Antsirabe on victim-centered investigations. However, despite these training efforts, the government did not institutionalize anti-trafficking training and some police, immigration officers, prosecutors, and judges continued to lack a clear understanding of trafficking, which hampered law enforcement and victim identification efforts. Coordination and information sharing between the public prosecutor's office and police was inadequate and continued to hinder case progression; neither prosecution-led investigations nor case conferencing between the police and the public prosecutors occurred during the reporting period. Judges sometimes received high-level instructions to release accused sex offenders, some of whom may have been traffickers, who were often, but not always, foreign citizens. With support from an international organization, the government had access to a national centralized anti-trafficking data collection and reporting tool since 2016; however, the government has never utilized this tool.

PROTECTION

The government increased efforts to protect victims; however, efforts to address, identify, and assist child victims of domestic servitude, forced begging, and sex trafficking remained inadequate compared to the scale. Due to a lack of coordinated data collection at the national level, the government did not report comprehensive data. The government reportedly identified 85 victims and 64 potential victims who officials identified prior to their departure to Kuwait, China, and Saudi Arabia where officials determined they would be vulnerable to trafficking; this compared to 86 identified in the previous reporting period. In addition, the government facilitated the repatriations of 177 trafficking victims back to Madagascar, including funding the repatriations of 46 adult women from Kuwait—an increase compared to 12 repatriated victims in the previous year. The government reportedly provided various forms of assistance to at least 221 trafficking victims, an increase compared to 57 assisted last reporting period. These efforts included providing temporary housing for 14 repatriated victims at its new Mitsinjo trafficking shelter for adults; vocational services to 35 children; medical, security, and reintegration assistance to 46 repatriated victims from Kuwait; psychological support from a government social worker, and with assistance from an international organization, medical, legal assistance, and financial support to 140 repatriated victims; as well as airport transportation to an unknown number of repatriated victims. NGOs and international organizations reported identifying and assisting 1,362 victims, providing 79 victims with social reintegration assistance, and providing 46 victims with hotel accommodations. Last reporting period, an international organization reported there may be as many as 200 Malagasy women still in a rural region of China, who were victims of a trafficking scheme in which deceptive or coercive brokers defrauded and sold women into marriages to Chinese men allegedly for the purpose of involuntary servitude; no additional information was available on these women or whether they were provided assistance or repatriated.

The government adopted formal national procedures to proactively identify trafficking victims and refer them for care; however, these procedures neither included a list of assistance organizations nor outlines the organizations to which victims should be referred. However, the government did not distribute these procedures and their use was limited outside of Antananarivo. The Ministry of Population, in collaboration with an international organization, continued to coordinate approximately 700 child protection networks across the country. 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 of crime, including trafficking. However, due to lack of resources, child protection networks only provided basic assistance through public hospitals and health units and generally referred the victims to international organizations and NGOs for additional assistance. Through referral from the child protection networks, an international organization assisted 990 children (641 girls and 349 boys), including victims of sexual exploitation and the worst forms of child labor, which included various forms of child trafficking. The government opened a new trafficking-specific shelter for repatriated adult victims; the Mitsinjo Center was a temporary shelter, owned by the government, which could hold a maximum of 12 victims and sheltered 14 total during the reporting period, with support from an international organization. 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 and hosted 18 children during the reporting period, five of which had been removed from situations of exploitative domestic labor. 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 the Morals and Protection of Minors Police Service (PMPM); the city, in partnership with an international organization, provided food, lodging, psychological and medical aid, and educational services.

The Ministry of Foreign Affairs (MFA) had the responsibility to systematically inform the Ministry of Population when victims were in the process of repatriation; in turn, the Ministry of Population continued to contact victims upon their return and offer assistance, but reports indicated some victims were reluctant to work with the government. 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; but the government did not report providing this protection to victims during the reporting period. There were occasional reports that the government arrested or punished trafficking victims for unlawful acts traffickers compelled them to commit; police would sometimes arrest underage girls for prostitution without screening for trafficking and would sometimes temporarily keep potential transnational labor trafficking victims in police stations due to a lack of alternative accommodations. To prevent retaliation from suspected traffickers, trafficking trials could 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 during the reporting period. Further, while the 2014 anti-trafficking law entitled victims to restitution, for the fifth consecutive year, the government did not implement this provision.

PREVENTION

The government maintained mixed efforts to prevent trafficking and coordinate national-level anti-trafficking measures. The National Office to Combat Human Trafficking, intended to lead national efforts, received a dedicated budget for 2019 of 370 million ariary ($106,620) for administrative costs and 90 million ariary ($25,940) for operations. The government appointed an Executive Secretary to the BNLTEH and also provided six personnel during the reporting period; however, the BNLTEH did not demonstrate leadership in driving national efforts or raising awareness during the reporting period. In partnership with an international organization, the government continued operation of a national toll-free hotline to report child abuse; the government reported identifying nine cases of domestic servitude, and one case of child sex trafficking via the hotline during the reporting period; while children were usually assisted through the child protection networks, the government did not report providing these victims with assistance. The government did not conduct any national public awareness campaigns, despite the scale of trafficking within the country.

A 2013 ban on migrant worker travel to unspecified countries the government considered high-risk remained in place; however, illicit recruitment agencies circumvented the ban by sending workers through Mauritius, Kenya, Comoros, Ethiopia, 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 on migrant workers continued to leave them 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 and blackmail. The Ministry of Labor, Employment, Civil Service, and Social Laws continued to oversee the process of migrant workers traveling to non-Gulf countries by requiring contract approval by the relevant Malagasy embassy. The government did not make progress on the effort to set up a tripartite agreement between the government, placement agencies, and vocational training centers. Labor inspectors did not take adequate action during the year to prevent or address labor violations or improve working conditions and did not have jurisdiction to enter private homes to inspect conditions for domestic workers. In partnership with an international organization, the Ministries of Foreign Affairs and Labor held several workshops to develop bilateral labor agreements with Saudi Arabia, Lebanon, Kuwait, Jordan, and Mauritius, but it had not signed any new bilateral agreements with destination country governments by the end of the reporting period.

The government made efforts to reduce the demand for commercial sex, including child sex tourism, but not for forced labor. In 2018, the Ministry of Tourism, in partnership with international organizations, focused on monitoring the commitment of the approximately 1,000 tourism operators in 12 regions who had previously acceded to the Tourism Code of Conduct against Commercial Child Sexual Exploitation and Sex Tourism. The Ministry of Tourism conducted 178 compliance inspections in five regions to ensure that operators were adhering to the code, but did not report if any were in violation of the code or steps taken to rectify noncompliance. The Ministry of Tourism conducted hotel inspections, reminding hotels of their obligation to display posters in their reception areas publicizing the prohibition of child sexual exploitation; the government also maintained such billboards at airports as a warning for tourists. The Ministry of Tourism, in partnership with NGOs, handed out pamphlets to tourists reminding them that child sex trafficking was illegal. However, despite the continued 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 diplomats.

TRAFFICKING PROFILE

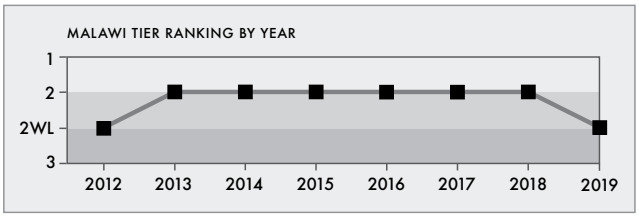
As reported over the past five years, human traffickers exploit domestic and foreign victims in Madagascar, and traffickers exploit victims from Madagascar abroad. Traffickers exploit Malagasy children, mostly from rural and coastal regions, and from impoverished families in urban areas, in child sex 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. Traffickers fraudulently recruit some children for work in Antananarivo as waitresses and masseuses before exploiting them in child sex trafficking. Traditional practices of arranged marriage, bride purchase, and girl markets continued to leave girls vulnerable to child sex trafficking. Uneducated women from rural areas were the most vulnerable to trafficking abroad, while girls from poor, single-parent, or unstable families were the most vulnerable to trafficking domestically. Malagasy men exploit the majority of child sex trafficking victims. Reports suggest child sexual exploitation is also prevalent in tourist destinations, urban cities, vanilla growing regions, 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. Traffickers acting as agents in labor recruitment agencies send Malagasy women to China with falsified identity cards where they are then 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 Gulf States 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 WATCH LIST

The Government of Malawi does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included prosecuting and convicting traffickers and identifying trafficking victims. It coordinated with a foreign government to repatriate victims. The government formally expanded the agencies with authority to enforce the anti-trafficking law, and the National Coordination Committee met once during the reporting period. The government launched the first district-level anti-trafficking coordination structure in Mchinji, a district bordering Zambia where trafficking risks are high. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Credible reports alleged law enforcement officers were complicit in sex trafficking, including coercing individuals in prostitution and child sex trafficking victims to perform sex acts under threat of arrest. The government did not investigate or hold any complicit officials criminally accountable despite these credible allegations and several past cases of Malawian diplomats, police, health, and immigration officials engaged in trafficking abroad. The government did not report referring or otherwise providing protective services to any trafficking victims. Therefore Malawi was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Vigorously prosecute sex and labor traffickers and appropriately sentence convicted traffickers under the 2015 law, including government officials complicit in such crimes. • Improve and expand the collection of prosecution and victim protection data for trafficking cases. • Develop formal guidelines to identify trafficking victims, especially among vulnerable populations, ensure victims are protected from further exploitation, 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. • Support training and increase funding for judges, prosecutors, labor inspectors, and police to identify, investigate, and prosecute trafficking crimes. • Enter lists of shelters for trafficking victims in the official gazette in order for the law to be fully operational. • 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 decreased law enforcement efforts. The 2015 Trafficking in Persons Act criminalized sex trafficking and labor trafficking and prescribed punishments of up to 14 years' imprisonment for offenses involving an adult victim, and up to 21 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as kidnapping. In 2018, 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 32 suspects, prosecuted at least 16 alleged traffickers, and convicted 16; this is compared with 42 suspects arrested, 26 traffickers prosecuted, and 26 convicted during the previous reporting period. The government did not report sentencing data or what type of exploitation occurred in these cases and, as the government often conflated trafficking with smuggling and irregular migration, it is unclear whether all of these cases were indeed trafficking. Widespread corruption led to minimal documentation and poor data collection on trafficking cases. Reports alleged that police and labor officials were complicit in cases where Malawians were exploited in Kuwait and Iraq during the previous reporting period. Law enforcement officers regularly failed to screen individuals engaged in commercial sex for trafficking indicators and were allegedly complicit in sex trafficking crimes by arresting and charging girls and women in prostitution if they did not provide free sexual services to the arresting officer. Furthermore, officers made no effort to discern the age of individuals in prostitution or investigate such cases as child sex trafficking crimes, despite indications children were being exploited. 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. The Minister of Homeland Security designated by Gazette Notice in September 2018 all police, immigration, and labor officers as enforcement officers of the 2015 anti-trafficking act.

The Ministry of Homeland Security, in partnership with an international organization and the Malawi Network Against Trafficking in Persons, conducted a two-day training of trainers from law enforcement agencies and professional training institutions on the anti-trafficking act. 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. 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. Nonetheless, the diplomat did not pay the outstanding judgment nor did the government report taking any further action during the reporting period to hold the diplomat accountable. The government partnered with neighboring governments and an international law enforcement organization to increase investigative capacity of law enforcement through an intelligence-driven operation. As a result, officials in two countries arrested traffickers and identified 87 victims. It is unclear if there was overlap between these cases and trafficking cases reported by the government.

PROTECTION

The government decreased protection efforts and did not adequately protect victims of trafficking. The government continued to lack systematic procedures for the proactive identification of victims and their referral to care and relied largely on NGOs to provide long-term protective services. The government identified 132 trafficking victims, a slight increase from 121 identified during the previous reporting period. However, the government did not provide any information about victims identified or whether these victims were referred to or received protective services. In 2017, the government launched an anti-trafficking fund and allocated 150 million Malawian kwacha ($204,640) to the fund in April 2018. While the funds were intended, among other things, to finance delivery of protective services, shelter refurbishment and repatriation, the government did not disburse any funds for those activities. 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; however, it is unclear if any trafficking victims used these services during the reporting period. The center remained chronically underfunded and, in previous years, poor conditions reportedly led some child sex trafficking victims to leave the shelter and return to their traffickers. 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 varied throughout the country. One NGO reported concerns about the failure of the VSUs to adequately provide for the needs of sex trafficking victims. Some foreign victims avoided these centers due to fear of deportation. Malawian law did not allow for foreign victims to receive 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 12 victims exploited in Erbil; however, NGOs and an international organization paid for repatriation costs as the government did not allocate resources to the anti-trafficking fund. In 2018, there were credible reports the government detained, fined, or jailed trafficking victims for unlawful acts committed as a direct result of their being subjected to trafficking. One NGO reported sex trafficking victims were sometimes treated like criminals.

PREVENTION

The government made uneven efforts to prevent trafficking. The government launched a five-year anti-trafficking national action plan in 2017; however, the objectives in the plan were not costed or prioritized and it is unclear whether the government implemented any of its activities. 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 but did not meet during the reporting period. The government launched the first district-level anti-trafficking coordination structure in Mchinji, a district bordering Zambia where significant numbers of Zambian and Mozambican nationals enter the country and there is a high risk of trafficking. The government continued to participate in the South African Development Community (SADC) regional data collection tool by uploading information about trafficking cases, victim and trafficker profiles, and sharing information with neighboring countries.

The government did not conduct any labor inspections for the fourth consecutive year or report efforts to identify or refer potential trafficking crimes for criminal investigation under the 2015 anti-trafficking act. 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 for the second consecutive 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.

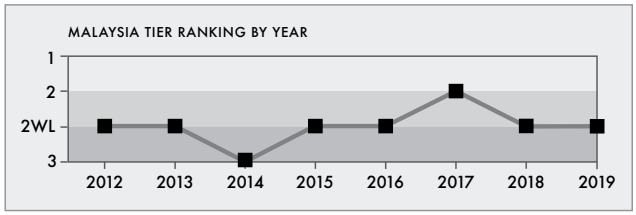
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Malawi, and traffickers exploit victims from Malawi abroad. Traffickers exploit men, women, and children from Zambia, Mozambique, the Great Lakes region, and the Horn of Africa in labor and sex trafficking. Traffickers exploit most Malawian victims 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, family members, or brothel owners—typically lure children 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 exploit teenage boys in forced labor on farms and young girls to sexual exploitation in nightclubs or bars. Traffickers exploit children in 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 are subsequently exploited in sex trafficking by their "husbands." Fraudulent employment agencies lure women and girls to Gulf states where traffickers exploit them 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 but is making significant efforts to do so. These efforts included convicting slightly more traffickers, issuing a significant number of passes for victims' freedom of movement from shelters, and establishing an additional shelter for adult female trafficking victims, although it had not yet served victims. The government reported some investigations into allegations of official complicity and authorized a Royal Commission of Inquiry into the camps and mass graves discovered in Wang Kelian in

2015. The government also continued to overhaul its foreign worker management system. However, the government did not demonstrate overall increasing efforts compared to the previous year. The government identified far fewer victims than in previous years and authorities investigated and prosecuted fewer cases. The government's victim protection efforts remained largely inadequate and some rehabilitation services such as medical care, telephone calls, freedom of movement, and the issuance of work permits were inconsistently implemented, if at all. The government stopped funding NGOs to provide shelter. Corruption related to processes for foreign nationals to work in Malaysia remained pervasive and the government did not report initiating new prosecutions or convicting any complicit officials during the reporting period. Therefore Malaysia remained on Tier 2 Watch List for the second year.



PRIORITIZED RECOMMENDATIONS:

Draft, finalize, disseminate, and train relevant officials, including labor inspectors and immigration officials, on standard operating procedures for victim identification that include information on trafficking indicators. • Increase efforts to prosecute and convict more trafficking cases, including of complicit officials and forced labor crimes. • Make public the results of investigations involving corrupt officials to increase transparency and deterrence and hold officials criminally accountable when they violate the law. • Create a system for access to timely and accurate interpretation in victims' primary languages available to law enforcement, the court system, and shelters. • Increase the number of trafficking victims who obtain approval for freedom of movement from shelters and expand freedom of movement to include unchaperoned movement and at-will communication with people outside shelter facilities, including through telephone calls. • Strengthen and continue to expand cooperation with NGOs, including through financial or in-kind support to NGOs to provide some victim rehabilitation services. • Increase the number of trafficking victims who obtain approval for employment and streamline the process for finding a job. • Take steps to eliminate recruitment or placement fees charged to workers by Malaysian labor recruiters and ensure any recruitment fees are paid by employers. • Increase law enforcement capacity to investigate and prosecute trafficking cases based on intelligence gathering and information-sharing among government agencies. • Expand labor protections for domestic workers and investigate allegations of domestic worker abuse. • Reduce court delays and increase judicial familiarity with the full range of trafficking crimes, particularly forced labor. • 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. • 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 and educate workers and employers on foreign worker rights, including legal recourses and remedies against traffickers.

PROSECUTION

The government demonstrated uneven law enforcement efforts. The 2007 Anti-Trafficking in Persons and Smuggling of Migrants (ATIPSOM) Act—amended in 2010 and 2015—criminalized labor trafficking and sex trafficking and prescribed punishments of three to 20 years' imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government conducted 281 case investigations in 2018, a decrease compared to 398 investigations in 2017. Of the 281 investigations, 123 were for forced labor. The government initiated prosecutions against 50 alleged traffickers, a decrease compared with 80 in 2017. The government convicted 50 individuals under ATIPSOM, an increase from 45 in 2017; however, this number may have also included convictions for smuggling. The government reported sentences ranged from three to 13 years' imprisonment; in the past, courts sentenced some traffickers to fines alone as punishment. Civil society and media reported cases of forced labor that were charged as disparate labor law violations instead of criminal cases of human trafficking.

The government continued to operate its special court in Selangor with two judges with expertise in trying trafficking cases, but it had not implemented plans to expand special trafficking courts around the country. During the reporting period, a group of 45 judges drafted best practices for handling trafficking cases but had not yet finalized their recommendations or disseminated the practices. A 2014 directive required prosecutors to meet with victims at least two weeks prior to the start of trial to prepare victims to record their statements and to help them understand the judicial process. Prosecutors reported they engaged with victims; however, limited availability of interpretation services made effective communication difficult and NGOs reported some prosecutors did not meet with victims at least two weeks before trial as required by the directive. Law enforcement agencies also overwhelmingly cited language barriers with potential victims as an ongoing challenge in their work; while the government sometimes worked with foreign embassies or NGOs to interpret conversations, it did not have an institutionalized way to ensure timely and accurate communication with potential trafficking victims who did not speak Bahasa Malaysia or English.

The Royal Malaysia Police continued to serve as the lead enforcement agency under ATIPSOM and increased the number of officers in its specialized anti-trafficking unit from 242 in 2017 to 247 in 2018. The government extended the mandate of the interagency law enforcement task force for three years beyond its usual one-year extension. The labor department also employed a specialized trafficking enforcement team, although the number of its officers decreased from 34 in 2017 to 30 in 2018. The attorney general's chambers appointed an additional trafficking-specialist deputy public prosecutor, raising the total to 55 throughout Malaysia. The government continued to conduct or support anti-trafficking trainings, including 28 in-service trainings and 26 transnational or bilateral trainings in the region for police officials focusing on victim protection and law enforcement. The government also hosted 14 trafficking-focused training sessions for its labor inspectors and eight trafficking training programs for 55 prosecutors at the attorney general's chambers.

Official complicity remained a serious concern. The 2015 discovery of migrant camps and mass graves in Wang Kelian, containing bodies of suspected Rohingya and Bangladeshi victims of extortion, torture, and other crimes, fueled reports that corrupt officials facilitated migrant smuggling and in some cases trafficking crimes. Since 2015, NGOs and media have continued to allege official complicity in the Wang Kelian camps through inaction on reports of the camps prior to 2015 and misconduct in the investigation of the camps and the crimes perpetrated there. In 2016, the government convicted four foreign nationals for people smuggling related to the camps; however, authorities had not brought charges against any Malaysian official or private citizen, despite such allegations. In March 2019, the Human Rights Commission of Malaysia and a NGO published a report investigating the events leading up to the mass graves and the government's response. The report alleged the smugglers and traffickers benefited from corrupt Malaysian border officials who demanded bribes to allow vehicles through the border without conducting proper inspections. Further, the report alleged authorities may have committed obstruction of justice when a senior police officer ordered the destruction of all potential evidence, including the camps and mass graves, one day after their discovery. NGOs continued to assert authorities had not investigated or held perpetrators accountable for the full extent of the crimes related to the camps, including trafficking crimes. During the reporting period, the prime minister ordered a Royal Commission of Inquiry into the camps and mass graves and the King approved the expected six-month long investigation in January 2019.

Ongoing corruption related to processes for foreign nationals to work in Malaysia increased the cost of migration and consequently increased a migrant worker's vulnerability to trafficking through debt-based coercion. During the previous reporting period, the government reported it was investigating four smuggling networks, operating at the Kuala Lumpur International Airport and allegedly involving 600 immigration officials. The government reported the reassignment of the 600 officials and the arrest of seven of these officials; at the end of the reporting period the cases remained ongoing. Separately, authorities reported investigating 18 immigration and police officers for human smuggling and trafficking in persons and prosecuting two officers for exploitation of their domestic employees (unrelated to their official duties); all cases remained ongoing at the end of the reporting period and the government did not report any new developments. The government did not report initiating any new prosecutions or convicting any complicit officials during the reporting period.

PROTECTION

The government decreased protection efforts. In 2018, the government identified 1,305 potential victims and confirmed 97 victims, a significant decrease compared to 2,224 potential and 721 confirmed victims in 2017, and 3,411 potential and 1,558 confirmed victims in 2016. Of the 97 confirmed victims in 2018, 63 were women, approximately the same number of women victims confirmed in 2018; however, there was a marked decrease in the number of confirmed male and child victims in 2018 (34) compared with 2017 (659). The government explained the continued decrease in the number of victims identified as a result of a reduction in the use of large-scale police raids of suspected commercial sex establishments and instead focused on investigations against forced labor, the larger trafficking problem in Malaysia. The government reported each of the five law enforcement agencies followed agency-specific standard operating procedures (SOPs) to identify trafficking victims. However, observers reported the SOPs lacked basic indicators that would allow officials to proactively and accurately identify trafficking victims and instead focused on the role and responsibility of the officer once a victim was referred to law enforcement. The government's identification of labor trafficking cases relied on reports of abuse from embassies representing foreign workers and other informants and labor inspections in response to workers' complaints of non-payment of wages and other violations. NGOs relayed that authorities treated many of the victims identified during police or immigration raids like criminals. NGOs also believed this treatment contributed to the government's insufficient identification of victims; the raid-environment was not conducive to victims speaking candidly to law enforcement and due to the lack of basic indicators of trafficking, NGOs reported officials arrested and charged some victims for immigration violations instead of identifying them as trafficking victims.

The Ministry of Women, Family, and Community Development (MOWFCD) continued to fund and operate seven shelters specifically to house victims of trafficking—four for women, one for men, and two for children. During the reporting period, MOWFCD established an additional shelter for adult female trafficking victims, although it had not yet served victims. The government housed victims in these shelters as part of a court-ordered 21-day interim protection order (for potential trafficking victims) or a subsequent 90-day protection order (for certified trafficking victims). In practice, the government renewed the protection order for certified victims, which required their stay in a shelter, until the completion of the trial associated with their case; some victims remained in the shelters for up to six months. In the previous reporting period, the government took steps to reduce government shelter overcrowding by providing funding and referring victims to three NGO-run shelters; however, in July 2018, the government—a new administration since May 2018—suspended the funding in order to review the program and did not reestablish it by the end of the reporting period. Because of the reduction in the number of identified victims, no government shelter was over capacity.

In March 2019, the government established a pilot program to provide two victim assistance specialists to guide victims from their identification, through the judicial process, and finally to repatriation in their home country; at the end of the reporting period the program had yet to begin working with victims. The government continued to provide basic services for all victims staying in its shelters, including food, medical care, social and religious activities, and security. NGOs reported medical screening was inadequate for victims upon arrival to government shelters and shelters lacked full access to reproductive health and dental services. Shelters did not have medical staff on site and accessing medical care required shelter staff to coordinate transportation and a chaperone. NGOs provided some victim rehabilitation services, including medical care and counseling, without government-allocated funding; however, NGOs continued to express difficulty maintaining adequate resources and staffing levels to provide consistent services for victims. Due to the lack of available and adequate interpretation services, some victims did not understand shelter rules and their rights during the judicial process, contributing to stress and leading some victims to request repatriation instead of participating in prosecutions. During the reporting period, MOWFCD translated shelter rules and regulations in to five languages and disseminated them to several, but not all, of its shelters. The government reported it allotted each victim 35 Malaysian ringgit (RM) ($8.50) to make telephone calls each month; however, in practice this amounted to one

or two calls supervised by shelter staff. Some government shelters were not able to track phone costs per victim and instead instituted one 10 minute international phone call per month while others only allowed calls within Malaysia. The government continued to give monthly allowance payments of 127 RM ($31) to victims for incidental expenditures; during the reporting period, 184 victims received a total of 73,550 RM ($17,810). The government did not always disburse the funds on a monthly basis; some victims received the allowance as a lump sum when they repatriated home.

The government amended the anti-trafficking law in 2015 to allow victims to work and move freely in and out of government facilities, pending a security risk assessment, medical screening, and mental health evaluation. Of the 97 confirmed victims, the government issued 68 special immigration passes that authorized freedom of movement, compared to 91 passes for 721 confirmed victims in 2017. At the end of the previous reporting period, the government announced a policy to ensure victims received a special immigration pass before the end of their 21-day interim protection order. While the majority of confirmed victims received this pass, the government continued to lack enough qualified mental health counselors to conduct the required psycho-social evaluation during the appointed timeframe. Additionally, in practice, a victim's freedom of movement remained restricted to chaperoned trips. The government did not issue any work visas to victims during the reporting period, compared to two in 2017 and six in 2016. Shelter staff continued to provide opportunities for victims to engage in handicrafts and other income-generating activities in the shelter. In February 2019, the government began offering technical and vocational training for shelter residents in the Kuala Lumpur women's shelter and the Malacca men's shelter; 21 victims (13 women and eight men) participated in training ranging from English-language classes to vocational courses in sewing and car repair.

As in past years, many identified victims preferred to return immediately to their home countries. Although the law permitted victims to testify remotely, authorities generally expected victims to remain in-country pending trial proceedings. The reluctance of victims to stay in Malaysia and provide such testimony reportedly stemmed from a desire to avoid protracted criminal proceedings, interest to quickly rejoin the workforce, unappealing shelter and work conditions, and intimidation from traffickers. For victims who participated in court proceedings, prosecutors noted they were instructed to request restitution in each case; in 2018, prosecutors requested restitution in 29 cases, compared with three in 2017, and secured 80,000 RM ($19,370). The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. The government worked with foreign diplomatic missions to fund and provide repatriation assistance for victims to return to their countries of origin.

PREVENTION

The government increased efforts to prevent trafficking. The Ministry of Home Affairs (MHA) led the anti-trafficking council (MAPO), which included five enforcement bodies, other government entities, and three NGOs. It met on a quarterly basis and coordinated interagency anti-trafficking efforts to implement the government's 2016-2020 national action plan. MAPO also conducted trainings for government ministries and held consultation sessions with NGOs. In 2018, the government maintained its allocation of four million RM ($968,520) to operate the MAPO secretariat. The government produced and aired 16,880 public service radio broadcasts and 1,515 television segments, an increase from 9,006 radio and 1,605 television announcements in 2017. Labor officials continued to provide 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. The prime minister appointed a 13-member committee on foreign workers to develop recommendations to overhaul the government's foreign worker management system; the committee conducted 13 town halls around the country and met with nearly 300 stakeholders. In February 2019, the committee submitted 40 policy and structural recommendations to the Cabinet including creating an online worker recruitment system to prevent fraud and exploitation and establishing a foreign worker complaint mechanism.

The government's Private Employment Agency Act (PEAA), amended in 2017, required all recruitment agencies secure a license with the Ministry of Human Resources (MOHR) to recruit foreign workers, including domestic workers. As part of PEAA's implementation, in October 2018, the government announced it would ban the more than 150 Malaysian-based outsourcing companies from recruiting migrant workers after January 2019. Outsourcing companies had previously been under the purview of MHA and retained control over the migrant workers as the employer, despite the migrant workers performing work for other companies at off-site locations. The government required current employees of outsourcing companies to transfer their employment directly to the company they were performing work for or face deportation after March 31, 2019. Civil society and media documented instances where outsourcing companies increased migrant workers' vulnerability to debt bondage through lack of communication regarding options for the employees to stay and work legally within Malaysia and withholding salaries from migrant workers who were leaving Malaysia.

The 2017 PEAA capped employee-paid recruitment placement fees at 25 percent of the first month's salary for Malaysian workers employed within or outside of Malaysia and one month's salary for non-citizens employed within Malaysia. The law did not define what comprised a "placement fee." The majority of migrant workers in Malaysia paid fees to agents in Malaysia as well as to recruitment agents in their home country, which contributed to the workers' vulnerability to debt bondage. In 2018, the government investigated 14 companies for violating the PEAA—nine for allegedly conducting recruitment without a license, two for improperly imposing fees on workers, and three for failure to display their license or keep proper records—but did not report the result of the investigations. Media reported that from 2015-2018, Malaysian employment agencies and 10 Bangladeshi recruitment agencies formed a monopoly on recruitment of Bangladeshi workers to charge higher recruitment fees and reportedly bribed politicians and officials in both countries to facilitate the monopoly. The government charged the former joint-Deputy Prime Minister and Minister of Home Affairs with multiple counts of corruption and criminal breach of trust. Some of the charges related to allegations of money laundering related to outsourcing companies charging high fees to Bangladeshi workers and allegations that he received bribes from a private company to appoint it as the implementer of the one-stop center to process work permits for Pakistani and Nepali migrant workers.

In the previous reporting period, the government mandated employers pay the foreign worker levy, a one-time cost paid to the government for any non-Malaysian the company hired,

instead of forcing workers to bear the cost. Civil society and embassies representing migrant worker home countries reported the majority of employers were not passing the levy cost onto workers, although there were exceptions. Employer-perpetrated passport retention remained widespread and, in contrast to last year, the government did not report prosecutions and convictions for unauthorized retention.

During the reporting period, migrant workers, media, and civil society alleged several rubber-product manufacturers based in Malaysia exploited migrant workers, including through methods indicative of forced labor. The government reported it investigated the allegations and in February 2019, MOHR filed 42 charges against one of the companies for breach of the labor law. The government also threatened another company with fines for the use of excessive overtime but did not publicly report if it took any action against the company for this or other substantial allegations. In November 2018, an NGO published a report documenting multiple indicators of forced labor in the production of palm oil in Malaysia, including coercive practices such as threats, violence, lack of clarity of employment terms and conditions, dependency on the employer, lack of protection by police, debt bondage, high recruitment fees, and involuntary overtime. In June 2018, the government funded and began a five million RM ($1.21 million) survey, under the oversight of an international organization, to ascertain the prevalence of forced and child labor in the palm oil sector. The government completed data collection in January 2019 and reported it was analyzing the data at the end of the reporting period.

Employment law continued to exclude domestic workers from a number of protections, including the country's minimum wage. Labor courts resolved 14,009 labor disputes and ordered employers to provide workers back wages of more than 34.4 million RM ($8.33 million) and levied fines against employers who violated the labor law of 1.35 million RM ($326,880). 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.

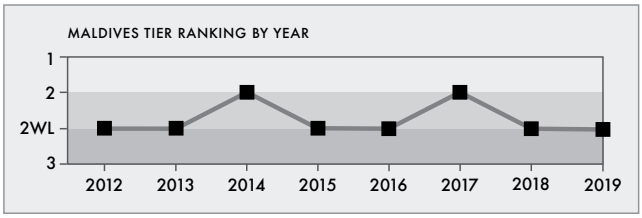
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Malaysia, and to a lesser extent, traffickers exploit victims from Malaysia abroad. The overwhelming majority of victims are among the estimated two million documented and an even greater number of undocumented migrant workers in Malaysia. Foreign workers constitute more than 20 percent of the Malaysian workforce and typically migrate voluntarily—often through irregular channels—from Indonesia, Bangladesh, the Philippines, Nepal, Burma, Cambodia, Vietnam, India, Thailand, and Laos. Employers, employment agents, and illegal sub-agents exploit some migrants in labor trafficking primarily through debt-based coercion when the workers are unable to pay the fees for recruitment and associated travel. Some agents in labor source countries impose onerous fees on workers before they arrive in Malaysia and Malaysian agents administer additional fees after arrival—in some cases causing debt bondage. Large organized crime syndicates are responsible for some instances of trafficking. Employers exploit some migrant workers in labor trafficking on oil palm and agricultural plantations; at construction sites; in the electronics, garment, and rubber-product industries; and in homes as domestic workers. Employers utilize practices indicative of forced labor, such as restrictions on movement, violating contracts, wage fraud, the imposition of significant debts, and passport retention—which remained widespread. 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 retain the passports to prevent workers from changing jobs. Pervasive corruption and official complicity related to processes for foreign nationals to work in Malaysia increase the cost of migration and consequently increase a migrant worker's vulnerability to trafficking through debt-based coercion.

Traffickers recruit some young foreign women—mainly from Southeast Asia, although also recently from Nigeria—ostensibly for legal work in Malaysian restaurants, hotels, and beauty salons, but instead compel them into prostitution. Traffickers compel some women and girls into commercial sex through brokered marriages. Traffickers also compel men and children into commercial sex, although less frequently. More than 163,000 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 then use to exploit refugees. Traffickers exploit Malaysian orphans and children from refugee communities in forced begging. Traffickers increasingly exploit Malaysian women and children in forced labor. Media report young male and female Malaysians pay recruitment fees for promised high-paying jobs, but traffickers transfer them to Cambodia and exploit them and authorities arrest them for immigration violations. In order to circumvent the Indonesian government's ban on Indonesian migration to 21 countries, some Indonesian workers transit Malaysia legally en route to Middle Eastern countries, where traffickers exploit some into forced labor.

MALDIVES: TIER 2 WATCH LIST

The Government of Maldives does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by establishing a working-level anti-trafficking unit (AHTU) within the Ministry of Economic Development (MED), investigating one new trafficking case, and providing shelter and services for three potential labor trafficking victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. 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 and misclassification of victims. The government did not initiate any new prosecutions and, for the second consecutive year, did not convict any traffickers. Victim protection remained ad hoc and inconsistent, and the government did not investigate any reports of employer passport retention or inspect any labor recruitment agencies. The Anti-Trafficking National Steering Committee (NSC) did not meeting for the second consecutive year. The definition of human trafficking in the government's trafficking law does not conform to the 2000 UN TIP Protocol, as it requires movement of the victim. Therefore, Maldives remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Respecting due process, increase investigations, prosecutions, and convictions for all forms of trafficking, including officials complicit in trafficking-related crimes. • Increase training for law enforcement and judges on investigation of trafficking crimes and application of the anti-trafficking law. • Increase training for front-line officials on differentiating sex trafficking from sexual abuse, and train immigration officials and social service providers to identify and refer suspected trafficking cases to police for screening. • Formally adopt SOPs for proactive identification of trafficking victims and referral to services, and train all relevant government officials on their use. • Amend the Prevention of Human Trafficking Act (PHTA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol. • Increase efforts to regularly monitor labor recruitment agencies and employers for labor violations, and punish those engaging in fraudulent practices, including contract switching. • Enforce prohibitions against passport retention by employers, including government agencies. • Create a new national action plan to combat trafficking. • Re-establish the state-run shelter and consistent rehabilitation services, including psycho-social support and interpretation at all stages of the process. • Finalize and implement the draft SOPs for shelter operations and victim services. • Raise public awareness of human trafficking—especially among migrant workers—through widespread media campaigns. • Convene regular meetings of the National Steering Committee on trafficking and its working-level body, and clearly designate roles to each entity.

PROSECUTION

The government decreased law enforcement efforts during the reporting period. The PHTA criminalized some, but not all, forms of sex trafficking 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 up to 10 years' imprisonment for trafficking offenses involving an adult victim and up to 15 years' imprisonment for those involving a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. MED began drafting an amendment during the reporting period to align PHTA's definition of trafficking with the 2000 UN TIP protocol; MED was seeking wider government input on the draft at the close of the reporting period.

The Maldives Police Service (MPS) reported initiating investigation of one adult sex trafficking case and one child sex trafficking case during the reporting period, compared to initiating one labor trafficking investigation the previous reporting period. Police closed the alleged child sex trafficking case after investigating and determining the allegations had been false; it continued the adult sex trafficking investigation against one Maldivian suspect at the close of the reporting period. The Prosecutor General's Office (PGO) did not initiate any new prosecutions, compared to one new prosecution the previous reporting period. Of the five prosecutions that remained ongoing at the close of the previous reporting period, PGO completed prosecution of two labor trafficking cases, in which judges acquitted the five Bangladeshi and two Maldivian defendants. Prosecution of the other three ongoing cases involving two Bangladeshi and four Maldivian suspects remained pending at the close of the reporting period. In one additional sex trafficking case that the victim had first reported in 2010—classified as sexual abuse—police dismissed the case twice in 2010 and 2012 and encouraged the victim to resolve the case personally; police opened an investigation a third time in 2017, after reports the alleged trafficker was exploiting the victims' sisters in sex trafficking. During the reporting period, the court dismissed the charges against the alleged trafficker without providing a justification. PGO appealed the dismissal and additionally pressed charges against the victims' mother and stepfather for negligence and failure to report the sexual abuse; PGO reported no further update at the close of the reporting period. The government did not secure any convictions during the reporting period, the same as in the previous reporting period. The government last convicted a trafficker under PHTA in 2016.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Private employers and some government agencies held the passports of foreign workers they employed. This included officials within the education and health ministries, which held the passports of foreign teachers and health care workers. MPS received complaints of employer passport retention but did not report any action to negotiate the release of the passports or penalize the employers for such acts or investigate potential labor or trafficking crimes among these populations. In the previous reporting period, Maldives Immigration had negotiated the return of documents to employees but neither penalized employers nor investigated potential labor or trafficking crimes. Civil society alleged labor recruiters bribed immigration officials to facilitate fraudulent recruitment, including to illegally obtain quotas to bring in more foreign workers; the Controller of Immigration also reported the former government had issued quotes "illegally." Despite these allegations, the government did not report any investigations into officials alleged to have issued illegal quotas. Observers stated some traffickers operated with impunity due to 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.

Immigration continued to implement a mandatory training curriculum on trafficking for new recruits, and MPS reported all officers in its anti-trafficking department had previously received trafficking-specific training. 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. Government officials acknowledged a need for more training on identifying and investigating trafficking cases, especially among MED, MPS, and the Labor Relations Authority (LRA) personnel. Civil society reported law enforcement and judges' lack of awareness and training

on the PHTA likely contributed to the dearth of successful prosecutions. MPS, in partnership with an international organization, maintained a trafficking case management system that allowed potential victims to submit cases to the police online; however, it was only available in English, which limited its utility. MPS began training staff from foreign embassies and consulates on how to submit cases of trafficking to the system, but the system did not receive any reports of trafficking during the reporting period. Authorities recognized the lack of law enforcement cooperation agreements with source-country governments as an obstacle to investigating cases with foreign victims or perpetrators; they did not report collaborating with other governments during the reporting period. While MPS usually used a contract interpreter to communicate with suspected trafficking victims, the absence of dedicated foreign language interpreters for victims and witnesses, including among other law enforcement agencies, continued to hamper law enforcement and victim protection efforts.

PROTECTION

The government maintained minimal victim identification and protection efforts. The government identified one potential forced labor victim during the reporting period, an increase from zero trafficking victims identified the previous reporting period but a sharp decrease from 18 victims identified in 2016. The Ministry of Gender, Family, and Social Services received 10 cases of child commercial exploitation and three cases of child commercial sexual exploitation during the reporting period, some of which may have been trafficking cases. The ministry provided psycho-social support and temporary shelter to victims of exploitation but did not refer the cases to MPS to screen for trafficking or for criminal investigation. MPS and social service providers did not have a clear understanding of the differences between sex trafficking and sexual abuse and sometimes categorized sex trafficking as sexual abuse, especially in cases of children; this made the true number of sex trafficking cases unknown. The government housed the potential forced labor victim in a guesthouse until MPS screened to confirm he was not a trafficking victim, and he was repatriated. Two Bangladeshi forced labor victims identified in a previous reporting period continued to receive services from the government, including shelter at a guesthouse. By the close of the reporting period, MED had provided new documentation to the victims, assisted them in securing employment, and reintegrated them back into society. The two victims identified in the adult sex trafficking investigation initiated during the reporting period had reported their exploitation after having left Maldives. The government did not reopen or construct a new dedicated trafficking victim shelter since 2014, in part due to budget constraints and the low number of victims identified. At temporary guesthouses, the government paid for shelter, food, and medical expenses. Victims were entitled to rehabilitative services, including counseling, interpretation, and police protection; in practice, however, victims lacked regular access to these services, which the government provided on a case-by-case basis. 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.

MPS trained 25 police and immigration officers on protection of children from international child sex offenders, including child sex tourists. The government did not formally adopt SOPs for victim identification, protection, and referral that NSC had finalized in 2016; MED attributed the lack of adoption to NSC's failure to meet during the reporting period. Although MPS had disseminated the SOPs to its officers in the past, other government agencies were not aware of these SOPs, at times resulting in the deportation of potential victims without screening or investigation. For example, Maldives Immigration conducted raids of undocumented workers during the reporting period. While immigration officials reported they had screened for trafficking and did not identify any trafficking victims among the undocumented workers, they did not coordinate such raids with MPS and, counter to the SOPs, did not refer any of the workers to MPS for formal screening. At the close of the reporting period, immigration authorities detained 80 undocumented Bangladeshi workers identified in one such raid pending deportation and did not coordinate with MPS to screen for trafficking. There were no reports the government inappropriately penalized victims for crimes committed as a direct result of being subjected to trafficking; however, due to a lack of formal identification procedures and screening, authorities likely detained and deported some labor trafficking victims. The judiciary could provide protections for child victims of exploitation, including trafficking, who participated in trials against their alleged traffickers. No child trafficking victims participated in law enforcement proceedings during the reporting period. Foreign trafficking victims could 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. Civil society questioned whether immigration officials adequately screened for trafficking among migrant workers who applied for voluntary departure.

PREVENTION

The government maintained minimal efforts to prevent trafficking. The NSC, composed of senior government officials and chaired by MED, was responsible for coordinating government and NGO anti-trafficking efforts, including implementation of the national action plan. Neither NSC nor its working-level advisory body met during the reporting period, in contrast with the previous reporting period when the advisory body met quarterly. As a result, NSC made minimal progress implementing the 2015-2019 anti-trafficking national action plan and failed to comply with a legal requirement to develop and submit to parliament an annual report of its activities. In February 2019, the president established a new anti-trafficking coordinating body, the AHTU, to coordinate the government's anti-trafficking efforts at the working level. The AHTU, housed within MED, assumed responsibility for several anti-trafficking efforts, including implementation of the 2015-2019 action plan, awareness raising, especially among the migrant workforce, and managing the anti-trafficking hotline, while the NSC maintained responsibility for anti-trafficking policy. AHTU had hired eight new staff by the close of the reporting period. The government's anti-trafficking infrastructure largely excluded the Ministry of Gender and Family, which had previously chaired the steering committee. Several agencies continued to report weak government coordination on anti-trafficking efforts. MPS maintained its trafficking hotline but did not receive any calls during the reporting period, a decrease from 20 calls received the previous reporting period. Officials noted a need to increase awareness of the hotline.

Immigration continued to use a pre-departure screening system for Bangladeshi migrant workers. The system required Bangladeshi employment agencies to register in the system, agree to standard wage and safety conditions, and establish

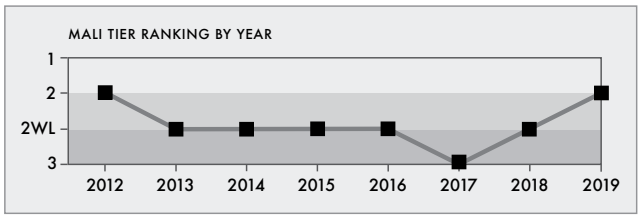
electronic contracts with migrant workers that recruiters could not amend. Bangladeshi officials noted the system had diminished the number of fraudulent job offers, but employers continued to routinely give migrant workers new contracts upon arrival that did not match the previously negotiated contract. Maldives Immigration drafted an MOU on human trafficking with the Bangladeshi government; the draft awaited finalization by Maldivian officials at the end of the reporting period. The government's revised regulations for foreign employment agencies required all agencies to be licensed and fully compliant with regulations by July 2017. MED did not inspect any recruitment agencies in 2018, a sharp decrease from 40 inspections in 2017. The immigration department began investigating 67 employers for negligence in recruitment of foreign workers during the reporting period. Authorities barred 27 employers from bringing in or recruiting new migrant workers, but employers retained the ability to extend or renew their existing workers' permits. 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, 2,648 undocumented workers enrolled in this program. LRA maintained its position that blacklisting labor-recruiting companies and individuals for labor-related infractions was ineffective because companies could register under a new name to continue operations, and it did not blacklist any labor-recruiting companies during the reporting period. LRA was legally mandated to inspect all worksites, including private houses, but it did not report inspecting any worksites during the reporting period—even those that it suspected might have had trafficking victims—citing a lack of funding and staff. MED, MPS, and LRA began creating an online portal for island councils to report the numbers of migrant workers on each island, but it was not implemented during the reporting period. LRA partnered with the Filipino consulate to promote awareness of labor laws and reporting mechanisms for consulate staff, MPS officials raised awareness of migrant worker and trafficking issues generally on TV and radio, and immigration officials handed out pamphlets with details of labor laws and reporting mechanisms to migrant workers upon arrival to the airport. Nonetheless, civil society reported a continued lack of significant, systematic efforts to raise awareness of trafficking and reporting mechanisms among the most vulnerable groups. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. MPS and the Ministry of Tourism partnered with an international organization to conduct "child safe tourism" campaigns for 36 guesthouse operators and resort managers in two atolls during the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Maldives, and traffickers exploit victims from Maldives abroad. An unknown number of the approximately 169,000 documented and 65,000 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. Authorities suspect some foreign workers from Bangladesh who enter the country on work visas might be younger than 18 years old and traveling with falsified passports. Police reported an uptick in Bangladeshi nationals living in Maldives who pose as labor agents and fraudulently recruit migrant workers from Bangladesh, facilitate their travel to Maldives, and abandon them upon arrival without documentation, rendering them vulnerable to trafficking. Migrant workers on fishing and cargo boats in Maldivian waters were vulnerable to forced labor. Girls from Maldives and Bangladesh and—to a lesser extent—women from Africa, Asia, and Eastern Europe are subjected to sex trafficking in Maldives. Some impoverished parents act as traffickers, allowing sex traffickers to exploit their children in exchange for financial assistance. Some women from South Asia are forced into prostitution after entering the country with their trafficker under the guise of tourism. Some 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. There are unverified reports that some foreign tourists exploit Maldivian children in child sex tourism.

MALI: TIER 2

The Government of Mali does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Mali was upgraded to Tier 2. The government demonstrated overall increasing efforts by increasing prosecution of trafficking crimes, initiating prosecution of two allegedly complicit police officers, continuing to partner with international organizations and NGOs to train law enforcement and community leaders, and approving the 2018-2022 National Plan of Action to Combat Trafficking in Persons. However, the government did not meet the minimum standards in several key areas. The government continued to provide support to and collaborate 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. The government did not investigate any suspects, including government officials, for child soldiering offenses or make efforts to prevent armed groups from recruiting and using children. Law enforcement continued to lack resources and understanding of human trafficking, which impeded law enforcement efforts.



PRIORITIZED RECOMMENDATIONS:

Cease support to armed groups that unlawfully recruit and use children, and hold criminally accountable any officials complicit in child soldiering. • As part of the peace process, engage

with non-governmental armed groups to cease recruitment and use of children. • Follow the established protocol for referring children allegedly associated with armed groups to care, and release any children inappropriately detained. • Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including complicit officials, with sentences prescribed in the 2012 anti-trafficking law. • Expand and strengthen implementation of programs for the disarmament, demobilization, and reintegration of former child combatants that address specific needs of child ex-combatants, including psycho-social care, family reintegration, education, and vocational training. • Train and equip law enforcement on effective investigation techniques. • Regularly train judges and prosecutors on the 2012 anti-trafficking law and standardize refreshment trainings. • Continue to provide funding and in-kind support to NGOs that help identify and assist trafficking victims. • Develop and train officials on standardized mechanisms to identify trafficking victims. • Allocate a dedicated budget, resources, and personnel to the anti-trafficking committee and institutionalize monthly meetings of the anti-trafficking committee to improve operationalization of anti-trafficking policies and inter-ministerial coordination.

PROSECUTION

The government maintained law enforcement efforts. Law 2012-023 Relating to the Combat against Trafficking in Persons and Similar Practices, as amended, criminalized sex trafficking and labor trafficking. The law prescribed penalties of five to 10 years' imprisonment for trafficking offenses, except forced begging for which it prescribed lesser penalties of two to five years' imprisonment and a fine of 500,000 to two million West African CFA francs ($879-$3,520). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Government officials and NGOs reported that the law could not be effectively implemented to prosecute trafficking cases involving hereditary slavery because hereditary slavery is not precisely defined in the law.

As in the previous reporting periods, the justice minister issued a decree instructing judicial personnel to prioritize prosecutions of cases under the 2012 law. Law enforcement data for this reporting period was incomplete and otherwise difficult to obtain due to a three-month nationwide magistrates' strike and a lack of a centralized mechanism to collect comprehensive anti-trafficking law enforcement statistics. In addition, 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, due to continuing security challenges. The government reported investigating 17 cases, prosecuting 37 cases involving 55 alleged traffickers, and convicting one trafficker. Most cases the government investigated and prosecuted were sex trafficking cases. The convicted trafficker brought three Malian children to Cote d'Ivoire to exploit them in forced labor; the trafficker received a sentence of four years' imprisonment. Three convictions from previous reporting periods involving the exploitation of children in forced begging were pending appeal at the end of the reporting period. This is compared with 32 investigations, 13 suspects prosecuted, and one conviction during the previous reporting period. The trafficker convicted in 2017 received a sentence of eight months' imprisonment.

In collaboration with international organizations, the Ministry of Justice trained more than 200 judges, magistrates, labor inspectors, gendarmerie, and police in five of Mali's eight regions on victim identification and investigations and prosecutions under the 2012 anti-trafficking law and distributed approximately 200 copies of the anti-trafficking law. Despite these efforts, continued lack of awareness of the 2012 law stymied law enforcement action; for example, prosecutors dropped charges against two alleged traffickers for forced begging because prosecutors were unfamiliar with the 2012 anti-trafficking law. Additionally, the police's system-wide lack of funding and resources, including vehicles and equipment to investigate crimes, impeded anti-trafficking efforts. The government continued the investigation from the previous reporting periods 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 government initiated prosecution of the two police officers during the reporting period. The non-governmental armed group GATIA, led by a Malian general, recruited and used child soldiers during the reporting period, but the government did not report any investigations, prosecutions, or convictions of traffickers for any child soldiering offenses.

PROTECTION

The government maintained efforts to identify and protect trafficking victims. Government officials and NGO partners identified 122 trafficking victims and 46 potential 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 104 potential trafficking victims the previous reporting period. Among the identified victims, authorities identified 23 forced labor victims, including forced begging, at least three sex trafficking victims, and 84 Malians exploited abroad in Burkina Faso, Cote d'Ivoire, and other West and North African countries. 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. 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; three of the facilities assisted potential Guinean and Nigerian child 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. In collaboration with NGOs, MFFE also coordinated repatriation for 84 Malian nationals exploited abroad, including a trafficking victim identified in Morocco, and provided food, shelter, and medical assistance upon repatriation.

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 unlawful acts traffickers compelled them to commit; however, a foreign government alleged Malian law enforcement physically abused, detained, and, in some cases, returned trafficking victims to their traffickers. Authorities continued following the government's 2013 inter-ministerial protocol requiring them to direct former child soldiers to rehabilitation centers. The Directorate for the Promotion of Children and Family (DPCF) within the Ministry for Promotion of Women, Children and Family reported identifying 53 children used by armed groups in 2018 and referred these children to international organizations for care; the government reunified 21 of these children with their families in 2018.

PREVENTION

The government increased efforts to prevent trafficking. In coordination with international organizations, the government finalized and published the 2018-2022 National Plan of Action to Combat Trafficking in Persons in January 2019. The national anti-trafficking committee met quarterly 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 ($351,710) for anti-trafficking efforts, the same amount allocated the previous year. With this funding, the government conducted activities outlined in the 2018-2022 National Plan of Action to Combat Trafficking in Persons such as anti-trafficking trainings, awareness-raising activities, and provided in-kind support to NGO victim shelters. With an NGO, the government also conducted three awareness-raising sessions on child forced begging for 300 community leaders and 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 commercial sex or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not provide anti-trafficking training to Malian troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

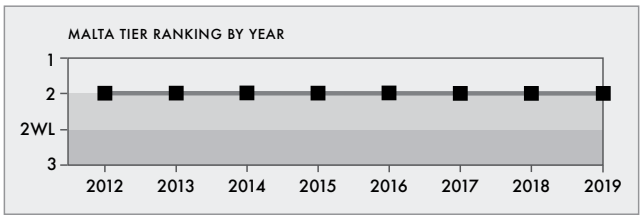
As reported over the past five years, human traffickers exploit domestic and foreign victims in Mali, and traffickers exploit victims from Mali abroad. Humanitarian actors report high unemployment, food insecurity, and security threats drive some families to sell their children into domestic servitude 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, cotton, dry cereal, and corn cultivation—artisanal gold mines, domestic work, transportation, begging, and the informal commercial sector. Corrupt Quranic teachers also coerce and force Malian boys to beg or perform agricultural work in in neighboring countries, including Senegal, Guinea, and Cote d'Ivoire. 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. In January 2019, Nigerian authorities estimated more than 20,000 Nigerian girls are victims of sex trafficking in Mali, although this data has not been corroborated. 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 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 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 22 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 sex trafficking and sexual slavery.

MALTA: TIER 2

The Government of Malta does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Malta remained on Tier 2. These efforts included prosecuting more traffickers, hiring a social worker dedicated

to trafficking victims, removing all residency and work permit fees for foreign victims of trafficking, and for the first time, identifying and referring a child victim to care. However, the government did not meet the minimum standards in several key areas. It has only convicted one trafficker since 2012, which resulted in a fully suspended prison sentence, identified fewer victims, continued to lack coordination among ministries, and did not effectively control licensing for massage parlors, where there was a high vulnerability for sex trafficking.



PRIORITIZED RECOMMENDATIONS:

Vigorously and expeditiously investigate and prosecute trafficking offenses, including convicting traffickers and sentencing convicted traffickers to significant prison terms. • 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. • Improve coordination efforts among ministries to effectively implement the national action plan. • Improve license control for massage parlors. • Increase collaboration between police and other stakeholders during investigations. • Use anti-trafficking training for police officers, prosecutors, and judges to increase focus on working with victims. • Disburse sufficient funding to the inter-ministerial committee for implementing the national action plan. • Provide adequate availability of interpreters for victims.

PROSECUTION

The government maintained law enforcement efforts. Article 248A-G of the criminal code criminalized sex trafficking and labor 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, which is responsible for trafficking, conducted three investigations in 2018, compared to seven in 2017. Police also conducted seven investigations for illegal prostitution in massage parlors, but they found no evidence of trafficking. The government prosecuted 10 persons (eight for labor trafficking and two for sex trafficking) compared to two in 2017. 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. In March 2018, the government convicted one sex trafficker from a 2008 case, however the court fully suspended the prison sentence; this was the first conviction since 2012. The perennial issue of slow court proceedings continued to hamper prosecutions and convictions. There were no new investigations or prosecutions of government employees complicit in trafficking offenses. In September 2018, the Ministry of Home Affairs and National Security delivered several training sessions to new police recruits, domestic and foreign border guards, and immigration officials.

PROTECTION

The government maintained protection efforts. Police identified 23 foreign trafficking victims and one Maltese victim, compared to 30 foreign victims in the previous reporting period. Forced labor victims included 17 Filipinos (13 from a single case), three Mauritians, one Nepali, and one Pakistani. Sixteen of the forced labor victims were male and six were female. Sex trafficking victims included one Moldovan woman and one Maltese girl—the first government-identified child victim to date. The government maintained standard operating procedures for victim identification that allowed a range of entities to refer victims to the government's social welfare agency. The government funded the UK to provide training to immigration officials on victim identification and referral. The training was compulsory for all officials responsible for issuing residence permits and visas. In March 2019, the government also funded training for labor officials and inspectors on victim identification.

The national welfare agency offered medical care, employment services, personal and legal counseling, and additional emergency shelters and staff. Victims had freedom of movement in government shelters. The government provided the child victim with comprehensive specialized support. Sixteen of the 24 victims identified during the reporting period received care services. The government assisted one victim with return to their home country. The government hired a social worker dedicated to trafficking victims. In March 2019, the legal aid agency trained victim assistance lawyers.

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 courts inconsistently offered it. Some victims reported challenges in accessing interpreters. The law provided victims a two-month reflection period to recover and contemplate cooperation with law enforcement. A victim support unit provided 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. In 2018, authorities enacted a new policy that removed all residency and work permit fees for victims of trafficking. The government provided these temporary residence permits to 15 of the trafficking victims identified during the reporting period. The government improved collaboration between ministries issuing residency permits. In one large case, 14 victims received permits within one day of detection. Victims could 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. Courts penalized some minors under prostitution laws in recent years without efforts to identify them as sex trafficking victims.

PREVENTION

The government increased prevention efforts. The inter-ministerial anti-trafficking committee continued to implement the 2017-2019 national action plan. The committee convened several times throughout 2018; however, authorities and NGOs continued to report a lack of effective interagency coordination on trafficking issues. The government maintained its anti-trafficking budget of €20,000 ($22,940) for 2018, but reduced the budgeted amount to €16,000 ($18,350) for 2019. The government also provided €53,000 ($60,780) for victim services, an increase from €35,000 ($40,140) in 2017, and spent an undisclosed amount on training programs. The government

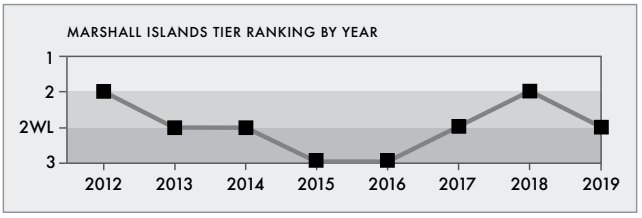
increased awareness campaigns over the reporting period by launching television commercials to inform the public on sex and labor exploitation, including human trafficking, and held a forum to raise forced labor awareness in the business sector. In January 2019, the National Commission on Domestic Violence organized a five-day anti-trafficking training event focused on bringing together stakeholders from the public, private, and NGO sectors. Additionally, the government allocated €120,000 ($137,610) for a national anti-trafficking campaign scheduled for 2019. The Parliamentary Secretary for Reforms, Citizenship, and Simplification was responsible for whole-of-government reform of efforts to fight trafficking and held multiple consultations with the interagency, civil society, and the private sector that will inform the new 2020 action plan. NGOs reported a lack of regulation on licensing for massage parlors, which remained places of high concern for sex trafficking. The government did not make efforts to reduce the demand for commercial sex acts. 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, human traffickers exploit domestic and foreign victims in Malta. Sex traffickers exploit foreign and domestic women and children and labor traffickers exploit foreign men and women. Forced labor victims originate from China, Eastern Europe, and Southeast Asia, with increasing numbers from the Philippines. 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 trafficking. 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 WATCH LIST

The Government of the Republic of the Marshall Islands (RMI) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included funding an international organization to provide some anti-trafficking training to officials and an NGO to provide free legal advice and support to victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. In June 2018, local media alerted police to a brothel with potential child sex trafficking victims and alleged complicity of high-ranking government officials in the brothel's operation. The police reportedly took no action until after the local newspaper published the story; the police investigation remained ongoing at the end of the reporting period—nine months later. The government did not report efforts to identify these girls as trafficking victims or any other trafficking victims and did not report providing assistance to any potential or confirmed victims during the reporting period. The government did not report any investigations, prosecutions or convictions of government officials complicit in trafficking and it had not prosecuted or convicted any traffickers since 2011. Therefore the RMI was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to vigorously investigate, prosecute, and convict traffickers, including complicit officials, and sentence traffickers to adequate penalties. • Disseminate and employ proactive procedures to identify trafficking victims among all vulnerable groups, such as women in commercial sex and foreign fishermen, and train officials on their use. • Train law enforcement and prosecution officials to implement the anti-trafficking laws. • Strengthen efforts to administer and fund protective services for victims in cooperation with NGOs and international organizations and ensure potential victims are proactively offered services while their case is investigated. • Develop a current national action plan on trafficking and implement it. • Develop and conduct anti-trafficking education and awareness-raising campaigns. • Undertake research to study human trafficking in the country. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government decreased law enforcement efforts. The Prohibition of Trafficking in Persons Act of 2017 criminalized sex trafficking and labor trafficking and prescribed penalties of up to 15 years' imprisonment, a fine of up to $10,000, or both if the victim was an adult, and up to 20 years' imprisonment, a fine of up to $15,000, or both if the victim was under age 18. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. In June 2018, local media uncovered alleged child sex trafficking of Marshallese girls at a brothel and alleged complicity of high-ranking government officials in its operation. Despite the journalist alerting police to the potential child sex trafficking, the police reportedly took no action until after the local newspaper published the story. At the end of the reporting period, the government reported the investigation remained ongoing and did not report the outcome of two investigations into child sex trafficking initiated in the previous year. The government had not reported any trafficking prosecutions or convictions since 2011. The government acknowledged a need for improved technical capacity for law enforcement on investigative and surveillance techniques and for prosecutors on case management and court filing procedures. Despite reports of alleged official complicity, the government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. The government funded an international organization to train immigration, police, customs, and maritime surveillance officers in November 2018 on migrant smuggling, human trafficking, and the provision of assistance to vulnerable migrants.

PROTECTION

The government decreased efforts to protect victims. While the government had standard operating procedures for the identification of victims, the government did not report employing such procedures or identifying any victims, compared

with the identification of one child sex trafficking victim and one potential victim during the previous report period. The government, with non-governmental, faith-based and international organizations, could provide protective services to victims; however, it did not provide such services to any potential or identified trafficking victims during the reporting period despite local media reporting potential child sex trafficking victims. Government-provided services included counseling, legal assistance, testing for sexually transmitted diseases, and accessible services for victims with disabilities. The government had a memorandum of understanding with an NGO to assign female victims between ages 14 and 18 to survivor support services and place them in a network of approved safe houses. The Ministry of Internal Affairs assumed supervision of all other child victims and continued to fund two social workers whose duties included coordinating assistance to trafficking victims, among others. Adult victims were provided shelter by NGOs and were able to leave safe houses or shelters unchaperoned unless it was determined that doing so might put them in danger. The government contributed $93,000 to an NGO to provide free legal advice and support to victims, including trafficking victims; the same amount as during the previous reporting period. The government did not provide long-term alternatives to removal to countries where victims may face hardship or retribution.

PREVENTION

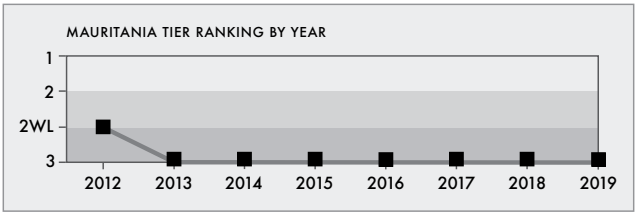
The government decreased efforts to prevent trafficking. The National Task Force on Human Trafficking (NTHT) encompassed a wide array of government, NGO, and international organization members and led the government's anti-trafficking efforts. While the NTHT reportedly remained engaged, observers identified a need for increased coordination and information sharing between agencies to ensure the appropriate authorities took action on suspected cases of trafficking. The government's national action plan expired in 2017; during the reporting period, the government took steps to renew the plan but did not finalize it. In contrast to the previous year, when the government conducted awareness campaigns that reached more than 2,400 people, the government did not report conducting any new or ongoing awareness campaigns. However, the government did co-host and publicize a film showing and public awareness event, with a foreign government, to coincide with the UN's World Day against Trafficking in Persons. The government continued to take measures to prevent the commercial sexual exploitation of vulnerable populations 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 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, human traffickers exploit domestic and foreign victims in the Marshall Islands, and traffickers exploit Marshallese victims abroad. Traffickers exploit East Asian and Marshallese girls in sex trafficking in the RMI. Hotel and bar staff and family members recruit and transport women and girls and exploit them in sex trafficking with foreign construction workers and crewmembers of foreign fishing and transshipping vessels that dock in Majuro. Observers report commercial sexual activity involving foreign fishermen has increasingly moved from fishing vessels to local bars and hotels. Traffickers also exploit some of these foreign fishermen in conditions indicative of forced labor on ships in Marshallese waters. Traffickers compel foreign women, most of whom are long-term residents of RMI, into prostitution in establishments frequented by crewmembers of Chinese and other foreign fishing vessels; some traffickers recruit Chinese women with the promise of other work and, after paying large recruitment fees, they force them into prostitution. Some wealthier or more powerful family members used traditional cultural practices to exploit impoverished Marshallese from outer islands to serve as indentured labor on their property. 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.

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 by continuing to assist vulnerable children, including trafficking victims, at day centers and closing a recruitment agency for its role in fraudulent recruitment and sex trafficking. The government also organized an event with an NGO to raise awareness among religious leaders about child exploitation, including forced begging. However, the government continued to harass anti-slavery activists. While funding for anti-slavery courts increased during the rating period, 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. The government also did not proactively identify trafficking victims.



PRIORITIZED RECOMMENDATIONS:

Hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged slavery offenses and interference in ongoing investigations. • Significantly increase efforts to investigate, prosecute, and convict traffickers and slaveholders with significant prison terms using the 2003 anti-trafficking and 2015 anti-slavery laws, and mandate that any human trafficking cases tried under the 2003 anti-trafficking law are automatically referred to the anti-slavery courts. • Continue to increase funding for the anti-slavery courts, ensure each of the anti-slavery courts is appropriately staffed with a dedicated prosecutor (*procureur*), judge of inquiry, and trial judge, and train prosecutors and judicial officials on both the 2003 anti-trafficking and 2015 anti-slavery laws. • Limit the rotation of judges sitting on the three anti-slavery courts to ensure sufficient expertise to carry

out their duties effectively in accordance with the 2015 anti-slavery law. • Develop standard procedures to identify and refer trafficking and slavery victims to care, and train authorities on the procedures' implementation. • 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. • Partner with NGOs to provide shelter and services to all trafficking victims, including adults. • Proactively screen potential trafficking victims for trafficking indicators and cease detaining, deporting, or otherwise penalizing potential trafficking victims, including sexual abuse victims, women in prostitution, and irregular migrants. • Investigate and prosecute individuals accused of fraudulently recruiting Mauritanians abroad for exploitation in forced labor and sex trafficking. • Legally recognize anti-trafficking NGOs, allow them to register and operate within the country, free from undue government interference, and cease harassment of anti-slavery activists. • Develop and finalize an anti-trafficking national action plan that addresses all forms of trafficking, including hereditary slavery and forced labor, with input from civil society and all relevant ministries in the government. • Foster dialogue with civil society working on anti-slavery issues and, with input from civil society, develop and implement a plan to continue providing assistance to former slaves and members of traditional slave castes to allow them the opportunity to leave their communities of enslavement. • Increase public awareness campaigns against trafficking, including hereditary slavery.

PROSECUTION

The government maintained weak anti-trafficking law enforcement efforts. The 2003 Law Against Trafficking in Persons criminalized sex trafficking and labor trafficking, except hereditary slavery, and prescribed penalties of five to 10 years' imprisonment and a fine of 500,000 to one million Mauritanian ouguiya (MRU) ($13,890-$27,780), 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 and a fine of 250,000 to five million MRU ($6,940-$138,890).

During the reporting period, the government investigated four cases, prosecuted one alleged trafficker, and convicted zero traffickers, compared to three investigations, three prosecutions, and three convictions the previous reporting period. Nine appeals cases remained pending before the Nema anti-slavery court at the end of the reporting period. The government continued an 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 and closed the recruitment agency during the reporting period. NGOs reported the government did not initiate any new investigations into fraudulent recruitment. During the previous reporting period, a Mauritanian domestic servitude victim in Saudi Arabia attempted to file a complaint against her employer, but the Mauritanian embassy reportedly refused to assist. An NGO within Mauritania 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. The NGO reported an appeals court sentenced the owner of the recruitment agency to three years' imprisonment but the owner never served his sentence.

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 700,000 MRU ($19,440) during the reporting period, an increase from a total of 450,000 MRU ($12,500) during the previous reporting period. While the appointed judges received specialized training on the 2015 anti-slavery law, they have not been trained in its enforcement and the unique challenges of investigating slavery cases, including how to prevent slaveholders from intimidating victims to withdraw their cases. Moreover, while other topical courts had specialized prosecutors, there were no specialized prosecutors for the anti-slavery courts. Judicial shuffles affected the anti-slavery courts twice during the reporting period. During an abrupt May 2018 judicial reshuffle, the Supreme Judicial Council (SJC) reassigned or removed experienced presiding judges sitting on the Nema and Nouakchott anti-slavery courts. In a second reshuffle in December 2018, the SJC appointed a new presiding judge to the Nema anti-slavery court and two deputy judges to the Nouakchott anti-slavery court. The Ministry of Justice directed all courts to transfer cases under the 2015 anti-slavery law to the anti-slavery courts; judges transferred nine slavery cases, but an unknown number of slavery cases remained with local courts.

Efforts to address hereditary slavery remained weak. Despite persistent concerns of official complicity and corruption in slavery cases, the government did not report any prosecutions or convictions of government officials complicit in, or accused of corruption related to, human trafficking offenses. Some police, prosecutors, and judges reportedly refused to investigate and try cases of hereditary slavery, or to acknowledge hereditary slavery continued to occur. Heavy government influence over the judiciary restricted its independence, and reports persisted that prosecutors and judges often prosecuted alleged slave owners for lesser offenses, closed slavery cases, or transferred cases for mediation to avoid bringing a slavery case to trial. Although prosecutors have a legal obligation to transfer slavery cases to the anti-slavery courts, some prosecutors encouraged victims to withdraw their complaints in exchange for a small amount of financial compensation. *Marabouts* (Quranic teachers) suspected of exploiting *talibés* (Quranic students) in forced begging are rarely prosecuted and usually enter agreements with prosecutors to drop cases. However, Tadamoun, the government agency mandated to address poverty and the "vestiges of slavery," remained a civil party to nine ongoing slavery investigations. International organizations organized five trainings on the anti-trafficking legal framework and forced labor cases for approximately 65 judges, prosecutors, and security officials without financial or in-kind support from the government.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government did not report identifying any trafficking victims, compared to identifying 35 child forced begging victims in the previous reporting period. NGOs reported identifying at least 310 child 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 did not know where to refer identified victims for care. The Ministry of Social Affairs (MASEF) reported supporting 360 children at risk of, or victims of violence, abuse, and exploitation, which could include trafficking victims, at its public day centers. NGOs, sometimes in partnership with MASEF, reported caring for 4,998 vulnerable children during the reporting period, which

included child victims of violence, abuse, and exploitation, including trafficking. Some 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. An international organization assisted with the repatriation of 17 of the 200 domestic servitude and sex trafficking victims identified in Saudi Arabia since 2016; the status of the remaining 183 victims was unknown at the end of the reporting period.

MASEF managed seven public day centers for the protection and social integration of children that provided basic educational services, such as vocational training and literacy programs, which child trafficking victims could access. In addition, two of its day centers in Nouakchott could provide overnight and long-term care for child victims of crime. Because MASEF's day centers closed at night, *talibés* 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 360,000 MRU ($10,000) to MASEF's day centers to fund staff and psycho-social assistance, the same as the previous reporting period. The government also allocated 370,800 MRU ($10,300) to MASEF's Office of Childhood and 656,000 MRU ($18,220) to MASEF's Vocational Training Center. Government 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.

During the previous 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 partially complied with the ruling by providing identity documents, enrolling the victims in school, and compensating each victim 300,000 MRU ($8,330). However, the government did not provide psychological support or prosecute the alleged perpetrators and the case is pending further appeal with the African Union. 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. Tadamoun provided support to 61 victims of slavery, which included legal assistance and providing income-generating activities or a stipend. 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. Mauritanian law allows potential victims to file for asylum or refugee status; however, the government did not report granting these 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 or sex trafficking. Officials jailed women suspected of prostitution and held irregular migrants in detention until their refugee status was resolved, without screening for trafficking. In 2018, the Ministry of Interior deported 5,091 foreign residents to their countries of origin without screening for trafficking indicators.

PREVENTION

The government maintained minimal efforts to prevent human trafficking. No single government agency was responsible for leading national anti-trafficking efforts. While the inter-ministerial anti-trafficking committee, which reported to the prime minister, did not meet during the reporting period, the human rights commissioner hosted two sub-cabinet inter-ministerial meetings on issues that included human trafficking. In 2018, the government announced it completed all necessary activities outlined in the 2014-2017 roadmap to fight the vestiges of slavery, an action plan drafted in collaboration with an international organization; however, the government did not engage with the international organization to assess the roadmap's indicators and impacts, nor did it advance plans for a follow-up action plan. In June 2018, the government partnered with an NGO to organize a communication day in Nouakchott with community and religious leaders on the role of religious leaders in the protection of children from exploitative situations, such as child forced begging. The government conducted additional awareness-raising activities through radio programs and community workshops; the reach of these programs is unknown. Tadamoun continued operating schools in communities of former slaves and providing income-generating activities in poverty-stricken areas, focusing particularly on communities of slave descendants and groups vulnerable to exploitation. The government continued to harass and prevent anti-slavery activists from operating in Mauritania. Multiple organizations working on anti-slavery issues remained unable to legally register, limiting their ability to operate in the country. In August 2018, the government arrested a prominent anti-slavery activist for alleged threats against a journalist; after five months in prison, the activist was sentenced to six months' imprisonment with four months suspended and was immediately released. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. 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. In 2017, the government signed a Memorandum of Understanding (MOU) with Saudi Arabia to increase protections for prospective domestic workers; for the second consecutive year, the government did not implement the MOU during the reporting period and denied requests to consult with civil society organizations on implementation. The government revived an agreement with an international organization to study the scope of forced labor in Mauritania; the final report is expected at the end of 2019. In November 2018, the government partnered with an international organization to issue identification cards to Malian refugees—as well as birth certificates to Malian refugee children born in Mauritania—in Mbera camp to reduce vulnerability to trafficking. The government did not provide anti-trafficking training to its diplomatic personnel.

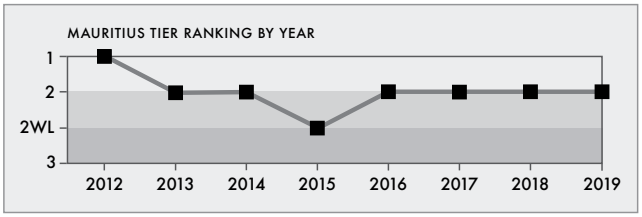
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Mauritania, and traffickers exploit victims from Mauritania abroad. Adults and children from traditional slave castes in the Haratine (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 forced labor and hereditary slavery does not exist, local and international experts agree hereditary slavery continues to affect a small, but not insignificant portion of the country's population in both rural and urban settings. Many former slaves and their descendants remain in a dependent status with the family of their former slaveholders due in part to cultural traditions as well as a lack of skills and alternate economic opportunities. Some former slaves reportedly continue to work for their former masters or others under exploitative conditions to retain access to land 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. According to a 2015 survey, 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 illicit drugs. West African women and girls, especially Senegalese and Ivoirians, are vulnerable to domestic servitude and sex trafficking in Mauritania. Refugees in Nouadhibou reportedly engage in prostitution due to their dire financial situations, increasing their vulnerability to forced prostitution. Mauritanian, Nigerian, and Senegalese traffickers in the port city of Nouadhibou exploited Sub-Saharan African migrants transiting Mauritania en route to Morocco and Europe 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 overall increasing efforts compared to the previous reporting period; therefore Mauritius remained on Tier 2. These efforts included identifying and assisting more trafficking victims, including for both forced labor and sex trafficking; delicensing and referring several labor recruitment companies for criminal investigation; increasing labor inspections of migrant worker employment sites; increasing educational sessions on migrant worker rights; and increasing efforts to address passport seizure, including returning passports to migrant workers and referring perpetrators for criminal investigation. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers during the reporting period and protection services for adults remained lacking, with neither specialized shelters nor systematic provision of care. The government continued to lack a government ministry that was responsible for adult sex trafficking victims. While case conferencing had begun, coordination between law enforcement and prosecutors still needed improvement and the judicial process continued to be prohibitively slow, discouraging some victims from pursuing legal redress. The inter-ministerial committee on trafficking did not adopt a national action plan.



PRIORITIZED RECOMMENDATIONS:

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. • Continue increasing efforts to investigate and prosecute trafficking offenses, and convict and sentence traffickers to adequate penalties. • Continue to implement and consistently enforce strong regulations and oversight of labor recruitment companies, including eliminating recruitment fees charged to migrant workers, and hold fraudulent labor recruiters criminally accountable. • Continue to improve coordination between law enforcement and prosecutors to decrease the length of the judicial process, including continued case conferencing and prosecution-led investigations, and consider establishing a fast-track for trafficking cases. • Implement a witness protection program to increase protection for victims and increase victim willingness to cooperate in prosecutions. • Continue vigilant monitoring of employers of migrant workers to identify and investigate indicators of trafficking. • Increase bilateral labor negotiations with source country governments to increase protections for migrant workers. • Continue to provide specific anti-trafficking training to law enforcement officials, labor inspectors, social workers, prosecutors, and magistrates to improve case investigation and victim identification and referral to appropriate care. • Prioritize the inter-ministerial committee's role in driving coordinated national efforts to combat trafficking. • Finalize the national action plan to combat trafficking, allocate sufficient funding to its implementation, and ensure clear roles and responsibilities in its implementation. • Utilize the national centralized anti-trafficking data collection and reporting tool.

PROSECUTION

The government maintained overall anti-trafficking law enforcement efforts, but did not convict any traffickers during the reporting period. The Combating of Trafficking in Persons

Act of 2009 criminalized sex trafficking 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 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. 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.

With training and support from an international organization, the government had access to a national centralized anti-trafficking data collection and reporting tool; although it had been fully deployed during the reporting period, government use of the tool was limited. In 2018, the government reported initiating four investigations into at least five suspects; specifically, there was one investigation into child sex trafficking, two investigations into adult sex trafficking, and one investigation into forced labor. The government reported initiating prosecutions of 15 suspects and charging suspects under both the 2009 anti-trafficking law and the 2005 child protection act for sex trafficking; three of these cases were in front of the intermediate court at the end of the reporting period with one trafficker pleading guilty but not yet sentenced. The government reported convicting zero traffickers during the reporting period. This compared to four investigations, six prosecutions, and two convictions in 2017. Law enforcement and prosecutors reported increased case conferencing and coordination; however, coordination required further improvement and the judicial process continued to be prohibitively long, frequently many years, which at times dissuaded victims from seeking legal redress.

The Mauritius Police Force (MPF) continued the operation of an internal coordination committee to combat trafficking as well as a "TIP desk," where two police officers focused on trafficking cases and served as a resource to other police units. The Ministry of Gender Equality, Child Development, and Family Welfare's Child Development Unit (CDU), responsible for all child protection issues, including trafficking, hired an additional 17 officers; these officers received anti-trafficking training during the reporting period. In 2018, the Mauritius Police Training School provided anti-trafficking courses to 462 law enforcement officers; this compared to 442 trained in 2017. The government trained 30 airport officials on identifying child trafficking victims. 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 increased efforts to identify and protect victims of sex and labor trafficking, but the availability of services for adult sex trafficking victims remained lacking. In 2018, the government identified 11 trafficking victims, including nine adult labor trafficking victims and two sex trafficking victims; this compared to five victims identified in 2017. The government provided medical assistance, counseling, and victim support to the two victims of sex trafficking. The government provided the nine adult male Bangladeshi victims of forced labor, identified in the textile industry, with new work permits without charge; police escort to their new places of employment; and translators during the investigation. However, the government did not report providing medical or psychological assistance to these victims or taking any further law enforcement actions against the trafficker. The government reported funding the repatriation of foreign labor trafficking victims, but did not report how many victims received this service during the reporting period. The CDU continued to systematically employ the standard referral procedure after identifying child trafficking victims. However, the government continued to lack standard identification and referral procedures for adult sex or labor trafficking victims and there continued to be no clear government agency responsible for assisting adult sex trafficking victims. The government continued the operation of a shelter for female child sex trafficking victims, which could host up to 32 children, but did not report how many 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 of 14 million Mauritian rupees ($409,960) for several anti-trafficking NGOs; several NGO-run daycare centers for trafficking victims; the children's shelter; and a drop-in center, operated by a local NGO, for 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. In 2019, the government allocated 700,000 Mauritian rupees ($20,500) for an adult shelter for male and female trafficking victims; however, this shelter was not operational during the reporting period. The Passport and Immigration Office (PIO) continued to conduct raids to identify foreign persons with expired visas; and during the raids, PIO officers continued to proactively screen migrant workers to identify potential labor trafficking victims. There were no reports that the government inappropriately detained or penalized trafficking victims for crimes traffickers compelled them to commit; however, due to the lack of identification measures and gaps in understanding of human trafficking among some law enforcement officers, some adult victims of sex trafficking via forced prostitution and forced labor may have remained unidentified in the law enforcement system. For example, police officers generally did not screen women in prostitution for trafficking indicators. During the reporting period, immigration officials continued to regularly turn back single Malagasy women, traveling on their own with small amounts of money, 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. The government generally encouraged, but did not require, victim cooperation in investigations and prosecutions; however, without cooperation, there was no basis under the law for a foreign victim to remain in the country.

In the prior 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 government keeps victim identities confidential. The anti-trafficking law allowed the courts to award a victim up to 500,000 Mauritian rupees ($14,640) in restitution from the convicted trafficker; however, the courts did not award any restitution to victims during the reporting period. The law also allowed victims to file civil suits against their alleged traffickers for compensation for damages exceeding the amount of restitution awarded during criminal proceedings; however, civil suits could be prohibitively expensive and lengthy and there were no reports of suits filed during the reporting period. In an effort to encourage cooperation, victims and witnesses could request police protection by contacting their local police, a service the government reported providing to nine victims during the reporting period; protection included transport and police escort to their new places of work.

PREVENTION

The government increased prevention efforts. While the government had a high-level inter-ministerial coordination committee to address trafficking, the committee was not the primary driver of national anti-trafficking efforts, as it met only once during the reporting period. However, the National Steering Committee on Trafficking in Persons (NSCTIP), the working-level anti-trafficking body under the inter-ministerial committee, met monthly during the reporting period; continued drafting the national action plan; organized awareness campaigns, including the production of brochures on migrant worker rights in seven languages; and supervised the renovation of an adult trafficking shelter. There was still confusion within the government on which department was responsible for addressing adult sex trafficking. The government remained without an anti-trafficking national action plan. The government operated two hotlines available to report crimes, including trafficking; the hotlines were available 24 hours a day and in multiple languages. Calls to the hotlines resulted in the government identifying two cases of trafficking during the reporting period. The government conducted several awareness raising campaigns during the report period. The government educated 1,811 people regarding the commercial sexual exploitation of children and ran awareness campaigns on the radio and television, which focused on labor trafficking among migrant workers. The Ministry of Gender Equality, Child Development, and Family Welfare, in partnership with an NGO, organized awareness campaigns in primary and secondary schools on the commercial sexual exploitation of children and trafficking and reached approximately 6,851 children and 487 adults; they also provided workshops on child protection, including trafficking, to 18,000 people at community centers and social welfare centers. The government distributed approximately 10,000 anti-trafficking posters to police stations, high schools, and community centers. In partnership with a foreign government, the government produced and distributed approximately 40,000 migrant worker rights brochures, translated into seven languages.

The Ministry of Labor (MOL) conducted nearly 2,940 individual sessions to sensitize migrant workers of their rights, including producing relevant documents in the native language of the migrant worker; this compared to 603 sessions 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—increased the number of inspectors from nine to 12 during the reporting period. The unit responded to 563 complaints from migrant workers and conducted 2,233 inspections, compared to 872 in the previous reporting period. To address the widespread issue of passport seizure by employers, a vulnerability for forced labor, the MOL and PIO undertook an initiative to randomly survey migrant workers and found that 39 were not in possession of their passports; the ministry referred these cases to the police and arranged the return of passports to their rightful owners.

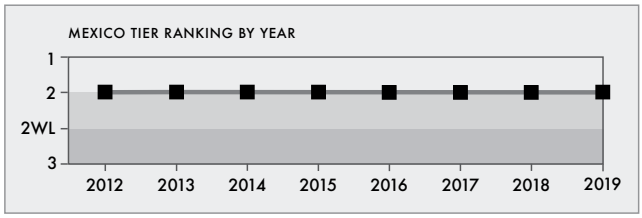
The government reported delicensing two labor recruitment companies following complaints of fraud and illegal fee charging, but the government did not report taking law enforcement actions against either company. The government also referred one labor recruitment company to the police for criminal investigation for charging illegal fees to migrant workers, but the government did not provide further details. However, the government did not report prosecution of fraudulent labor recruitment companies during the reporting period. Although the MOL was required to approve all employment contracts before migrant laborers entered the country, some migrant laborers reportedly entered the country with contracts that were incomplete or had not been translated into languages the workers could read. 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 efforts to reduce the demand for commercial sex acts, but did make efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training to its diplomatic personnel during the reporting period. The government did not sign any bilateral labor agreements with source countries to protect migrant workers during the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Mauritius. Peers, significant others, family members, or businessmen offering other forms of employment will exploit girls from all areas of the country in child sex trafficking via prostitution. Taxi drivers allegedly transport child sex traffickers to their victims with whom they engage in commercial sex acts. Malagasy women transit Mauritius en route to employment as domestic workers in the Middle East, where traffickers subject many to forced labor and sex trafficking. Mauritius' manufacturing and construction sectors employ approximately 39,500 foreign migrant workers from India, Nepal, China, Sri Lanka, and Madagascar, with the vast majority from Bangladesh, some of whom traffickers subject 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 and creating a vulnerability to forced labor.

MEXICO: TIER 2

The Government of Mexico does not fully meet the minimum standards for the elimination of trafficking but is making efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mexico remained on Tier 2. These efforts included identifying more victims in Mexico and abroad, investigating and prosecuting allegedly corrupt or complicit government officials, and maintaining law enforcement cooperation with the United States. However, the government did not meet the minimum standards in several key areas. The government investigated, prosecuted, and convicted fewer traffickers 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 several instances of complicity among some public officials inhibited law enforcement action against trafficking.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate and prosecute trafficking offenses at both the federal and state levels and sentence convicted traffickers to significant prison terms. • Strengthen the capacity and integrity of the criminal justice system to effectively process trafficking cases and to provide safeguards to ensure victims participate. • Increase efforts to protect victims and witnesses testifying against traffickers, while ensuring they are not coerced into testifying or inappropriately misidentified as traffickers. • Increase efforts to hold corrupt or complicit public officials accountable through effective prosecutions and sentence convicted officials to significant prison terms. • Increase victim identification and referral, especially among vulnerable populations, such as migrant workers and individuals in prostitution using existing protocols. • Increase federal funding for law enforcement efforts and victim services, including through the use of the fund mandated by the 2012 anti-trafficking law. • Increase the capacity of federal and state specialized anti-trafficking prosecutors or units to respond more effectively to trafficking cases, through increased funding and staff training. • Train officials to seek or order 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. • 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. • Strengthen data collection efforts. • Improve coordination mechanisms among federal, state, and local authorities.

PROSECUTION

The government decreased law enforcement efforts. The 2012 anti-trafficking law criminalized sex trafficking and labor trafficking, prescribing penalties of five to 30 years' imprisonment and fines for sex trafficking offenses and five to 20 years' imprisonment and fines for labor trafficking; these penalties 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 labor exploitation and illegal adoption without the purpose of exploitation. Federal officials had jurisdiction over all international trafficking cases, all cases that took place on federally administered territory involving organized crime, and all cases involving allegations against government officials. States investigated other internal trafficking cases. Twenty-eight states had enacted trafficking laws by the end of 2018. The 2012 law obligated states to have a dedicated human trafficking prosecutor; 30 states had established specialized anti-trafficking prosecutors or units by the end of 2018.

Authorities initiated 112 federal and 304 state investigations in 2018, compared with 127 federal and 298 state investigations in 2017, 188 federal and 288 state investigations in 2016, and 250 federal and 415 state investigations for trafficking in 2015. Authorities initiated prosecutions against 510 individuals in federal and state cases in 2018 compared with 609 individuals in federal and state cases in 2017, 479 in 2016, and 578 in 2015. Authorities convicted 60 traffickers involved in 25 federal and 35 state cases, compared with 95 traffickers involved in 40 federal and state cases in 2017, 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 five years' to 32 years' imprisonment, with an average term of imprisonment of 10.5 years. Notable cases included the arrest of eleven alleged traffickers and the identification of 60 indigenous women and children in forced labor in a street begging operation in the state of Oaxaca; the arrest of an alleged trafficker and police officer and the identification of 17 victims from Venezuela, Colombia, and Paraguay exploited in sex trafficking through an online sexual services provider; and the sentencing of a trafficker for slavery and forced labor in street begging to 33 years, eight months, and 29 days' imprisonment, a fine of 438,000 pesos ($22,290), and restitution to the victim of 70,000 pesos ($3,560). The Federal Police created a national anti-trafficking investigative unit in June 2018. Mexican authorities maintained law enforcement cooperation with the United States, partnering on 13 joint law enforcement operations, which resulted in the extradition of eight individuals, including seven alleged traffickers and the sentencing of a trafficker to eight years' imprisonment and a fine of $1.3 million in a U.S. federal court. An international organization provided multidisciplinary victim-centered trainings for federal and state prosecutors in 29 Mexican states. Mexican prosecutors participated in courses on child trafficking and in mentoring sessions offered by a foreign government to deepen expertise in prosecuting such cases, effectively working with victims, and preserving evidence to support prosecution. In August 2018, Mexico City prosecutors presented a report analyzing trafficking sentences and recommended joint investigations between prosecutors and police, and efficient prosecutions.

In 2018, the federal government dedicated 65 million pesos ($3.31 million) to investigations and prosecutions by the Special Prosecutor for Violence against Women, which was responsible for investigating and prosecuting crimes related to violence against women and trafficking in persons. Additionally, the

government dedicated 21 million pesos ($1.07 million) to the Specialized Unit for Investigating Trafficking in Minors, Persons, and Organs under the Special Prosecutor for Organized Crime. In June 2016, the government completed a lengthy transition to an adversarial criminal justice system at the federal and state level, which continued to impact the overall number of convictions. Authorities conducted an insufficient number of proactive investigations, and 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. NGOs expressed concern budget cuts affected the government's ability to combat trafficking as did a limited understanding of trafficking, particularly forced labor. NGOs also 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 as factors limiting the government's effectiveness. Trafficking-related corruption and several instances of complicity among some public officials remained concerns. In April 2018, the media reported human traffickers allegedly paid between 14,000 and 19,000 pesos ($712 to $967) to immigration officials to facilitate the entrance of Venezuelan women who traffickers recruited through false promises of employment and exploited in sex trafficking through an online sexual services provider. The Mexico City Attorney General's office investigated immigration officials for their alleged role in this scheme and arrested a police officer allegedly involved in the operation. In November 2018, the State of Mexico's Special Prosecutor for Trafficking reported federal police allegedly hampered operations against the same online sexual services provider. A State of Mexico judge sentenced a former municipal police officer to four years and 11 months' imprisonment after the officer admitted to trafficking. The federal government did not report any prosecutions or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government maintained protection efforts, but provided limited specialized services for trafficking victims, which were unavailable in most parts of the country. The government reported identifying 706 trafficking victims in 2018—387 for sex trafficking, 153 for potential forced labor or labor exploitation, and 166 unspecified—compared to 667 trafficking victims in 2017, 740 victims in 2016, and 1,814 victims in 2015. Of the 706 trafficking victims identified, approximately 21 percent were male, 54 percent were female, and 25 percent with their gender unspecified, compared to 15 percent male, 66 percent female, and 19 percent gender unspecified in 2017. The federal government identified 146 of the total victims, compared to 140 in 2017, 194 in 2016, and 876 in 2015. The state governments identified 560 of the total victims, compared to 527 in 2017, 691 in 2016, and 938 in 2015. The Ministry of Foreign Relations identified and provided support to an additional 860 Mexican trafficking victims abroad, including 843 in the United States and 17 in other countries, compared to 196 Mexican forced labor victims abroad in 2017, and 20 in 2016. The NGO-run hotline identified 584 victims—78 percent female and 19 percent male, and 9 percent with their gender unspecified—some of whom were subsequently referred to the government.

Immigration and other federal officials each had formal protocols for the proactive identification of victims. Mexican consular officials abroad operated special windows in U.S. consulates to identify situations of vulnerability among migrant children, women, and indigenous persons. The government collaborated with an international organization that had developed specific state-level protocols in 24 of 31 states for victim identification and assistance and provided training for government officials in its use. NGOs 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 varied and were unavailable in some parts of the country, in general, federal and state agencies offered victims emergency services, such as medical care, food, and housing in temporary or transitional homes, and longer-term victim services, such as medical, psychological, and legal services, often in partnership with NGOs. The federal government supported a national network of shelters and emergency attention centers for female victims of violence, but few offered specialized care for trafficking victims. NGOs, many with foreign donor or private funding, provided specialized shelters and assistance to some victims who were sometimes referred by officials. Despite these efforts, services for male, adolescent, and forced labor victims, and victims in rural areas remained inadequate. The Special Prosecutor's Office for Violence Against Women and Trafficking in Persons continued to operate a high-security shelter in Mexico City, but it did not report how many victims it provided with shelter in 2018. Women were allowed to have their children with them at the shelter. Women were not allowed to leave the shelter alone; NGOs expressed concern this arrangement re-traumatized some victims. An NGO in the State of Puebla continued to operate the country's only public-private shelter, which provided comprehensive services to 77 victims in 2018, including education and vocational training to assist 45 survivors and their children to reintegrate into society. The State of Mexico continued to operate three trafficking-specific shelters opened 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.

The National Institute of Social Development (INDESOL) provided 3.02 million pesos ($153,660) to 11 NGOs to provide victim services to 110 trafficking victims. In 2018, the National Institute of Migration provided temporary immigration relief in the form of humanitarian visas to 241 victims of human trafficking or illicit smuggling and repatriated 399 victims of human trafficking or illicit smuggling. Humanitarian visas enabled foreign trafficking victims to remain in the country up to one year, and could be extended. Some government officials and NGOs expressed concern authorities did not grant humanitarian visas as often as they should due to a failure to identify eligible foreign trafficking victims, victims' lack of awareness of the process for obtaining such relief, victims' desire to return to his or her country of origin, and the waiting time for processing requests for immigration relief. 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, incorporated additional data in 2018, and planned to implement the system in 2019.

The law provided victims with protection from punishment for unlawful acts their traffickers coerced them to commit. Some officials transferred victims to the National Institute of Migration (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. The government did not report how many victims received restitution from their traffickers, but the media reported two victims received 293,000 pesos ($14,910) and 70,000 pesos ($3,560), respectively.

PREVENTION

The government maintained prevention efforts. The inter-secretarial anti-trafficking commission coordinated with 40 government agencies and institutes, meeting twice in 2018 to commemorate UN World Day Against Trafficking and to present the results of ongoing work; facilitated a meeting with leaders of the state anti-trafficking committees to discuss federal state coordination; and monitored the implementation of the national anti-trafficking action plan for 2014-2018 by publishing a report of its anti-trafficking efforts for 2018. Twenty-nine out of 31 states had state-level anti-trafficking committees. The government provided anti-trafficking training and awareness-raising programs for government officials, hotel and restaurant workers, students, teachers, and the public. The government produced a new brochure to educate the public about indicators of trafficking. The government promoted the UNODC Blue Heart Campaign, which included the NGO-run hotline number on billboards, lottery tickets, postage stamps, and posters and a targeted campaign on UN World Day Against Trafficking in Persons in July 2018. The NGO-run hotline received 1,389 calls in 2018, which resulted in the identification of 131 potential trafficking cases (71 percent sex trafficking, 18 percent forced labor, 11 percent unidentified), compared to 981 calls in 2017, resulting in the identification of 103 calls with trafficking indicators. The government operated additional hotlines, including one for crimes against women and trafficking crimes, and promoted the reporting of trafficking tips to an NGO-run national anti-trafficking hotline. In October 2018, the Mexican National Commission for the Development of Indigenous Populations, the Government of Canada, and the UNODC announced a project to identify and prevent trafficking in Mexican indigenous communities. 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.

The Secretary of Labor and Social Welfare (STPS), together with an international organization, trained federal labor inspectors to use 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; however the government did not report identifying victims of forced labor through the use of this protocol in 2018. The government laid off STPS officials, including labor inspectors, reducing capacity to identify forced labor. Observers noted resource constraints, a limited number of inspectors, and no oversight of the informal economy hampered consistent enforcement of labor laws and the identification of forced labor. Authorities arrested suspected traffickers who allegedly exploited individuals in forced labor, but conducted very few inspections in major farming states, investigated few complaints, and did not report successful prosecutions for the crimes. Inspectors lacked resources and faced technical difficulties in carrying out inspections. The government conducted outreach to foreign migrant workers to inform them of their rights and responsibilities. While Mexican law criminalized fraudulent labor recruiting and prohibited charging recruitment fees, authorities did not report efforts to regulate or hold accountable fraudulent labor recruiters. NGOs reported authorities failed to enforce this law and its regulations, which resulted in workers being charged exorbitant recruitment fees, a factor that often leads to debt bondage to either the recruiter or employer, and very few registrations of recruiters and corresponding labor inspections of their operations. State labor ministries convened in August 2018 to discuss forced labor of agricultural workers, and the government announced a new plan against forced labor but the government did not report whether further action was taken in 2018.

The Secretary of Tourism, together with civil society, 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. NGOs alleged the government had not implemented the "code of conduct," but the government reported it offered training on the "code of conduct" and secured additional business signatories in 2018. The government had laws to facilitate the investigation, prosecution, or conviction of child sex tourists but did not report any such cases. Mexico participated in several international fora on trafficking, including the fifth annual trilateral trafficking in persons working group meeting with Canada and the United States where it shared best practices related to technology and trafficking. In November 2018, the government published a consular protocol for the protection of Mexican national trafficking victims, developed by an international organization and with funding from a foreign government, which has assisted Mexican officials to identify trafficking victims abroad.

TRAFFICKING PROFILE

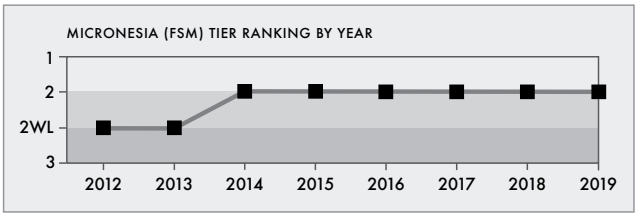
As reported over the past five years, human traffickers exploit domestic and foreign victims in Mexico, and traffickers exploit victims from Mexico abroad. Groups considered most vulnerable to trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, migrants, and LGBTI individuals. Traffickers recruit and exploit Mexican women and children, and to a lesser extent men and transgender individuals, in sex trafficking in Mexico and the United States through false promises of employment, romantic relationships, or extortion. Traffickers exploit Mexican men, women, and children in forced labor in agriculture, domestic servitude, child care, manufacturing, mining, food processing, construction, tourism, begging, and street vending in Mexico and the United States. Traffickers exploit day laborers and their children in forced labor in Mexico's agricultural sector; these individuals migrate from the poorest states to the agricultural regions to

harvest vegetables, coffee, sugar, and tobacco; receive little or no pay, health care, or time off, may live in substandard housing, and in the case of children, are denied education. NGOs report some Mexicans are held in debt bondage in agriculture and are indebted to recruiters or to the company itself. NGOs estimated traffickers increasingly exploited individuals in forced labor in Mexico; but government and NGO statistics showed fewer than 1,500 forced labor victims identified from 2013 to 2017. Transgender Mexicans working 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, particularly El Salvador, Guatemala, Honduras, and Venezuela; traffickers exploited some of these victims 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 three years and concerns about migrants in general as a vulnerable population.

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, including Mexican legislators, noted links between violence against women and girls and between women's disappearances and murders and trafficking 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. Trafficking-related corruption and several instances of complicity among some public officials, including law enforcement and immigration officials, continue 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 child trafficking victims.

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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore FSM remained on Tier 2. These efforts included prosecuting and convicting more traffickers and sentencing them to penalties proportionate to the seriousness of the crime. Judges also ordered the traffickers to pay victim restitution. The government provided $270,000 for anti-trafficking efforts and opened its first shelter for victims of crime in Chuuk. The government also designated a full-time assistant attorney general to prosecute all human trafficking cases and hired four investigators to support this work. However, the government did not meet the minimum standards in several key areas. The government remained without standard operating procedures (SOPs) for proactive victim identification and referral to protection services. Law enforcement and judicial understanding of trafficking remained low and overall protection services were insufficient.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, and sentence convicted traffickers to significant prison terms. • Finalize, disseminate, and train officials on procedures for the proactive identification and referral of trafficking victims to rehabilitation services. • Increase resources for protection services for trafficking victims. • Increase and institutionalize anti-trafficking training for police, prosecutors, and judges, including on how to implement a victim-centered approach. • Provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. • Strengthen efforts to implement the national action plan (NAP) and state-level plans, including through staffing a governmental anti-trafficking secretariat. • Monitor foreign labor recruitment for trafficking indicators, including the coercive use of debt. • Strengthen efforts to conduct anti-trafficking awareness campaigns targeted to traditional leaders, health care professionals, and the public, including those citizens of FSM who might migrate for work overseas.

PROSECUTION

The government increased law enforcement efforts. The national anti-trafficking law criminalized sex trafficking 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 and, with regards to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Each of Micronesia's four states had its own laws that 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.

The government reported investigating nine alleged trafficking cases, compared with eight in 2017, and prosecuting seven alleged traffickers, compared with two in 2017. Courts convicted six traffickers during the reporting period, an increase compared with two traffickers convicted in 2017. The Chuuk State court sentenced three traffickers for child sex trafficking to nine years' imprisonment and ordered each offender to pay $1,000 in restitution to the victim. In March 2019, a Supreme Court judge sentenced the mother and stepfather of a child sex trafficking victim to seven years and eight months' imprisonment and

ordered each to pay the victim $40,000 in restitution. The combined $80,000 in restitution imposed by the court on the offenders was one of the largest restitution judgments in the history of the court. Also in March 2019, the Pohnpei State court sentenced a cab driver who used his taxi to recruit, transport, and deliver girls to have sex with sailors on shore leave and other men between 2015 and 2017 to 10 years' imprisonment and ordered him to pay a total of $14,000 restitution to two identified victims. The court allowed the offender to be released from prison at certain hours on Sunday to attend church and visit his children during the duration of his incarceration.

During the reporting period, the Department of Justice (DOJ) assigned a full-time assistant attorney general to prosecute all human trafficking cases and hired four investigators, two in Chuuk and two in Kosrae, who specialize in human trafficking. In 2018, the government provided DOJ with $100,000 for investigation and awareness programs; DOJ continued to provide training for law enforcement, judges, lawyers, health providers, faith-based organizations, and youth and women's groups at the state and national level. Despite these trainings, judges lacked specialized training and consequently some judges lacked sensitivity to trafficking issues and the trauma victims experienced. In previous years, the absence of judicial training and Micronesian law, which allowed for penalties of fines in lieu of imprisonment, regularly permitted judges to apply penalties that were disproportionately low to the severity of the crimes. The government's police academy training for new cadets included a mandatory training on investigating trafficking cases and how to interview potential victims. Observers stated police still required additional training on sex trafficking and sophisticated investigation techniques. The insular nature of the small island communities at times protected traffickers and impeded investigations. Police did not frequently investigate or charge traffickers whose role was to facilitate rather than impose exploitation, such as hotel owners, taxi drivers, and family members. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased efforts to protect victims. In August 2018, the government finalized and approved standard operating procedures (SOPs) for victim assistance and referral to state law enforcement; however, the government remained without SOPs to proactively identify trafficking victims and refer them to rehabilitation services. Insufficient identification efforts may have made victims vulnerable to law enforcement actions against them, such as deportation. The government did not report the number of potential victims it identified but reported providing food, clothing, medical services, psychological evaluation, counseling services, assistance with the appointment of legal guardians, and academic and social reintegration support, in partnership with an international organization, to 10 Micronesian girls who were victims of sex trafficking. This was an increase compared with the government providing limited protection services to two victims during the previous reporting period. In January 2019, the government opened its first shelter, available to all victims of crimes, in Chuuk. The government provided $100,000 for additional DOJ personnel and victim services and, in January 2019, provided an additional $70,000 to support a trafficking victim psychologist and the hotline established in the previous reporting period. The hotline operated 24 hours a day in English and local languages and while it received calls during the reporting period, none of the calls resulted in trafficking investigations.

The DOJ employed an anti-human trafficking coordinator at the national level and three assistant coordinators at the state level, who provided support to the victim from the investigation through the trial and for several years after the disposition of the victim's case. During the reporting year, a judge in Chuuk granted the implementation of special trial procedures by agreeing to close the court and providing a screen for the victim to sit behind during the victim's testimony. The government did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution.

PREVENTION

The government maintained efforts to prevent trafficking. The DOJ coordinated the government's anti-trafficking efforts. Each of the four states' anti-trafficking task forces, comprised of members of state and national law enforcement, the legal community, medical and mental health professionals, immigration officials, and women's empowerment and faith-based groups, continued to operate during the reporting period. Chuuk's task force met monthly and was the most active. The government reported it continued to implement its 2014 national action plan (NAP) and three of the four states had action plans linked to the NAP. The government provided $100,000 to DOJ for investigations and awareness activities, a large increase from approximately $100 for awareness activities in the previous reporting period. The government reported it conducted monthly community awareness programs throughout the four states. 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 report efforts to reduce the demand for commercial sex acts or forced labor.

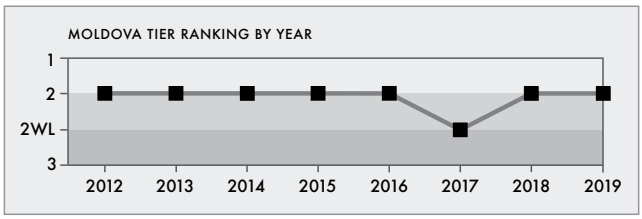
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the FSM, and traffickers exploit victims from FSM abroad. Sex traffickers exploit Micronesian women and girls through commercial sex with the crewmembers of docked Asian fishing vessels and on vessels in FSM territorial waters, or with foreign construction workers. Some family members exploit Micronesian girls in sex trafficking. Local authorities claim many sex trafficking cases are unreported due to social stigma and victims' fear of possible repercussions in their home communities. Foreign and domestic employers in FSM exploit low-skilled foreign migrant workers in forced labor, including in restaurants. Foreign migrants from Southeast Asian countries report working in conditions indicative of human trafficking on Asian fishing vessels in FSM or its territorial waters. Traffickers recruit FSM women with promises of well-paying jobs in the United States and its territories but upon their arrival they are subsequently forced into commercial sex or domestic service.

MOLDOVA: TIER 2

The Government of Moldova does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Moldova remained on Tier 2. These efforts included identifying significantly more victims, establishing

a case allocation system to route trafficking cases to judges with specialized training, holding some complicit officials accountable, and simplifying the process to obtain citizenship. However, the government did not meet the minimum standards in several key areas. 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. There was limited assistance available to child victims, despite the increasing number of children identified.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials. • 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 victims from the requirement of in-person confrontations with their accused traffickers before an investigation can begin. • Ensure consistent use of laws and regulations designed to protect victims during trial, take steps to protect victims and witnesses during court proceedings, and prosecute perpetrators of witness tampering and intimidation. • Increase shelter and rehabilitation assistance to child victims of trafficking. • 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. • Formalize government oversight of private employment agencies, including monitoring for any recruitment fees charged to applicants.

PROSECUTION

The government maintained law enforcement efforts. Articles 165 and 206 of the criminal code criminalized sex trafficking and labor trafficking. The law prescribed penalties of six to 12 years' imprisonment for trafficking offenses involving an adult victim and 10 to 12 years' imprisonment for those involving a child victim. 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, which was not sufficiently stringent. Corruption in the judicial system remained an acute impediment to bringing traffickers to justice; prosecutors, members of the judiciary, and members of law enforcement were implicated in corrupt practices. Courts frequently reversed convictions on appeal, sometimes without explanation or on weak grounds. The government prosecuted several officials for complicity in trafficking. A case against a police officer for facilitating prostitution remained ongoing. In January 2018, a court convicted the former deputy director of Moldova's human trafficking-specialized law enforcement body for accepting bribes in a trafficking-related case and sentenced him to four years in prison; his case remained pending in the appeals court. Prosecutors indicted the director of an orphanage for the sexual and labor exploitation of several children in 2017; in 2018, a court convicted and sentenced the director and an accomplice to 17 years and six months and 17 years, respectively. The court ordered both to pay a minor victim 800,000 Moldovan lei ($47,080). Investigations on several government officials for complicity in trafficking continued in 2018. These included a case against a village mayor for labor trafficking and a case involving the deputy head of a regional labor inspectorate accused of forced labor on an animal farm. Authorities investigated, arrested, or indicted several Moldovan diplomats and the head of the foreign ministry's consular affairs department for extorting or accepting bribes to facilitate illegal migration.

Authorities conducted 153 trafficking investigations in 2018, compared to 185 in 2017. The government initiated 83 prosecutions in 2018, compared to 85 in 2017, and convicted 59 traffickers, compared to 58 in 2017. Of the 59 convicted traffickers, 56 received prison terms, ranging from three years and three months to 20 years, and three received suspended sentences. There were 20 persons acquitted and seven criminal investigations were terminated.

The Center for Combating Trafficking in Persons (CCTIP), Moldova's specialized anti-trafficking law enforcement body, was staffed by approximately 40 officers. The unit suffered from significant turnover of experienced staff during the year, which hindered the body's ability to investigate complex cases—such as those involving transnational criminal gangs or complex financial transactions. Observers reported CCTIP focused on simpler domestic sex trafficking cases rather than complex international cases, which boosted the center's statistics. The Prosecutors General Office (PGO) expanded staff of the Trafficking in Persons and Cybercrimes Unit, which was dedicated in part to trafficking crimes, from five prosecutors to 10, who focused solely on the investigation stage of the criminal justice process. Observers remarked increased staff led to the unit prosecuting significantly more trafficking cases. The Chisinau Prosecutor's Office maintained an Anti-Trafficking Bureau and monitored the assignment of cases, ensuring only prosecutors with specialized training received trafficking cases. Every territorial prosecutor's office outside the capital had a designated prosecutor to cover these cases. A separate team of six prosecutors within the PGO continued to serve as the focal point for international trafficking cases and monitor the Anti-Trafficking Bureau; it also tracked trends and data. In May 2018, the government established a new case allocation system for criminal trafficking cases, ensuring judges with specialized trafficking experience would hear them. 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 2018.

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 obligated authorities to release suspected traffickers before trials concluded, 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 2018, only one victim and their family members benefited from witness protection programs, compared to three

in 2017, 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 were executed, which increased the risk of corrupt officers warning suspects ahead of raids or intervening in ongoing investigations. In July 2018, the PGO issued an order calling for investigations in the case of a witness or victim changing testimony; during the reporting period, law enforcement initiated seven investigations of suspected witness intimidation and all seven resulted in criminal cases.

PROTECTION

The government maintained victim protection efforts. The government identified 364 trafficking victims in 2018, compared with 249 in 2017. Of these identified victims, 60 were children, an increase from 48 in 2017. 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 decreased funding for victim protection, budgeting approximately nine million lei ($529,630) to repatriation assistance and seven shelters for victims of crime and family violence; this compared with 12.1 million lei ($712,060) in 2017. 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 110 victims, including 19 children and five foreigners, with shelter care and coordinated with an international organization to facilitate the repatriation of 28 adult and 20 child victims from Russia, Ukraine, Romania, Spain, Lithuania, Italy, and the United Arab Emirates. Teams of local officials and NGOs in all regions of Moldova coordinated victim identification and assistance. 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 some victims were unable to obtain the free medical insurance afforded under Moldovan law. Authorities granted foreign victims a 30-day reflection period, during which they could receive assistance and protection from deportation; if foreign victims chose to cooperate with law enforcement, they received temporary residence. Victims who could not be repatriated due to safety concerns could receive shelter-in-country, although no such cases were reported in 2018. 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; one shelter could accommodate up to 10 child victims, but provided limited social services. Children's rights groups noted the limited assistance to child victims put them at a higher risk for institutionalization and further trauma. Officials interviewed victims 14 years old or younger in specialized hearing rooms with recording equipment and 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. Law enforcement seldom fully informed victims of their rights, and victims did not understand court proceedings. At times, police intentionally withheld informing victims of their rights in attempting to secure victims' cooperation; some victims chose to flee abroad to avoid criminal proceedings against their alleged trafficker. 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 adult victims confront their alleged traffickers in person at a police station to begin an investigation; this requirement likely deterred victims from reporting crimes and could re-traumatize victims or otherwise put them at risk. In some cases, adult victims were required to confront their traffickers on multiple occasions over the course of an investigation and trial. Judges had discretion to allow victims to provide testimony without the alleged trafficker being physically present in the room. However, judges frequently 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 victims to file a civil suit for restitution as part of the criminal proceedings. In 2018, victims received awards of more than 3.2 million lei ($188,310) as restitution. Victims could submit compensation claims to the Ministry of Justice when they could not obtain compensation from the convicted perpetrator. Law enforcement recovered criminal assets from traffickers totaling 4.2 million lei ($247,160), including cash, vehicles, and real estate. The government punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. The criminal code exempted trafficking victims from criminal liability for committing offenses as a result of 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. Similarly, when authorities reclassified sex trafficking cases to pimping cases, victims were no longer exempt from punishment and could be charged with prostitution offenses. Authorities could fine or imprison victims for making false statements if they changed their testimony, whether deliberately due to bribes or intimidation, or unintentionally due to the traumatization experienced. Authorities also prosecuted victims who recruited other victims during their period of exploitation.

PREVENTION

The government maintained prevention efforts. In September 2018, the government subordinated the national anti-trafficking committee (NCCTIP) secretariat under a new Permanent Secretariat, reducing the number of staff dedicated exclusively to coordinating anti-trafficking efforts from four to one and reducing the funding from the State Chancellery for combating trafficking. During the reporting period, the NCCTIP inter-ministerial committee convened three times to discuss progress on the ministries' commitments under the 2018-2023 national strategy and associated 2018-2020 action plan. The decreased staffing of NCCTIP limited the government's ability to conduct public awareness campaigns; however, the government continued to collaborate with civil society and international organizations to raise awareness. The government provided partial funding to an NGO to manage a hotline on child abuse and exploitation. The government funded and

operated several trafficking hotlines; the government did not provide complete data, but CCTIP reported receiving 30 calls related to trafficking crimes through its hotline.

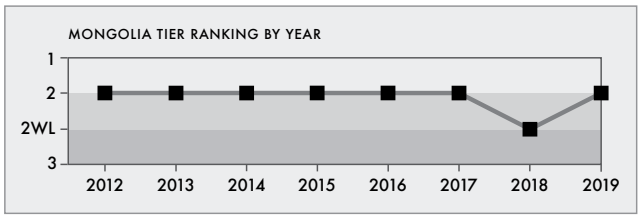
The National Agency for Employment provided consultations to employment agencies and coordinated agreements between employers and individuals; 81 registered private employment agencies operated within Moldova. Inspections at 62 of these agencies resulted in the closure of 17 agencies, 17 fines, and 22 official requests to the State Tax Service for tax audits and license revocations. Despite these actions, observers noted the general lax oversight and control of private recruitment agencies, particularly those offering foreign job opportunities, as a key trafficking vulnerability. The government simplified the procedures to obtain Moldovan citizenship and identity documents for individuals residing in Transnistria. The government made efforts to reduce the demand for commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Moldova, and traffickers exploit victims from Moldova abroad. Traffickers exploit Moldovan victims in sex and labor trafficking within Moldova and in Russia, Germany, other countries in Europe, and the Middle East. Most victims are from rural areas and have low levels of education. Traffickers exploit women and children in 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 are exploited in online child pornography, which experts note is used as a grooming method for sex trafficking. Children, living on the street or in orphanages or left behind by parents migrating abroad, remain vulnerable to exploitation. Labor migrants remain vulnerable to trafficking; women account for more than half of all labor migrants from Moldova. The breakaway region of Transnistria remains a source for victims of both sex and labor trafficking. Women from Gagauzia—a Turkic-speaking autonomous territorial region—are vulnerable to sex trafficking in Turkey. The undocumented, or stateless, population, including the Romani community, within Moldova remains vulnerable to exploitation, primarily in the agricultural sector. There are increasing reports of forced labor in the construction sector. Official complicity in trafficking continues to be a significant problem in Moldova.

MONGOLIA: TIER 2

The Government of Mongolia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Mongolia was upgraded to Tier 2. These efforts included resuming funding for victim service provision; significantly increasing identification of victims and assistance for repatriation; securing several convictions under new provisions of the amended criminal code; and initiating a new law enforcement campaign to curb fraudulent recruitment via social media. However, the government did not meet the minimum standards in several key areas. Authorities did not reopen any of the trafficking prosecutions discontinued without proper recourse in 2017 following enactment of the new criminal code, and some law enforcement officials reportedly continued to penalize victims for crimes committed as a result of their having been subjected to trafficking.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate and prosecute all trafficking offenses using Articles 12.3 and 13.1 of the criminal code, including by opening investigations into crimes detected during research and prevention activities, and by reopening cases discontinued without proper recourse following enactment of the new criminal code. • Impose adequate sentences on convicted traffickers, to include time in prison. • Amend relevant laws to ensure victims' access to protection services regardless of whether officials initiate formal criminal proceedings against their alleged traffickers. • Cease penalizing victims for unlawful acts committed as a result of having been subjected to trafficking, including by amending the Law on Petty Offenses to ensure sex trafficking victims are not detained or fined. • Allocate additional resources for, and increase efforts to train officials on, implementation of anti-trafficking provisions of the criminal code, especially among rural prosecutors' offices. • Systematize and fully implement formal procedures to guide government officials, including police, immigration, and labor authorities, in victim identification and referral to protective services, especially among foreign workers, domestic and foreign nationals transiting major border crossing areas, women and children living in mining communities, and LGBTI persons. • Allocate funding to support and expand both government and NGO-run shelters and other forms of victim assistance and protection, including for male victims. • Expand the availability of assistance funds to all Mongolian victims identified abroad, regardless of what form of trafficking they experience. • Strengthen efforts to monitor the working conditions of foreign laborers employed in Mongolia and screen them for labor trafficking indicators, including by increasing funding and resources for labor inspectors and allowing them to conduct unannounced inspections. • Increase efforts to raise awareness on trafficking vulnerabilities among rural and border communities.

PROSECUTION

The government increased law enforcement efforts. Article 13.1 of the criminal code criminalized sex trafficking and labor trafficking; it prescribed penalties of two to eight years' imprisonment for offenses involving an adult victim and five to 12 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Article 12.3 of the criminal code criminalized sexual exploitation offenses, including some forms of sex trafficking; penalties ranged from two to eight years' imprisonment for trafficking offenses involving individuals older than the age of 14, and 12 to 20 years' imprisonment for those involving children younger than the age of 14. During the reporting period, the government investigated 17 trafficking cases (12 in 2017) involving 62 alleged perpetrators, 21 of

whom were prosecuted (15 defendants under Article 13.1 and six under Article 12.3, compared to 19 in 2017). The National Police Agency (NPA) maintained an anti-trafficking unit, which conducted at least 11 of these investigations (none in 2017). Courts secured convictions in six trafficking cases—five under Article 13.1 and one under Article 12.3—compared to none in 2017. Authorities did not report full sentencing data, but NPA officials noted the trafficker convicted under Article 12.3 was sentenced to 12 years' imprisonment. Upon enactment of the new criminal code in 2017, prosecutors dismissed as many as 26 trafficking cases that had been filed under a defunct criminal code article, rather than conducting assessments of each case to determine whether the relevant allegations fell under Articles 13.1 and 12.3. The Prosecutor General's Office then established a working group to reassess and consider formally reinstating these cases in early 2018, but a decision remained pending at the end of the reporting period. International observers expressed concern that the government's provision of early release to some incarcerated traffickers was excessively lenient and possibly contributed to continued incidence of the crime.

Due to the misconception among many government officials that traffickers only exploit women and girls, authorities rarely used Articles 13.1 or 12.3 to prosecute cases where traffickers targeted male victims and instead used provisions with less stringent penalties. The government resumed funding for training courses for law enforcement officers and social workers on trafficking, along with certain forms of in-kind support, including instructors and classroom spaces. However, law enforcement authorities noted judiciary officials' general unfamiliarity with trafficking-specific provisions of the criminal code continued to lead to lesser charges in some cases. Rural prosecutors' offices noted an acute need for additional training, resources, and dedicated personnel to properly handle trafficking cases. Municipal police in Zamiin-Uud, the largest port of entry on Mongolia's southern border, held quarterly information-sharing sessions and conducted joint anti-trafficking operations with a counterpart agency in the neighboring Chinese city of Erlian. NPA officials also participated in capacity-building training in Korea and Thailand. Authorities did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses, despite ongoing reports that some low-level law enforcement officials facilitated the crime.

PROTECTION

The government increased efforts to protect victims. After three consecutive years without government funding for victim protection, the government provided 95 million tugriks ($35,950) to the primary anti-trafficking NGOs that continued to provide the vast majority of victim protection services. Two shelters run by the non-governmental Mongolian Gender Equality Center (GEC) were the main victim service providers in the country and received a large portion of this funding to expand their work. Only one of these shelters could accommodate male victims and neither was accessible to persons with disabilities. NPA investigators reported using a trafficking risk assessment checklist containing 11 questions to proactively identify victims among vulnerable populations; in practice, NGOs indicated victim identification and referrals were not sufficiently systematic and often depended largely on the awareness and initiative of individual officers.

Neither the government nor the GEC identified any foreign victims during the reporting period. However, civil society groups noted some improvement in these practices following increased government participation in foreign donor-funded training activities nationwide and with increased government funding for anti-trafficking activities. Authorities identified and referred at least 20 victims to NGO protection services (unreported in 2017). NPA officials referred eight Mongolian child sex trafficking victims to psycho-social and medical care, and the Ministry of Justice and Home Affairs (MOJHA) contracted with several NGOs to secure shelter services for 12 victims. The GEC assisted one victim of labor trafficking and 38 victims of sex trafficking (a total of 29 in 2017). According to the GEC, all of the adult victims were female, and six—one male and five females—were child sex trafficking victims. The GEC in turn formally supplied information on 10 cases involving 34 of the victims to the NPA for criminal investigations into the relevant suspects. The NPA's Victim and Witness Protection Department reported it did not provide protection services to any trafficking victims in 2018.

Mongolia maintained a National Anti-Trafficking Program (2017-2021) and work plan aimed at improving prevention and protection efforts; unlike in previous reporting periods, the government allocated 709 million tugriks ($268,260) to implement this program (no funding in 2017). This budget allocation allowed border authorities to install and implement new immigration software to screen for trafficking indicators among 167 Mongolian children traveling internationally without parents or legal guardians; although they did not identify any victims among these children, border authorities provided them with passport inserts containing emergency consular contact information and shared their biometric data with law enforcement for continued monitoring.

Article 8.1 of the criminal procedural code included language that reportedly denied trafficking victims' access to protective services until prosecutors had initiated cases against their alleged traffickers, thereby obstructing access to protective services for some victims in 2017. In an effort to address this issue in 2018, MOJHA created a working group and instituted an intra-governmental comment period to consider amendments to the Law on Victim and Witness Protection; these remained in draft form at the end of the reporting period. Article 15 of the anti-trafficking law stipulated that victims were entitled to compensation for damages wrought 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 (MFA) Consular Department maintained a fund to assist Mongolian nationals subjected to trafficking abroad, but it was only available in cases involving organized crime syndicates or "grave harm." In 2018, authorities repatriated at least 20 Mongolian individuals subjected to trafficking abroad—two from Malaysia, 17 from China, and at least one from Cambodia—a significant increase from a total of seven in 2017. MOJHA reported the MFA also provided psycho-social services to 15 of these victims.

Mongolia's Law on Petty Offenses, which allowed authorities to detain anyone apprehended on suspicion of prostitution for seven to 30 days, reportedly continued to place some victims at risk of penalization for crimes committed as a direct result of their having been subjected to trafficking. Authorities claimed to have identified and protected 10 child sex trafficking victims among 415 individuals arrested during anti-prostitution raids in 2018, but they did not report on the status of charges brought against four underage girls arrested for prostitution in the last 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 observance of a 2017 UN Security Council resolution, the government had reportedly repatriated the majority of North Korean labor migrants originally in Mongolia under the auspices of bilateral work agreements; authorities did not screen them for trafficking indicators. Some civil society and provincial government contacts expressed concern that a small number of non-diplomatic North Korean migrant workers remained in country and continued to face conditions indicative of forced labor.

PREVENTION

The government increased efforts to prevent trafficking. It increased funding to the National Anti-Trafficking Program (2017-2021) and corresponding work plan. Under the management of a National Sub-Council, the program aimed to provide technical guidance on trafficking prevention and coordinate interagency efforts to implement relevant legislation. Authorities continued to work with an international organization to establish an integrated law enforcement statistical database, which remained in progress at year's end. MOJHA provided nine million tugriks ($3,410) to a local NGO to conduct a labor exploitation study that included a forced labor prevalence component. The General Authority for Specialized Investigation (GASI) also conducted two large-scale surveys on children's general vulnerabilities in horse jockeying and on child labor protection issues, respectively. 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. In the south, authorities also began conducting anti-trafficking awareness-raising activities for hundreds of students and local medical professionals specializing in adolescent care in an effort to address trafficking vulnerabilities among youth crossing into China for employment opportunities.

The Ministry of Labor and Social Protection General Agency for Labor and Social Welfare had the authority to monitor labor agreements for foreign nationals working in Mongolia and for Mongolians working in countries that had bilateral work agreements with Mongolia. GASI had the authority to inspect labor contracts and monitor compliance with the law for all workers in Mongolia and to conduct inspections of working conditions in Mongolian formal sector establishments. Officials and NGOs noted funding and resources for the inspectors were too low to provide comprehensive oversight, and the government did not report statistics on, or the outcomes of, these inspections. Moreover, GASI was required to give employers 48 hours' advance notification before conducting an inspection, raising concerns that employers may have been able to conceal violations in the interim. Unlike in the prior reporting period, the government took measures to reduce the demand for commercial sex acts and forced labor. Together with an international organization, MOJHA and NPA created, co-funded, and implemented a campaign to raise awareness on, investigate, and intervene in fraudulent online recruitment leading to sex trafficking and forced labor. Through these efforts, the government shuttered dozens of social media pages attempting to lure Mongolians into false employment opportunities abroad, and referred several cases for criminal investigation.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Mongolia, and traffickers exploit victims from Mongolia abroad. Traffickers may also use Mongolia as a transit point to subject foreign individuals to trafficking in Russia and China. Traffickers subject Mongolian men, women, and children to forced labor in China, Kazakhstan, Norway, Sweden, and Turkey, and to sex trafficking in Belgium, Cambodia, China, Germany, Hong Kong, Japan, Macau, Malaysia, South Korea, Sweden, Turkey, and the United States, as well as in Mongolia. Traffickers sometimes use drugs, fraudulent social networking, online job opportunities, or English language programs to lure Mongolian victims into sex trafficking. Most sex trafficking of Mongolian victims from rural and poor economic areas occurs in Ulaanbaatar, provincial centers, and border areas. One recent civil society survey found domestic violence drove the vast majority of Mongolian trafficking victims to seek and accept unsafe employment opportunities that left them vulnerable to traffickers. Traffickers subject women and girls to sex trafficking in Mongolian massage parlors, illegal brothels, hotels, bars, and karaoke clubs, sometimes through the permissive facilitation of local police. Transgender women are reportedly at higher risk of sex trafficking due to pervasive social stigma barring them from employment in the formal sector. Tourists from Japan and South Korea have reportedly engaged in child sex tourism in Mongolia in prior years; some civil society groups believe this practice may be on the rise.

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 Chinese border in Omnogovi Province are often more vulnerable to labor traffickers due to an arrangement under which employers confiscate their passports as collateral for their vehicles. These drivers often wait in truck lines with minimal sleep for weeks or months at a time until they receive permission to cross and make deliveries in China, where customers impose wage deductions for the delays; this loss of income reportedly makes them further vulnerable to labor exploitation. Traffickers are increasingly subjecting women and girls to sex trafficking in these border crossing truck lines, along the coal transport roads connecting mining sites to the Chinese border, at nightlife establishments in mining towns, and at entertainment sites across the border in Inner Mongolia. Mining workers sometimes leave their children at home alone while on extended shift rotations, during which time the children are at elevated risk of sex trafficking. Child forced labor also occurs in connection with artisanal mining.

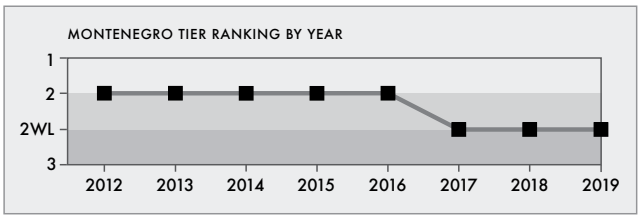
Traffickers force some children to beg, steal, or work in other informal sectors of the economy, such as horseracing, herding and animal husbandry, scavenging in garbage dumpsites, and construction. Some families are complicit in subjecting children to sex trafficking and forced labor. Traffickers force Mongolian girls to work as contortionists—often under contractual agreements signed by their parents—primarily in Mongolia and Turkey, and to a lesser extent in Hong Kong and Singapore. Mongolian boys are at high risk of forced labor and sex trafficking under visa regimes that enable them to work indefinitely as horse jockeys and circus performers across the Chinese border, provided they return with a chaperone every six months; this frequent facilitated transit also makes them more vulnerable to trafficking. Traffickers compel women and girls to work in domestic service and engage in commercial sex acts after entering into commercially brokered marriages with men from China and, to a lesser extent, Korea.

Chinese companies are increasingly hiring Mongolian men and boys to work at agricultural operations for compensation far below minimum wage and under ambiguous immigration status, placing them at high risk of trafficking. Some Chinese micro-lending institutions reportedly retain Mongolians' passports as a form of collateral, leaving them vulnerable to immigration status-related coercion.

North Korean and Chinese workers employed in Mongolia are vulnerable to trafficking as contract laborers in construction, manufacturing, agriculture, forestry, fishing, hunting, wholesale and retail trade, automobile maintenance, and mining. Some of them experience contract switching when they enter the country, making them especially vulnerable to coercion due to resultant immigration violations. 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. Officials report some Russian and Ukrainian women entering Mongolia through Chinese border crossings for short visits under visa-free regimes may be sex trafficking victims. 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 but is making significant efforts to do so. These efforts included drafting and adopting a national anti-trafficking strategy for 2019-2024 and a national action plan for 2019. The government established a multi-disciplinary task force to proactively investigate trafficking and changed case referral procedures to decrease the chances of trafficking cases prosecuted under other offenses. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period; the government did not convict any traffickers under its trafficking law for the fifth consecutive year and did not initiate any prosecutions. The government penalized one potential victim due to inadequate identification. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Montenegro was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Montenegro remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Article 444 of the criminal code. • Increase proactive screening of potential victims, especially for women in prostitution, migrants, seasonal workers, and children engaged in begging. • Provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions. • Incentivize and encourage victim participation in investigations and prosecutions in a victim-centered manner. • Increase access to justice and victim-witness protection for 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. • Ensure the Office for the Fight against Trafficking in Persons has adequate independence, capacity, and impact to implement anti-trafficking efforts.

PROSECUTION

The government maintained inadequate law enforcement efforts. Article 444 of the criminal code criminalized labor trafficking and sex trafficking and prescribed penalties ranging from one to 10 years' imprisonment, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated four cases (two in 2017). The government did not initiate any prosecutions (two in 2017). The government continued to prosecute two cases from previous years. The government did not secure any convictions under Article 444 for the fifth consecutive year. The government established a multi-disciplinary task force to proactively investigate trafficking. Additionally, law enforcement maintained a specialized trafficking unit within the Police Directorate and two task forces targeting forced child begging and sex trafficking; the forced child begging task force charged one suspect. 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.

Experts continued to report authorities investigated and prosecuted possible sex trafficking cases under other offenses, such as brokering in prostitution (Article 210). In previous years, basic 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 specialized investigative techniques; however, the government changed case referral procedures by requiring the Supreme Prosecutor's Office to initially review all trafficking-related cases and then downgrading cases not deemed as a trafficking offense. 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), and at times in cooperation with an international organization, separately trained 73 police officials, 17 representatives from prosecution offices, one court advisor, and 19 judicial officials.

PROTECTION

The government maintained victim protection efforts. The government identified four potential victims of forced begging, compared to one officially recognized and one potential sex trafficking victim in 2017. All victims were underage females in 2017 and 2018. Police also identified 22 child beggars (107 in 2017) and 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 possible victims and then contacted police who formally recognized the individuals

as potential trafficking victims. Police officers proactively screened foreign nationals and seasonal workers during the summer tourist season for indicators of trafficking. Observers continued to report the low number of identified victims reflected inadequate victim identification procedures. 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. The government provided training on victim identification to police, labor inspectors, health workers, social workers, and workers in the tourism industry.

The government-funded NGO-run shelter accommodated three victims (four victims in 2017). OFTIP allocated €24,000 ($27,520) to the NGO-run shelter, compared to €23,500 ($26,950) in 2017 and €27,000 ($30,960) in 2016. 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 an assessment by police or by the social welfare centers in the case of children. The Ministry of Labor and Social Welfare (MLSW) operated local social and 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 separated facilities for males and females. The law allowed foreign victims to acquire temporary residence permits from three months to one year with the ability to extend; no victims applied for temporary residence permits in 2016, 2017, or 2018.

The government penalized one potential victim for crimes committed as a direct result of being subjected to trafficking due to inadequate identification; experts reported the government deported a potential victim to Serbia. The law provided witness protection, free legal aid, and a psychologist to encourage victims to participate in prosecutions; however, observers continued to report the government assigned lawyers with little or no experience to potential victims. Prosecutors implemented victim-centered approaches for a child victim who participated in the ongoing prosecution of her trafficker; prosecutors video recorded her testimony in the presence of a social worker, requested a female judge, and separated her from the trafficker to prevent re-traumatization. However, observers reported law enforcement failed to protect a potential victim from intimidation and threats to change her testimony from her at-large perpetrator. The law also allowed for the possibility of restitution through civil suits. 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.

PREVENTION

The government increased prevention efforts. The government drafted and adopted a national anti-trafficking strategy for 2019-2024 and a national action plan for 2019. The government allocated €166,165 ($190,560) to OFTIP, compared to €176,630 ($202,560) in 2017. OFTIP led overall anti-trafficking efforts and the head of OFTIP was the national coordinator for the anti-trafficking working group, which comprised government agencies, non-governmental and international organizations, and the international community. Observers reported the MOI did not fully recognize OFTIP's role and a reorganization in the previous year created unnecessary administrative obstacles. The government organized awareness campaigns at schools and seminars for representatives from municipal government and state institutions 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 565 calls (476 calls in 2017); none of the calls led to an investigation, and observers reported police rarely acted on potential cases from the hotline. The government produced and aired a video to promote the hotline and advertised the hotline number on billboards. The government, in coordination with the Roma Council and NGOs, organized trafficking awareness campaigns targeting the Romani community. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not have procedures in place to regulate labor recruitment agencies. OFTIP trained 29 soldiers on trafficking issues participating in peacekeeping missions in Afghanistan.

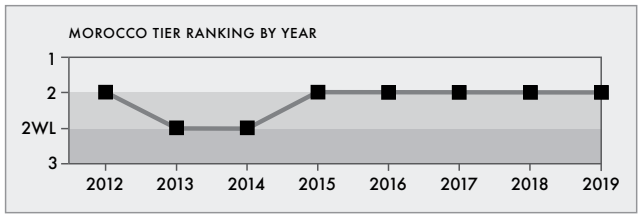
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Montenegro, and traffickers exploit victims from Montenegro abroad. 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. Traffickers exploit victims in hospitality facilities, bars, restaurants, nightclubs, and cafes. Children, particularly Romani, Ashkali, and Balkan Egyptian 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 Albania, Germany, and Kosovo, and forced into domestic servitude. Migrants from neighboring countries are vulnerable to forced labor, particularly during the summer tourism season. International organized criminal groups subject some 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Morocco remained on Tier 2. These efforts included the identification of more victims, the designation of 42 prosecutors to specialize in trafficking cases, and the conviction of five traffickers. It also took steps toward implementing a draft national victim referral mechanism. However, the government did not meet the minimum standards in several key areas. It remained without victim identification and referral procedures, and it did not report proactively identifying trafficking victims, especially among the sub-Saharan African migrant community—many of whom preferred to seek asylum or refugee status in Europe—that remained highly vulnerable to trafficking in Morocco. As a result, unidentified victims among vulnerable

populations remained at risk of penalization, including arrest and forcible displacement, and re-trafficking. The government also did not provide or fund specialized protection services specifically for trafficking victims.



PRIORITIZED RECOMMENDATIONS:

Implement the 2017 decree for the National Commission to coordinate anti-trafficking measures, create and implement the national victim referral mechanism, and directly train judicial and law enforcement authorities on its application. • Significantly increase trafficking-related investigations, prosecutions, and convictions of traffickers and sentence convicted traffickers to significant prison terms. • Adopt and systematically implement procedures for officials to proactively identify and refer trafficking victims, especially among irregular migrants, to appropriate protection services. • Provide adequate protection services for victims of all forms of trafficking. • Increase financial or in-kind support to NGOs that provide specialized services for populations vulnerable to trafficking. • Ensure that victims are not punished for the unlawful acts traffickers compelled them to commit, such as immigration and prostitution violations. • Train law enforcement and judicial officials, child labor inspectors, and healthcare personnel on the appropriate measures to screen for and identify victims of trafficking, and refer them to appropriate protection services. • Disaggregate the law enforcement data between human trafficking and migrant smuggling crimes.

PROSECUTION

The government maintained efforts to investigate, prosecute, and convict traffickers. Law 27.14 criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and fines, 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 $21,390 and $213,860. 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 "corruption or prostitution of minors" through Articles 497-499, which prescribed penalties of up to 10 years' imprisonment; 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 government reported it investigated 80 potential sex and labor trafficking cases involving 231 alleged traffickers during the 2018 calendar year, which demonstrated a significant increase from 34 total investigations in 2017. The government reported the prosecution of 16 cases (14 sex trafficking cases and two forced labor cases) and five convictions in 2018; these statistics compared to the prosecution of 20 alleged traffickers and four convictions in 2017. The government reported disrupting 188 "migrant trafficking networks" and arresting 1,102 perpetrators, an increase over 2017; it was unclear if any individuals in the networks were prosecuted for trafficking crimes. However, authorities continued to conflate human trafficking and migrant smuggling. In July 2018, the government extradited a Ghanaian national to Spain for alleged trafficking crimes. The government did not report initiating any investigations, prosecutions, or convictions of government officials complicit in human trafficking. A member of the Moroccan Mission to the United Nations in New York had allegedly conspired to commit visa fraud related to employment of several foreign workers; an investigation in that matter remained ongoing at the end of the reporting period. The United States could not commence prosecution due to the mission member's immunity. In November 2018, the Office of the General Prosecutor tasked 42 prosecutors nationwide with lead responsibility for handling human trafficking cases brought before the judiciary in all 13 prefectures. During the reporting period, the government provided several anti-trafficking trainings to its officials, including security officials and labor inspectors.

PROTECTION

The government maintained efforts to identify and refer trafficking victims to protection services. In 2018, the government reported it identified 131 male and female victims, including Moroccan victims who were exploited abroad and foreign victims exploited in Morocco. In comparison, in 2017, the government identified 10 victims of trafficking, including sex trafficking, forced labor, and forced begging. In 2018, the government reported that it assisted 85 foreign victims and referred 37 Moroccan victims to Ministry of Justice units and civil society organizations for appropriate care. The government did not have formal victim identification procedures or a national victim referral process, but it collaborated with an NGO to establish best practices and transparent guidelines and procedures for the draft referral mechanism. The government continued to informally refer victims and provided in-kind support to civil society organizations that provided essential services to populations vulnerable to trafficking. Additionally, the government continued to provide services to female and child victims of violence, including potential trafficking victims, at reception centers staffed by nurses and social workers at major hospitals, as well as in protection units in Moroccan courts. During the reporting period, Moroccan law enforcement agencies identified focal points to work directly with these centers and units, and compiled a list of NGO service providers for authorities to refer trafficking victims to care. The government reported providing protection services for more than 17,000 at-risk women and children at centers throughout the country in 2018, but it did not report if any of these individuals were trafficking victims. The government reportedly continued to encourage victims to cooperate in investigations against their traffickers, but it did not report the number of victims who did so during the reporting period, nor did it report if victims received restitution from traffickers or measures taken to protect witness confidentiality. The government reportedly provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

The Ministry Delegate in charge of Moroccans Residing Abroad

and Migration Affairs (MDMRAMA) continued to lead the implementation of the government's National Strategy for Immigration and Asylum, which aimed to regularize the legal status of migrants, refugees, and asylum-seekers, including trafficking victims; under this strategy, foreign trafficking victims could benefit from various services, including reintegration assistance, education, vocational training, social services, and legal aid. However, the government did not report how many foreign trafficking victims—if any—benefited from these services during the reporting period. Furthermore, despite these longstanding regularization efforts, the government did not report efforts to proactively identify potential trafficking victims while undertaking these efforts, especially among the vulnerable sub-Saharan African migrant population; therefore, some victims remained unidentified and authorities may have penalized them for unlawful acts traffickers compelled them to commit, such as immigration violations. For example, during the reporting period the government conducted large-scale round-ups of reportedly thousands of sub-Saharan African migrants from the areas in northern Morocco that border the Spanish enclave cities of Ceuta and Melilla. One report alleged that this effort included some asylum-seekers and a limited number of refugees—including some children—and forcibly displaced them to areas of the country away from Spanish territory. According to NGOs and the media, authorities sometimes did not check the legal documentation of this population during the raids, nor did they make efforts to screen for trafficking among this vulnerable population. The government also reported it intercepted 89,000 people trying to cross illegally to Europe in 2018, which included rescuing 29,715 migrants stranded at sea. It did not report screening these individuals for indicators of trafficking or identifying any as trafficking victims.

PREVENTION

The government maintained efforts to prevent human trafficking. The government did not have a national inter-ministerial anti-trafficking commission as required by the 2016 anti-trafficking law; a 2017 decree to establish the committee remained pending approval at the end of the reporting period. Nevertheless, several ministries throughout the Moroccan government took various leadership roles to combat trafficking. The government also continued to implement a national anti-trafficking action plan, which included coordination across relevant ministries. The government, however, relied heavily on NGOs and international organizations to address trafficking. The government continued to raise awareness of the anti-trafficking law among government officials and vulnerable populations, including women, children, and migrants; it also organized trainings—with support from an international organization—to raise awareness of trafficking among government entities and civil society. The government continued its regularization campaigns to grant legal status and protections to migrants, refugees, and asylum-seekers, which helped decrease this population's vulnerability to trafficking. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period.

In October 2018, the government implemented Law No.19.12 addressing foreign domestic workers; the law required a standard employee contract, limits on working hours, a weekly rest day, and a minimum wage. The law also specifically limited working hours for minor domestic employees aged 16-18 to 40 hours per week; it further prohibited minor domestic workers from dangerous work. The law also banned the practice of "intermediaries" negotiating the procurement of domestic workers on behalf of the employee and the recruitment agency. The government continued to operate a hotline through the National Center for Listening and Reporting for the public to report abuses against child rights, but the government did not report if the hotline received any claims of potential child trafficking crimes. During the reporting period, the government continued a program that provided assistance to homeless children in Casablanca and Meknes to prevent them from becoming victims of various forms of exploitation, including forced labor. The Ministry of Labor and Vocational Integration (MOLVI) continued to conduct child labor inspections in the formal economy across the country, but the government reported it remained concerned about child labor violations in the informal sector, including potential forced child labor crimes. The government reported that overall labor inspections suffered from insufficient personnel and resources to address child labor violations, including potential child trafficking crimes, throughout the country. Furthermore, there was no national focal point to submit complaints about child labor or forced child labor, and no national referral mechanism for referring children found during inspections to appropriate social services. 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

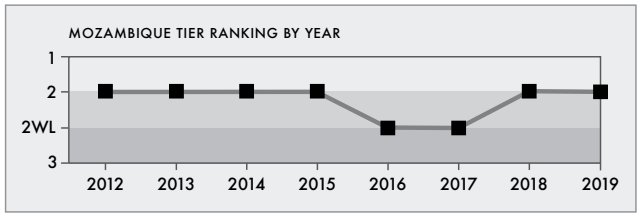
As reported over the past five years, human traffickers exploit domestic and foreign victims in Morocco, and traffickers exploit Moroccan victims abroad. Documented and undocumented foreign migrants, especially women and children, are highly vulnerable to forced labor and sex trafficking in Morocco and as they transit through Morocco to reach Europe. In 2018, the number of sub-Saharan migrants clandestinely entering the country more than doubled, a majority of whom intend to transit Morocco on their way to Europe. 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 in Morocco. 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 women and unaccompanied children 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.

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. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. Although the

incidence of child domestic workers has reportedly decreased in Morocco since 2005, girls are recruited from rural areas for work in domestic service in cities and some become victims of forced labor. NGOs and other observers anecdotally reported in 2018 that a significant number of girls work as domestic help in Moroccan households but it is difficult to determine the extent of the problem because of authorities' inability to access this population. Some family members and other intermediaries coerce Moroccan women into prostitution. Traffickers exploit Moroccan men, women, and children in forced labor and sex trafficking, primarily in Europe and the Middle East. Using force, restrictions of movement, threats, and emotional abuse, traffickers force Moroccan women into prostitution abroad where they 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Mozambique remained on Tier 2. These efforts included investigating and prosecuting more trafficking cases, training more front-line responders across the country, including labor inspectors for the first time, and robust awareness-raising efforts targeting multiple segments of society in both urban and rural areas. The government also helped facilitate family reunification and reintegration for at least 12 child trafficking victims. The government did not, however, meet the minimum standards in several key areas. The government did not finalize its draft national action plan nor did it draft implementing regulations on the 2008 anti-trafficking law's victim protection provisions developed during the previous reporting period. Some front-line responders conflated smuggling with trafficking. Mozambican officials remained without effective policies or laws that would regulate foreign recruiters and hold them civilly and criminally liable for fraudulent recruiting.



PRIORITIZED RECOMMENDATIONS:

Finalize and implement the national action plan, and issue regulations necessary to implement the victim protection and trafficking prevention provisions of the 2008 anti-trafficking law. • Amend the anti-trafficking law to bring the definition of trafficking in line with the definition of trafficking under international law. • Develop a formal system to proactively identify trafficking victims among vulnerable populations and finalize and implement the national referral mechanism. • 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. • Hold labor recruiters liable for fraudulent recruitment. • Investigate and prosecute officials complicit in trafficking crimes. • 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. • Train officials to investigate and prosecute criminals who facilitate child sex trafficking or adult forced prostitution.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The 2008 Law on Preventing and Combating the Trafficking of People criminalized sex trafficking 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. The law did not, however, establish the use of force, fraud, or coercion as an essential element of the crime, as is consistent with the definition of trafficking under international law.

In 2018, the government investigated 10 trafficking cases, six suspected forced labor cases and four suspected sex trafficking cases, compared with investigating five forced labor cases the previous year. These cases involved 25 Mozambican victims and one Rwandan victim. The government prosecuted seven defendants in seven cases compared with six defendants in five cases the previous year; one case remained pending at the close of the reporting period. The government convicted two traffickers for labor trafficking under the 2008 anti-trafficking law, compared with six convictions in 2017, and sentenced one trafficker to four years' imprisonment and the other trafficker remained awaiting sentencing at the close of the reporting period. While expert reports alleged traffickers commonly bribed police and immigration officials to facilitate trafficking crimes both domestically and across international borders, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The government conducted nationwide trainings for front-line responders during the reporting period. The government trained judges and lawyers on the anti-trafficking law and procedure. Provincial and district reference groups throughout the country conducted trainings and seminars, including training national police officers on investigative techniques, and proper identification and referral of trafficking victims. The Attorney General's Office had bilateral memoranda of understanding (MOU) with the Republic of South Africa, Eswatini, and Zambia to address cross-border cooperation on trafficking cases. The government partnered with neighboring governments and an international law enforcement organization to increase investigative capacity of law enforcement through an intelligence-driven operation. As a result, officials in two countries arrested suspected traffickers and identified 87 victims. It is unclear if there was overlap between these cases and trafficking cases reported by the government.

PROTECTION

The government maintained protection efforts. The government identified and referred to care 26 victims, including 21 forced labor victims and five sex trafficking victims, compared with 53 trafficking victims identified and referred during the previous reporting period. Of those victims identified, all five sex trafficking victims were Mozambican women while the labor trafficking victims included 20 Mozambican men

and one Rwandan man. In partnership with an international organization, the Ministry of Gender, Children, and Social Action (MGCAS) operated three dedicated trafficking shelters, which provided medical, psychological, and legal assistance to all adult and child victims. The MGCAS helped facilitate family reunification and reintegration for at least 12 child victims. The government did not finalize a draft national referral mechanism (NRM) for a second consecutive year, but used it informally to identify and refer victims. While the government began drafting implementing regulations for trafficking victim and witness protection, those regulations remained incomplete at 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. The government did not, however, provide specific numbers of trafficking victims who benefited from these services in 2018. The Attorney General's Office (PGR) convened relevant government stakeholders to assess and coordinate joint efforts to address victims' needs in several specific cases during the reporting period. The anti-trafficking law required police protection for victims who participated as witnesses in criminal proceedings against traffickers, but the government did not report any victims utilizing these services. 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

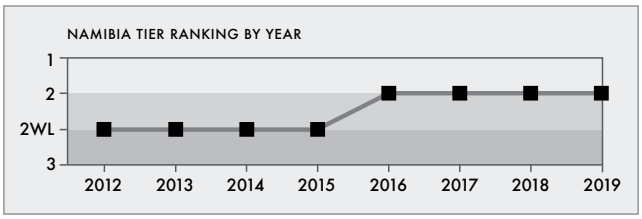
The government maintained efforts to prevent trafficking. The National Reference Group (NRG) convened an annual meeting of all members to coordinate anti-trafficking efforts at the national level and members at the national, provincial, and district levels met regularly as working groups tailored to address specific trafficking cases and concerns. The government failed to pass the national action plan for the second consecutive year. 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. Officials trained journalists, youth, and religious leaders on awareness of the crime of trafficking, and taught them how to report possible instances to the appropriate authorities. The PGR developed content and training for journalists focused on identification of trafficking victims and reporting on trafficking crimes. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading information on trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. In partnership with international organizations, the government continued training labor inspectors on trafficking victim identification and referral. The NRG ran 74 radio and 31 television spots to raise awareness of trafficking, reportedly reaching approximately 320,000 people. 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, human traffickers exploit domestic and foreign victims in Mozambique, and traffickers exploit victims from Mozambique abroad. The use of forced child labor occurs in agriculture, mining, and market vending in rural areas, often with the complicity of family members. Traffickers lure voluntary migrants, especially women and girls from rural areas, from neighboring countries to cities in Mozambique or South Africa with promises of employment or education, and then exploit those victims 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 the cities of 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, their arrival could 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 alleged 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Namibia remained on Tier 2. These efforts included more investigations and prosecutions of potential traffickers and convicting traffickers for the first time in two years. The government referred to care a higher percentage of identified victims and facilitated the safe repatriation of more foreign victims. In partnership with an international organization the government finalized a National Referral Mechanism (NRM) and Standard Operating Procedures (SOPs) to guide front-line officials in the identification of victims and provision of protective services. It also finalized and disseminated the National Gender Based Violence (GBV) Plan of Action, which included a comprehensive framework to address trafficking. However, the government did not meet the minimum standards in several key areas. The government did not finalize implementing regulations for the Combating of Trafficking in Persons Bill, which are required for the law to be operational. It also did not adequately fund facilities equipped to shelter victims of trafficking.



PRIORITIZED RECOMMENDATIONS:

Finalize implementing regulations for the Combating of Trafficking in Persons Bill and train officials on the new law. • Train officials on implementation of the national referral mechanism and standard operating procedures. • Increase funding to civil society partners that provide accommodation and care to trafficking victims to ensure they have adequate resources. • Increase efforts to investigate and prosecute traffickers. • Strengthen coordination among government ministries to ensure roles and responsibilities are clear and anti-trafficking policies are increasingly effective. • Increase efforts to raise public awareness, especially in rural areas.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2004 Prevention of Organized Crime Act (POCA) criminalized sex trafficking and labor trafficking and prescribed penalties of up to 50 years' imprisonment or a fine not exceeding 1 million Namibian dollars ($69,690). These penalties were 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 and it was promulgated in April 2018; however, the implementing regulations required for the law to be fully operational were not finalized by the end of the reporting period.

During the reporting period, the government investigated nine trafficking cases involving 18 suspects, compared to seven cases in 2017; of these, three involved alleged sex trafficking, four alleged forced labor, and two investigations remained ongoing at the close of the reporting period. The government initiated prosecutions in seven cases involving five defendants, an increase from four cases prosecuted during the previous year. All defendants were charged under the POCA of 2004. The government convicted two defendants, compared to zero convictions during the previous reporting period; of these, one was sentenced to eight years' imprisonment, while the other had not yet been sentenced at the close of the reporting period. The trial of a South African national extradited to Namibia in December 2017 was ongoing in the Windhoek High Court at the close of the reporting period.

The government conducted a multidisciplinary training for 35 criminal justice practitioners on identifying potential victims, referring them to protective services and legal support, as well as on prevention efforts and raising awareness of the crime. Anti-trafficking focal points within the Namibian Police Force and the Office of the Prosecutor-General trained participants at courses conducted by two international organizations. A senior officer of the Namibian Police Force and a senior prosecutor from the Office of the Prosecutor-General, in collaboration with an international organization, trained 35 social workers and shelter service providers on provision of victim-centered protective services. The Namibian Police Force and a senior prosecutor from the Office of the Prosecutor-General trained 140 immigration officials and provided anti-trafficking training to an unknown number of law enforcement officers in three police colleges during the reporting period. In partnership with an international organization, the government drafted anti-trafficking manuals for police and prosecutors, which provided guidelines for victim identification. In addition, the government drafted and printed pocket manuals for police officers to aid in the identification and referral of potential trafficking victims to services. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government increased efforts to protect trafficking victims. The government identified 21 trafficking victims, including five women, 10 girls, and six boys and referred 14 victims to an NGO shelter, which was partially government-funded. The government reunified five Namibian child victims with their parents and repatriated two Zambian nationals. This was compared to 21 victims identified and five referred in 2017. Seven victims were Namibian and 14 were foreign nationals from Zambia, the Democratic Republic of the Congo, and Angola. Thirteen victims were exploited in forced labor, including domestic servitude and cattle herding, seven were sex trafficking victims, and one victim was exploited in both sex trafficking and forced labor. The Cabinet approved a NRM and SOPs, drafted by the Inter-Ministerial Committee on Trafficking in Persons in collaboration with an international organization. Separate from the NRM and SOPs, the Namibian Police Force (NamPol) and immigration officials used their own referral procedures. In practice, labor inspectors and immigration officials contacted NamPol when they identified an instance of potential trafficking; NamPol referred victims of all crimes to temporary shelter and medical assistance. The government partnered with a local NGO to provide protective services to Namibian and foreign victims of trafficking; the NGO provided safe accommodation and the government provided psycho-social support, legal assistance, medical care, and ensured victims had proper documentation. Child victims were provided with access to education. 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 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 was equipped to receive families, teen boys, and men. The government provided 26,000 Namibian dollars ($1,810) per month to the NGO that received victims. The government also provided 24,000 Namibian dollars ($1,670) to an NGO shelter in the northeastern part of the country. 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 trafficking 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. However, 14 victims voluntarily assisted law enforcement during the reporting period. The government

requested information and offered repatriation assistance in a case involving five Namibian child trafficking victims exploited in the United Kingdom. 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

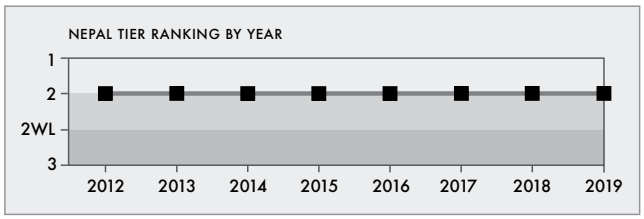
The government maintained prevention efforts. The ministerial-level national committee to combat trafficking and its technical committee did not hold any official meetings during the reporting period. The National Coordinating Body met four times during the reporting period with support from an international organization. The government addressed trafficking in the National GBV Plan of Action, which was finalized and disseminated to relevant agencies in all 14 political regions of the country during the reporting period. The government hosted the third annual commemoration of World Day Against Trafficking in Persons in all 14 regions of the country. In partnership with an international organization, the government developed materials and launched a national awareness-raising campaign, and NamPol created and distributed informational pamphlets and posters throughout the country, including at major immigration points, such as international airports. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading information about trafficking cases and victim and trafficker profiles, as well as sharing information with countries in the region. The Ministry of Labor and Social Welfare employed 77 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, human traffickers exploit domestic and foreign victims in Namibia, and traffickers exploit victims from Namibia abroad. 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Nepal remained on Tier 2. These efforts included identifying significantly more male trafficking victims than in previous years and creating and funding a law enforcement bureau dedicated solely to human trafficking crimes—the Anti-Trafficking-in-Persons Bureau (Anti-TIP Bureau). However, the government did not meet the minimum standards in several key areas. Its laws do not criminalize all forms of forced labor and sex trafficking, and despite a large number of Nepali male trafficking victims overseas, government protection efforts disproportionately focused on female victims. Official complicity in trafficking offenses remained a serious problem, both direct complicity as well as negligence, and the government did not report significant efforts to address it, even after a 2017 parliamentary call to take action. Officials encouraged migrant workers exploited abroad to register cases under the 2007 Foreign Employment Act (2007 FEA), which criminalized fraudulent recruitment, rather than refer cases to police for investigation of labor trafficking.



PRIORITIZED RECOMMENDATIONS:

Investigate allegations of official complicity in trafficking crimes and hold perpetrators criminally accountable. • Amend the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol. • Finalize and train front-line responders on standard operating procedures (SOPs) to identify and refer trafficking victims to services, especially male labor trafficking victims. • Accede to the 2000 UN TIP Protocol. • Establish standard operating procedures for law enforcement—including the Anti-TIP Bureau, Nepal Police Women's Cells (NPWC), and Central Investigation Bureau (CIB)—to investigate human trafficking cases, including referrals between agencies. • Increase investigations, prosecutions, and convictions of trafficking offenses, including criminal investigations into labor recruiters and sub-agents who engage in labor trafficking. • Expand access to and availability of victim care, including shelter and repatriation, for all victims, especially males and Nepalis exploited overseas. • Increase staff, training, and resources to the Department of Foreign Employment (DFE) to facilitate full implementation of the low-cost recruitment policy, including regular DFE monitoring for compliance. • Implement the victim-witness protection provisions of the HTTCA. • Remove the HTTCA provision that allows victims to be fined if they fail to appear in court or be held criminally liable for providing testimony contradicting their previous statement. • Lift current bans on female migration and engage destination country governments to create rights-based, enforceable agreements that protect Nepali workers from human trafficking. • Provide documentation to Harawa-Charawa communities and internationally recognized refugees and asylum-seekers to allow to them to work, attend school, and access social services.

PROSECUTION

The government maintained mixed anti-trafficking law

enforcement efforts. The 2007 HTTCA criminalized some forms of sex trafficking and labor 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 sex 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. Prescribed penalties range from 10 to 20 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. Additionally, the 2002 Bonded Labor (Prohibition) Act criminalized bonded labor and the Child Labor Act criminalized forced child labor; however, neither law prescribed sufficiently stringent penalties. The 2007 FEA criminalized fraudulent and deceptive labor recruitment. For the fourth consecutive year, the National Committee for Controlling Human Trafficking (NCCHT) continued drafting revisions to the HTTCA to bring the definition of human trafficking in line with international law, including a workshop to solicit NGO input. The proposed amendment awaited approval from the Ministry of Finance at the close of the reporting period.

The NPWC conducted 313 investigations under the HTTCA during the Nepali fiscal year, compared with 227 cases in the previous fiscal year. The 313 cases involved 546 alleged traffickers, of whom 447 had been arrested and 99 remained at large. NPWC investigated crimes in which women and girls were the primary victims; other police investigative units handled crimes involving male victims. The CIB investigated 13 transnational trafficking cases and arrested 14 suspects between April and December 2018, compared with eight transnational cases during the same period in 2017. The government initiated prosecutions in 285 cases during the fiscal year and continued prosecution of 190 cases it had initiated in previous years, compared with initiating prosecutions in 303 cases and continuing prosecutions in 184 cases in the previous fiscal year. Officials did not disaggregate data to distinguish between sex and labor trafficking cases. At the district level, courts convicted 213 traffickers during the fiscal year, a significant decrease from 274 and 262 trafficking convictions during the previous two fiscal years. District courts acquitted 113 accused, compared with 233 acquittals the previous fiscal year. The government did not report sentences prescribed to convicted traffickers.

In May 2018, the government allocated limited funding to create the Anti-TIP Bureau, mandated by the HTTCA to investigate all trafficking crimes. As of March 2019, police had filled only 36 of 171 permanent positions in the central bureau, primarily investigators with nationwide jurisdiction. The Anti-TIP Bureau was not yet investigating cases by the close of the reporting period, but staff had begun developing internal SOPs. Police lacked the staff, resources, and training required to patrol Nepal's nearly 1,100-mile border with India, where significant transnational trafficking occurred; therefore, NGOs conducted the majority of the checkpoint inspections, focusing almost entirely on intercepting female potential trafficking victims. The government had standard training for labor, immigration, judicial, law enforcement, and foreign employment officials that included anti-trafficking elements. During the reporting period, the attorney general's office trained public prosecutors on victim-centered investigations and prosecutions, and the Ministry of Women, Children, and Senior Citizens (MWCSC) trained law enforcement and civil society on trafficking trends and emergency victim protection. Despite these trainings, police lacked sophisticated investigative techniques and skills to interact in a victim-centered way with trafficking survivors; these deficiencies undermined prosecution efforts. In addition, law enforcement and labor officials continued to demonstrate a lack of understanding of the differences between labor violations and labor trafficking, including how to report and investigate allegations.

Legal experts stated prosecutors could pursue a case under both the HTTCA and the 2007 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. Many migrant workers remained unaware of the process for obtaining redress, including in cases of trafficking. DFE officials continued to advise abused migrant workers to register complaints under the 2007 FEA rather than notify police. Many victims of transnational labor trafficking with knowledge of the redress process still preferred to submit claims for restitution through the 2007 FEA in lieu of lengthy criminal prosecutions under the HTTCA, citing the desire to avoid the stigma associated with trafficking, the higher potential for compensation through the 2007 FEA, and the lack of time and funding necessary to access the centralized institutions charged with providing redress.

The government did not report any new investigations, 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. NGOs alleged some police and political party leaders were complicit in sex trafficking in conjunction with their financial involvement in the adult entertainment sector (AES). Observers continued to report some traffickers, including owners of adult entertainment establishments and exploitative orphanages, enjoyed impunity due to personal connections with politicians or by bribing police. Civil society alleged local officials facilitated the falsification of age documents for girls that traffickers exploited in sex trafficking within Nepal and abroad. Traffickers reportedly bribed some government officials to include false information in genuine Nepali passports or provide fraudulent documents to prospective labor migrants or foreign employment agents. NGOs had concerns that because a number of government officials, including parliamentarians, maintained close ties to foreign employment agencies, such officials might have a conflict of interest in approving migrant-friendly practices, such as prosecution of abusive recruitment agencies and increasing protections for migrant workers. In August 2017, a parliamentary committee stated due to the negligence or complicity of immigration officials and police, girls and women had departed the international airport without completing the required exit procedures; the committee stated that up to 60 percent of Nepali domestic workers in the Gulf were working illegally without proper visas and safeguards. The committee called on the government to take action against these immigration officials, but the government had not addressed the issue at the close of the reporting period. In November 2017, a parliamentary commission arrested the Director General of DFE and two DFE officials for allegedly attempting to collect a bribe from a foreign employment agency; law enforcement released the three officials on bail or their own recognizance, and the case was pending 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; Nuwakot District Court sentenced the official to 37 years and six months and a fine of 250,000 Nepali rupee (NPR) ($2,240).

PROTECTION

The government maintained efforts to identify and protect internal female trafficking victims, but protection efforts for male victims and trafficking victims abroad remained weak. The government did not have SOPs for victim identification and referral to services, although NPWC had internal guidelines on the identification and treatment of victims and MWCSC continued drafting SOPs on victim identification, referral, and data collection. Authorities did not systematically track the total number of victims identified, but NPWC reported identifying 546 victims connected to the 313 trafficking investigations, an increase from 368 victims identified the previous fiscal year. Of NPWC's 546 identified victims, suspected traffickers subjected 106 victims to sex trafficking and 209 to labor trafficking; reports did not specify the type of trafficking for the other 231 victims. The 546 victims included 180 victims younger than age 18 and 119 males identified in three cases—a significant increase from the past year, when officials identified only four male victims. NPWC did not disaggregate domestic versus transnational trafficking. From April to December 2018, CIB identified an additional 53 child trafficking victims, many of whom traffickers had exploited in sex trafficking in India, compared with 57 transnational trafficking victims identified during the same period in 2017. NGOs identified 176 Nepalis in India—146 women and 30 men—who had allegedly paid smugglers for transportation to Burma and then to various countries in the Middle East, where NGOs alleged they might have faced labor or sex trafficking. Officials' poor understanding of trafficking and the lack of SOPs hindered proactive identification, especially among returning male migrant workers exploited abroad.

Although the government had national minimum standards for victim care and referral to services, referral efforts remained ad hoc and inadequate. NPWC typically referred trafficking victims to One-Stop Crisis Management Centers, government-run emergency shelters for victims of trafficking and gender-based violence, or to various NGOs for shelter, medical, and legal services. While NGOs reported the rate of referral from law enforcement increased, the government did not report how many victims it referred to services. With MWCSC support, NGOs maintained 10 rehabilitation homes, 36 emergency shelters, and 36 community service centers for female victims of gender-based violence, including trafficking. It did not open any new centers, compared with opening two new rehabilitation homes, 19 emergency shelters, and 19 community centers during the previous reporting period. In the 2018-2019 fiscal year, the government allocated the same amount of funding for these shelters as in the 2017-2018 fiscal year, 10 million NPR ($89,610), although the funding was cumulative and the fund had approximately 19.3 million NPR ($172,940) at the beginning of the year. MWCSC provided NGOs with funding for shelter staff, some facility expenses, and victim assistance such as legal and psychological support; however, NGOs reported it only disbursed this funding when NGOs requested reimbursement. An international donor constructed a temporary shelter for up to 30 women and child victims of crime. MWCSC also supported an NGO-run long-term shelter for female victims of violence. Unlike in past years, MWCSC did not allocate dedicated funds for the protection and rehabilitation of male trafficking victims, although other sources of funding could be reallocated for that purpose. Nonetheless, international organizations reported male victims and victims of labor trafficking frequently did not receive services. An NGO ran one shelter for men in Kathmandu. Victims had the ability to seek restitution from traffickers or back wages from a rehabilitation fund if the government was unable to collect fines from traffickers under the HTTCA. In previous reporting periods, district courts in Kathmandu, Bhaktapur, and Chitwan ordered their respective district committees for controlling human trafficking (DCCHTs) to provide restitution to trafficking victims from the fund, and DCCHTs had initiated this process for some victims in previous reporting periods. MWCSC did not report if any victims received restitution.

During the reporting period, four of 26 judges in the Kathmandu and Bhaktapur District Courts instituted victim-friendly courtrooms and practices, including allowing victims to provide testimony via camera. Police continued efforts to pay for victim and witness transportation and lodging during judicial hearings; authorities did not report if any trafficking victims benefited from these services. Overall victim-witness protection mechanisms and the practices of police and justice officials remained insufficient. Victims continued to report challenges in providing testimony, including open doors to rooms where victims provided testimony via camera, threats from perpetrators, and the lack of compensation or lack of ability to collect compensation when awarded. Notably, resource limitations impeded the provision of a victim's right to police protection, and observers stated victims were reluctant to file criminal complaints under HTTCA in part because of personal or family safety concerns. 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 also impeded victim protection. The government did not have legal alternatives to the deportation of foreign victims.

Government services for its nationals exploited abroad remained inadequate compared to the scope of the problem. The 2007 FEA required the government to appoint labor attachés in countries with more than 5,000 registered Nepali migrant workers to facilitate claims of abuse, exploitation, and repatriation. Due to the cost of the attachés, however, they were not present in all required countries. In addition, migrant workers reported attachés did not provide adequate information on how to obtain support or file official grievances against their exploitative employers. Nepali embassies in Bahrain, Kuwait, Malaysia, Oman, Qatar, Saudi Arabia, and United Arab Emirates could provide emergency shelter for vulnerable female workers, some of whom were trafficking victims, but the embassies did not provide statistics on the number of workers assisted. The Foreign Employment Promotion Board (FEPB) acknowledged shelters lacked sufficient space, staff, 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 repatriated 64 migrant workers, an increase from 50 the previous year, and repatriated the bodies of 823 Nepalis who died while employed abroad. It was unknown how many of those repatriated were trafficking victims. FEPB could also repatriate unregistered migrant workers by requesting funds through the finance ministry on an ad hoc basis, but it could not provide any other financial support or services to unregistered workers. DFE maintained 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. While DFE reported an increased number of requests in 2018, compared to 227 requests between December 2016 and January 2018, it did not report the number of requests, how many requests it fulfilled, or how many stemmed from trafficking crimes. MWCSC had additional funds it could allocate to Nepali embassies to repatriate trafficking victims. The funds covered food and

travel expenses for the trafficking victim and an accompanying embassy officer. MWCSC reported spending 9.05 million NPR ($81,090) for trafficking victim repatriation from at least four countries during the fiscal year. NGOs bore the primary cost of repatriating Nepali trafficking victims from India.

PREVENTION

The government maintained efforts to prevent human trafficking. The government operated 732 local anti-trafficking committees (LCCHTs) and funded them through the DCCHTs, but it did not create any new committees during the reporting period. MWCSC did not report how much funding it allocated to DCCHTs during the fiscal year for prevention and protection services. While the NCCHT continued to meet with and train officials from the DCCHTs, observers noted the need for improved coordination between the NCCHT, DCCHTs, and LCCHTs. A January 2018 MWCSC-led review of the 2012-2022 anti-trafficking national action plan revealed the government had implemented less than one-third of the plan's prosecution and capacity building objectives. NCCHT did not report further implementation of the plan during the reporting period. MWCSC issued its sixth report on the government's anti-trafficking efforts, and the National Human Rights Commission's Office of the Special Rapporteur on Trafficking (OSRT) in Women and Children issued its ninth report on human trafficking. Officials noted OSRT had declined in efficacy, and its top position has been vacant for several years. The government conducted public awareness campaigns throughout the country, sometimes in partnership with NGOs or international organizations. Special committees to monitor the AES for abuses remained active in nine districts. Observers stated they had limited effectiveness, however, due to a lack of funding and legislation to establish a formal role. Police continued regular inspections of such enterprises. Kathmandu police operated a toll-free child help hotline that can handle reports of suspected trafficking cases; police did not report if it identified any traffickers or victims from the hotline during the reporting period.

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 ($90). In April 2017, DFE issued a directive to recruitment agencies to demonstrate their adherence to the policy; by September 2017, 750 of 1,097 agencies had fulfilled the requirement. DFE had fined 30 agencies between 50,000-100,000 NPR ($450-$900) for lack of adherence the previous reporting period, but did not report any similar enforcement during the reporting period. Both NGOs and government officials noted the monitoring mechanism was ineffective to address non-compliance; employment agencies regularly charged migrant workers fees above the 10,000 NPR ($90) limit. During reporting period, DFE opened offices in all seven provinces to increase prospective migrant workers' access to foreign employment-related services. The government continued mandatory pre-departure trainings for migrant workers, but they were only held in a few districts and did not address the consular services or mechanisms for redress available while abroad, limiting their utility. In November 2018, the government began offering free skill tests for returned migrant workers and provided certifications for skills obtained abroad. FEPB monitored and reported on labor violations, and referred cases to DFE and the Foreign Employment Tribunal for adjudication and penalization; FEPB did not report if it referred any cases during the reporting period. The government maintained its ban on migration of female domestic workers younger than age 24 to Gulf States and mothers with children younger than two. Observers noted this ban increased the likelihood such women would migrate illegally and therefore increased overall vulnerability to trafficking.

The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government adopted a second iteration of its National Master Plan to End Child Labor, (2018-2028) that prioritizes ending the worst forms of child labor, including forced child labor. However, NGOs reported the Department of Labor (DOL) remained reticent to take meaningful action against perpetrators of child and forced child labor. While labor inspectors identified and removed 75 child laborers from situations exhibiting indicators of trafficking during the reporting period, DOL did not report if it referred any employers for criminal investigation and/or issued any administrative penalties. Furthermore, NGOs reported DOL encouraged mediation over prosecution in cases of labor violations, including forced child labor. Violators typically paid small amounts of compensation to victims in lieu of administrative or criminal prosecution. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers. The government did not provide anti-trafficking training to its diplomatic personnel. Nepal is not a party to the 2000 UN TIP Protocol. During the reporting period, a Ministry of Home Affairs-led committee researched the impact of ratifying the Protocol and officially proposed to the prime minister to ratify the Protocol. The ministry was further revising the proposal at the close of the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Nepal, and traffickers exploit victims from Nepal abroad. Traffickers exploit Nepali women and girls in sex trafficking and domestic servitude in Nepal; India; the Middle East, especially Gulf countries; Asia, and East Africa, including Kenya. Traffickers subject Nepali men, women, and children to forced labor in Nepal; India; the Middle East; Asia, including Malaysia and Japan; and Europe, including Portugal; on farms and in construction, factories, mines, domestic work, begging, and the adult entertainment industry. Some manpower agencies and individual agents engage in fraudulent recruitment practices and impose high fees to facilitate forced labor. Unregistered migrants—including the large number of young Nepali women who transit India or men and women who rely on unregistered recruitment 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 face fraud and domestic servitude. Traffickers subject some migrants who transit Nepal en route to the Middle East to human trafficking, including Bangladeshis and Sri Lankans who use falsified Nepali travel documents. Some government officials reportedly accept bribes to include false information in Nepali identity documents or provide fraudulent documents to prospective labor migrants, which allows recruiters to evade recruitment regulations. Traffickers reportedly take advantage of more relaxed pre-departure screenings at Kolkata and Chennai airports or bribe Indian officials in New Delhi and Mumbai to fly Nepali migrant workers to third countries without proper documentation, which increases the workers' vulnerability to trafficking. Traffickers also transport Nepali labor trafficking victims through Sri Lanka and Burma en route to destination countries.

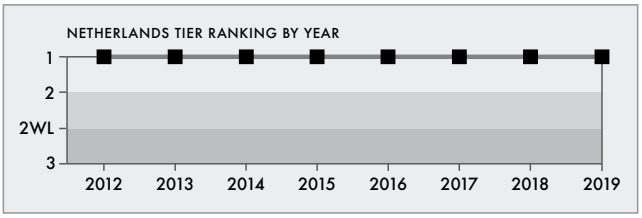
Within Nepal, bonded labor of adults and children exists

in agriculture, brick kilns, the stone-breaking industry, and domestic work. While government officials denied children regularly worked in brick kilns, NGOs continued to report children carrying loads, preparing bricks, and performing other tasks at kilns for extended periods. Traffickers subject Nepali and Indian children to forced labor in the embroidered textile, or *zari*, industry, as well as in carpet factories and stone quarrying. Traffickers increasingly subject Nepali girls and boys to sex trafficking in Nepal on the streets and in the AES, including dance bars, massage parlors, and cabin "restaurants," a type of brothel. Sex trafficking of Nepali women and girls increasingly takes place in private apartments, rented rooms, guesthouses, and restaurants. Traffickers subject transgender persons to sex trafficking in Nepal. Police report an increasing trend of AES businesses recruiting Nepali female employees for work abroad in the same sector, which increases vulnerability to sex trafficking abroad. NGOs alleged some police and political party leaders are complicit in sex trafficking because of their financial involvement in the AES. Traffickers exploit Nepal's open border with India to transport Nepali women and children to India for sex trafficking, including under the guise of "orchestra dancers," where girls dance at public functions and men exploit them in sex trafficking.

Under false promises of education and work opportunities, some Nepali parents give their children to brokers who instead take them to frequently unregistered children's homes and force them to pretend to be orphans to garner donations from tourists and volunteers; some of these children are also forced to beg. Some tourists and volunteers, primarily from Western countries, exploit these children in child sex tourism. NGOs reported some owners of exploitative child institutions, including fake orphanages, use political connections to thwart child protective agencies and prosecution. Traffickers transport Rohingya girls from refugee camps in Bangladesh to Kathmandu for sex trafficking. Traffickers target young, poorly educated people from traditionally marginalized castes and ethnic minority communities and increasingly utilize social media and mobile technologies to lure their victims. Law enforcement reported victims' families are sometimes complicit in their trafficking. Organized criminal networks engage in trafficking in some parts of the country. Many Nepalis whose homes or livelihood were destroyed by the 2015 earthquakes—especially women and children—remain vulnerable to trafficking. Approximately 11,000 Tibetans lack identity documents, which impedes them from legally working, studying, traveling, and accessing public services. Nepali law treats newly arrived asylum-seekers and UNHCR-recognized refugees as illegal immigrants and does not provide for government-issued identification; lack of documentation increases their vulnerability to trafficking.

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.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to identify victims. • Provide all potential trafficking victims with care services, regardless of their ability to cooperate with an investigation. • Issue uniform and clear guidance on reflection period criteria for the government's three investigative bodies. • Increase efforts to investigate, prosecute, convict, and sentence traffickers to significant prison terms. • Improve data collection quality for law enforcement and ensure the timely release of victim identification data for policy evaluation. • Incorporate measurable goals into the national action plan. • Increase outreach to potential victims in labor sectors and identify forced labor. • Implement results-based training and mentoring of officials in the islands of Bonaire, St Eustatius, and Saba (BES islands) to increase identification of victims and prosecution of traffickers. • Expand the rapporteur's mandate or assign another independent body to evaluate anti-trafficking efforts and assess trafficking prevalence in the BES islands.

PROSECUTION

The government maintained law enforcement efforts. Article 273f of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of up to 12 years' imprisonment or a fine of up to €83,000 ($95,180) for trafficking offenses involving an adult victim, and up to 15 years' imprisonment or a fine of up to €83,000 ($95,180) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police brought 142 new trafficking cases to the prosecutor's office for further investigation, compared with 141 in 2017. The government prosecuted 138 alleged traffickers, compared with 157 in 2017. The government convicted 111 traffickers, compared with 127 in 2017.

The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms. For instance, in April 2018, a district court in The Hague sentenced a man to 11 years in prison and a fine of €250,000 ($286,700) in compensation to six victims of sex trafficking. In June 2018, a court in Groningen sentenced a man to eight years in prison for human trafficking, sexual exploitation of a child, and producing child pornography. In August 2018, a district court in Arnhem sentenced a man to seven years in prison and a fine of €100,020 ($114,700) in compensation to three victims of sex trafficking. The BES islands (fully under the authority of the Netherlands) did not prosecute or convict any traffickers in 2018. There were investigations but none resulted in trafficking charges. Bonaire law enforcement implemented a database for human trafficking, which served as a repository for future leads on human trafficking.

The government continued to participate in international investigations and led joint investigation teams with other EU nations. Strong coordination between the Dutch police, an NGO, and Nepali authorities led to the conviction of two child traffickers in Nepal. Both traffickers received sentences of seven and eight years in prison, respectively, and paid compensation to the victims. Through an in-country liaison, Dutch police provided information to Philippine police that led to the arrest of a child sex trafficker exploiting children to perform sexual acts through internet webcams. Judges with trafficking-specific training heard all trafficking cases in 2018. The government delivered a high volume of anti-trafficking training to law enforcement and allocated €2 million ($2.29 million) to increase the number of police certified to investigate trafficking cases and boost overall law enforcement capacity. Anti-trafficking police officers were required to pass examinations in a training course focused on policing commercial sex. Authorities trained custom and coast guard officials in the BES islands. Judges, prosecutors, and defense attorneys continued to receive specialized training in applying the anti-trafficking law and dealing with traumatized victims. In February 2019, a district court sentenced a deputy chief prosecutor investigated for soliciting sex from a child in sex trafficking to 10 months in prison under the charge of sexual misconduct with a minor. Prosecutors reported the government frequently did not charge child sex traffickers under the trafficking law but under a sexual abuse law (article 248b), which carried lesser penalties. The Ministry of Justice and Security elevated trafficking to one of its four top law enforcement priorities in its strategic agenda for 2019 to 2022.

PROTECTION

The government maintained efforts to protect victims. In 2017, the most recent year data was available, the government-funded national victim registration center and assistance coordinator registered 958 possible trafficking victims, compared with 952 in 2016. Of these, 534 were victims of sex trafficking, 249 of labor trafficking, 42 of both labor and sex trafficking, and 133 of uncategorized trafficking. Children comprised 194 of the victims (227 in 2016). The top countries of victim origin in 2017 (in order of prevalence) were the Netherlands, Poland, Romania, Bulgaria, and Nigeria. The police reported identifying 432 victims (446 in 2016); regional health care organizations, 320 (240 in 2016); labor inspectors, 38 (38 in 2016); border security, 21 (12 in 2016); and the remainder from other organizations. The BES islands did not identify any victims in 2018. The government continued to identify fewer victims than in years prior to 2016, but officials and civil society did not interpret this trend as a decrease in trafficking prevalence. Both attributed the identification of fewer victims to a shift in police resources away from trafficking to new priorities, which led to staff turnover and a loss of accumulated trafficking expertise. Additionally, civil society reported victims preferred to register for residency permits under the asylum process rather than the specialized process for trafficking victims. 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 to include 50 shelter beds with 16 beds designated for male victims. The government provided €800,000 ($917,430) to the shelters, a significant decrease from €1.6 million ($1.83 million) in 2017. 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. Local governments also funded shelters for domestic violence victims, which had dedicated space for trafficking victims. Children remained vulnerable in the protection system; in May 2018, police arrested two men for trafficking 12 girls in a youth care facility. Authorities funded several shelters designated for "lover-boy" trafficking victims (girls coerced into sexual exploitation through a sham relationship). The government did not provide data on the number of victims referred to care facilities in 2018, but from 2013 to 2017, 824 of the 5,433 identified victims, or 15 percent, chose to receive services at the shelters. In 2018, the number of health care regions with a trafficking victim coordinator increased to 24, compared with 16 in 2017. The government issued a grant to an NGO to fill all 35 regional coordinator positions by 2020.

The government permitted potential victims to stay in shelter care for a three-month reflection period to begin recovery and 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. Labor authorities stated criteria for granting non-EU victims reflection periods remained unclear. In 2017, the most recent year data was available, 131 of the 584 foreign victims made use of the reflection period. During the reflection period, non-EU victims had access to specialized shelters but could not work. After the reflection period, victims who agreed to assist police could continue to stay in shelters. According to civil society, foreign victims who ceased cooperation with authorities lost their residency permit and consequently all support services. NGOs reported non-EU victims were increasingly unwilling to report to the authorities as they were concerned with participating in a long court process, fearful of retribution from convicted traffickers due to light sentencing, and uncertain of obtaining permanent residency. In an effort to address concerns regarding assistance linked to criminal investigations, the government completed a pilot project that assigned a multidisciplinary team to review victimhood designation without dependence on cooperation with a criminal investigation; project results were pending. Victims willing to testify against their alleged trafficker were eligible to receive a temporary residence permit (B-8 permit), if authorities decided to prosecute a suspected trafficker. Victims received permanent residency when the court convicted the trafficker in their case or when they maintained temporary B-8 status for three or more years. In 2017, the most recent year data was available, 131 (160 in 2016) foreign victims applied for the permanent B-8 permit. A victim could apply for asylum if their case closed without a conviction or they declined to assist in an investigation. The government did not report the number of potential victims who applied for asylum. 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. Authorities worked with civil society to repatriate foreign victims unable to acquire residency permits.

PREVENTION

The government increased efforts to prevent trafficking. The Human Trafficking Task Force, composed of local and national government authorities, the private sector, and NGO representatives, set long-term anti-trafficking policies, while the Ministry of Justice and Security led the implementation and coordination of anti-trafficking efforts. In November

2018, the government issued its new national anti-trafficking action plan, designed as a "living document" that allowed for ad-hoc updates and revision. The action plan focused on improving information sharing across stakeholders, identifying more victims, strengthening local governments' anti-trafficking programs, and increasing efforts against labor trafficking. Several NGOs criticized the action plan for its lack of measurable goals and monitoring tools. The government increased efforts to target illicit financial flows from trafficking by expanding a public-private pilot project that notified law enforcement about suspicious transactions. The rapporteur and the Netherlands Organization for Applied Scientific Research published statistical reports that evaluated the country's anti-trafficking landscape. The government continued multiple 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 screening for signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff in methods to identify victims and child sex tourism. Three more market sectors (pension, insurance, and food services) joined the government's Covenant on Reducing Human Rights Violations in Supply Chains. The government did not make efforts to reduce the demand for commercial sex acts. The government continued to implement a national plan against child sex tourism, and in cooperation with foreign governments, screened for potential child sex tourists at airports. The foreign ministry continued to conduct outreach to foreign diplomats' domestic workers, without their employers present, on how to report cases of abuse. A government-funded NGO maintained a victim assistance hotline during extended business hours.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the Netherlands. Most 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. Labor traffickers exploit men and women from Eastern Europe, Africa, and South and East Asia in industries such as inland shipping, leisure river cruises, 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. Refugees and asylum-seekers, including children in government-run asylum centers, are vulnerable to sex trafficking.

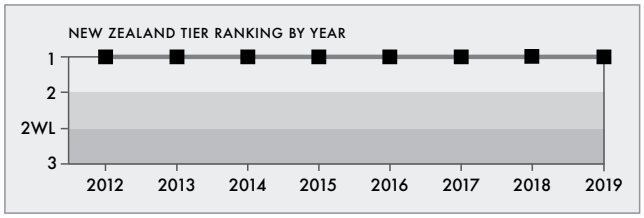
BONAIRE, ST. EUSTATIUS, AND SABA (BES)

As reported over the past five years, human traffickers exploit foreign victims in the BES islands. Increasingly, traffickers exploit Venezuelan women in sex trafficking on the BES islands. Local authorities believe labor traffickers exploit men and women in domestic servitude and the agricultural and construction sectors. Women in prostitution and unaccompanied children are highly vulnerable to trafficking. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

The BES criminal code criminalized sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years' imprisonment. Bonaire prosecuted its first trafficking case in 2012; the case remained ongoing at the close of the reporting period. The mandate of the Netherlands' national rapporteur did not extend to the BES islands; therefore, the office could not conduct local research. Local governments on the BES islands ran multidisciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts; however, there was little evidence of their effectiveness. Victims of violence, including 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. These efforts included obtaining eight convictions for trafficking-related crimes, initiating the fourth prosecution under the trafficking statute, cooperating with foreign law enforcement to prosecute trafficking crimes, and providing services to victims identified in previous years. Although the government meets the minimum standards, it initiated only two trafficking investigations and did not identify or assist any sex trafficking victims. The government reported identifying few victims and prosecuting a low number of suspected traffickers.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to identify victims through proactive screening of vulnerable populations. • Expand law enforcement efforts to increasingly investigate domestic trafficking and child sex trafficking. • Amend the trafficking statute to explicitly remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses. • Amend the trafficking statute to define the sex trafficking of children as not requiring the use of deception or coercion. • Increase resources for anti-trafficking law enforcement. • Update the national action plan to address current trafficking trends in the country, including domestic trafficking. • Provide trafficking training to judges, prosecutors, and labor inspectors. • Increase coordination with NGOs, social service providers, and other civil society stakeholders on anti-trafficking efforts. • Distribute materials to raise public awareness of all forms of human trafficking. • Provide anti-trafficking training to diplomatic personnel.

PROSECUTION

The government maintained law enforcement efforts. The Crimes Act of 1961, as amended, criminalized sex trafficking and labor trafficking. Section 98D (trafficking in persons) criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of up to 20 years' imprisonment, a fine not exceeding 500,000 New Zealand dollars (NZD) ($335,570), or both. Inconsistent with international law, 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; this inconsistency may have hampered the

government's ability to effectively investigate the sex trafficking of children. However, Section 98AA criminalized all forms of child sex trafficking under its "dealing in persons" provision and prescribed penalties of up 14 years' imprisonment, which were sufficiently stringent and commensurate with the penalties imposed for rape. The government also utilized Sections 20 and 21 of the Prostitution Reform Act (PRA), which criminalized the facilitating, assisting, causing, or encouraging a child to provide commercial sex, in addition to receiving earnings from commercial sex acts provided by a child. The PRA prescribed a maximum penalty of seven years' imprisonment for the sex trafficking of children.

During the reporting period, the government initiated two labor trafficking investigations, initiated five prosecutions (three for labor and two for sex trafficking), and obtained eight convictions (three for labor and five for sex trafficking); this was compared to three investigations, six prosecutions, and two convictions in the previous reporting period. Officials continued investigations of six cases of suspected labor exploitation during the reporting period. The government initiated its fourth prosecution under the trafficking statute in 2018, but did not obtain any convictions under this law. Courts convicted five individuals in three child sex trafficking cases under the PRA; their sentences ranged from nine months' home detention to 10 years and three months' imprisonment. Authorities continued to report that a lack of sufficient resources, as well as high evidentiary and procedural standards, resulted in prosecutors charging some suspected traffickers under different statutes, including non-criminal labor violations. For example, the labor inspectorate investigated forced labor complaints but was limited to working within the civil legal system. The immigration agency's serious offences unit investigated trafficking cases but were limited to investigating only those cases in which immigration violations were also identified. The government did not report vigorously investigating perpetrators of domestic trafficking, including of those who exploit New Zealand children in sex trafficking. New Zealand Police required anti-trafficking training for all criminal investigators and included a trafficking and smuggling chapter in its police manual; the government did not report training prosecutors or judiciary officials. Police and immigration officials cooperated with authorities in Samoa and Fiji on two separate trafficking investigations; these efforts resulted in the arrest of one suspected trafficker by Fijian authorities in August 2018. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government maintained minimal victim protection efforts. The government continued to draft an operational framework to outline the process of victim identification, referral, and provision of victim services for government officials. During the reporting period, the government identified seven victims of labor trafficking, compared with two labor trafficking victims and one sex trafficking victim in the previous reporting period. Although six of the victims identified during the reporting period did not accept support services from New Zealand, the government continued to provide services for 19 victims of labor trafficking identified in previous years. In addition to training police, the government reported providing training for labor inspectors and immigration and customs officials on victim identification and referral procedures. Nonetheless, the conflation of trafficking, prostitution, and smuggling by some officials and social service providers may have left some victims unidentified and a lack of coordination between the government, and social service and health providers may have resulted in ineffective referral procedures. An ad-hoc task force comprising police, child services, and civil society representatives tasked with sharing information and responding to the needs of children exploited in prostitution did not operate during the reporting period. An NGO reported there was a lack of sufficient government coordination to provide assistance to child sex trafficking victims. Immigration New Zealand (INZ) met with a consultation group composed of four civil society organizations to further its anti-trafficking efforts; however, as in the previous year, this did not result in significant outcomes to investigate cases or protect victims, and officials reported insufficient resources hampered meaningful collaboration with NGOs.

The government did not allocate funding specifically dedicated to assisting trafficking victims. However, victims of trafficking were eligible to receive government-funded services, provided through arrangements with local community groups, and the government provided temporary housing, medical services, employment assistance, and other social 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; one victim and their family were granted visas during the reporting period. The government also provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. The law allowed victims to receive restitution in criminal cases and victims could also seek monetary damages through civil claims; courts ordered one convicted offender in a trafficking case to pay 1,580 NZD ($1,060) in restitution in 2018.

PREVENTION

The government maintained efforts to prevent trafficking. INZ chaired the government's interagency working group on trafficking. During the reporting period, the government divided the position within INZ responsible for coordinating government efforts related to anti-trafficking, migrant smuggling, and regional cooperation into three portfolios, creating a new role focused solely on anti-trafficking efforts. The government continued a review and update of its 2009 anti-trafficking action plan, initially scheduled in 2017; in November 2018, the Minister of Immigration ordered an updated plan be completed by the end of 2019. The government did not report distributing materials raising awareness of sex or labor trafficking as defined by international standards. However, it continued to host forums and workshops with businesses, NGOs, and other civil society stakeholders to increase awareness and engage the private sector to combat trafficking in supply chains. The government, along with four other countries, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains. INZ and the labor inspectorate operated hotlines in which workers could make complaints; however, the government did not operate a trafficking-specific hotline. The government continued to distribute guides for employers recruiting Filipino workers and to send welcome emails with workers' rights information to all approved residence, work, and student visa holders in 13 languages. The government commissioned research on exploitation of migrants in prostitution and of migrant workers during the reporting period.

Government regulations banned employers who breach employment standards from recruiting migrant workers for

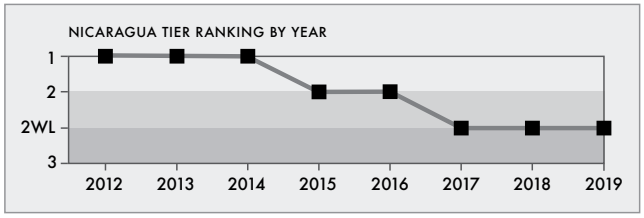
periods of six to 24 months and the employment agency published a list of all offending employers on its website. New Zealand law required individuals who provide immigration advice to hold a license issued by the government. Immigration officials and labor inspectors reported inspecting legal brothels to ensure working conditions complied with the law and conducting investigations and routine audits in work places that employed migrant workers. The government did not make efforts to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in New Zealand. New Zealand girls and boys (often from minority communities) are exploited in sex trafficking. Young children and teenagers are recruited into prostitution by gang members, boyfriends, family members, or others. Some victims are coerced into prostitution through drug dependencies or threats by family members. Foreign men and women from Fiji, Samoa, China, India, the Philippines, and countries in Latin America are vulnerable to forced labor in New Zealand's agricultural, dairy, construction, viticulture, food service, technology, 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 traffickers force migrant workers to work in job conditions different from those promised during recruitment, and victims often 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.

NICARAGUA: TIER 2 WATCH LIST

The Government of Nicaragua does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included developing and publishing a national action plan, launching a strategy for victim identification and assistance, and providing limited victim services. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not prosecute or convict any traffickers and continued a multi-year trend by identifying fewer victims. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses despite endemic official corruption and widespread complicity. The government did not cooperate with NGOs in the national anti-trafficking 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. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Nicaragua was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Nicaragua remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to investigate, prosecute, and convict traffickers, including complicit officials. • Vigorously implement the National Strategy for Comprehensive Attention to Victims of Trafficking in Persons by identifying victims, including among vulnerable populations, and effectively refer victims to appropriate services. • Partner with NGOs to provide victims long-term care and reintegration services. • Increase funding for victim protection, including through financing the trafficking fund, and provide specialized services for trafficking victims; fulfill the requirement under Law 896 to include the Nicaraguan Coordinating Federation of NGOs working with Children and Adolescents (CODENI) to represent NGOs in the National Coalition against Human Trafficking (NCATIP). • Amend the 2014 anti-trafficking law to include a definition of 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. • Annually report on progress in implementing the national action plan.

PROSECUTION

The government decreased law enforcement efforts. The Law against Trafficking in Persons of 2015 criminalized sex trafficking 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 all labor exploitation and illegal adoption without the purpose of exploitation.

Authorities reported initiating four investigations in 2018—two sex trafficking and two forced labor—compared with five investigations in 2017—three sex trafficking and two forced labor. The government did not prosecute any suspects in 2018 compared with two suspects in 2017 and 13 in 2016. In 2018, the government did not convict any suspects, compared with three traffickers (two for sex trafficking and one for forced begging) in 2017 and nine convicted sex traffickers in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses despite endemic official corruption and widespread

complicity. Officials within at least four of the government agencies in the NCATIP perpetrated, led, or authorized human rights violations, creating an environment of impunity and decreasing the likelihood of victims reporting trafficking in persons. The government, with support from international organizations, trained investigators, prosecutors, judges, and other law enforcement officials on trafficking.

PROTECTION

The government maintained minimal protection efforts. The government identified six trafficking victims, including four adults and two girls—four sex trafficking and two forced labor victims. This compared with 12 in 2017, 13 in 2016, 30 in 2015, and 51 in 2014. The government provided six victims—four domestic and two foreign national victims—with medical care, and legal assistance; NGOs provided two victims with shelter and services, while family and friends offered shelter to the other four victims. The government developed and published a National Strategy for Comprehensive Attention to Victims of Trafficking in Persons, which described the process for identifying and assisting victims. However, the government did not report whether it used this new strategy to identify victims, including among vulnerable populations, such as individuals in prostitution, migrants, or working children. Officials did not identify any victims in the autonomous regions where one-sixth of the population resided and where identification and referral mechanisms were lacking.

The government reported providing limited assistance for victims through allocations to government institutions responsible for anti-trafficking efforts, but it did not provide a figure for these allocations nor did it provide specific funding for specialized services or shelters. The government reported it referred two victims to NGOs for shelter and services; however, NGOs reported the government referred only one victim. There were no shelters available for men.

According to the government, adult victims were not free to leave shelters without supervision. 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. Observers reported the government maintained an unofficial policy of placing victims with family members, which puts these individuals at risk of re-victimization by family members who may have been complicit in their exploitation. The Ministry of Family coordinated services to child trafficking victims, including medical and legal services and access to education. Both Managua and regions outside Managua most affected by trafficking largely lacked adequate services.

Law 896 established a dedicated fund for victim protection and prevention activities to be financed through budget allocation, donations, and seized assets from traffickers. However, for the fourth year, the government did not make it operational. Law 896 provided victims the ability to testify in advance of the trial and allowed testimony via video or written statement to encourage participation and protect a victim's identity; however, the government did not report using these provisions during the reporting period. 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, through its diplomatic mission, facilitated some communication between 25 Nicaraguan victims identified in Spain and their families. 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 did not report whether screening resulted in the identification of victims. Nicaraguan law provided for humanitarian visas for foreign trafficking victims, and the government provided one foreign national victim with such a visa.

PREVENTION

The government maintained efforts to prevent trafficking. The government reported the NCATIP led 15 departmental and 43 municipal working groups, which, according to civil society, engaged in capacity building and awareness raising on trafficking. For a fourth consecutive year, the NCATIP did not fulfill the requirement under Law 896 to include CODENI to represent NGOs. While the NCATIP engaged with two civil society organizations, 39 other such organizations reported the NCATIP excluded them from their activities. The government developed and published a national action plan for 2018-2022, which focused on awareness raising; increasing technical capacity to investigate, prosecute, and sentence traffickers; protecting the rights of victims and witnesses and providing assistance; and monitoring and implementing the plan. The government reported it conducted research, monitored its efforts, and met to track trends and cases; however, it had not made its research or monitoring reports public. The government reported it conducted and funded prevention campaigns, which included town halls, radio spots, and brochures targeting students, faculty, parents, indigenous communities, and community leaders along border towns and tourism destinations. The government reported having a 24-hour hotline to report cases and provide information on trafficking and gender-based violence, but it did not report whether any calls led to trafficking investigations or the identification of victims. During the reporting period, more Nicaraguans encountered problems obtaining national identification cards, which increased their vulnerability to trafficking and limited their ability to access public services. Nicaraguan law criminalized knowingly engaging in sex acts with a sex trafficking victim, but officials did not investigate, prosecute, or convict any suspects of such acts. The government required private employment agencies to register and established minimum wages and maximum hours for adult and adolescent domestic workers; it, however, did not report identifying forced labor in these sectors. Labor inspectors conducted 214 inspections in bars and nightclubs, but no cases of forced labor were identified. The government reported more than 6,000 businesses had subscribed to an agreement with the Ministry of Tourism to monitor and report suspected child sexual exploitation in the industry. The government also cooperated with the United States to deny entry to convicted sex offenders. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children, although NGOs reported child sex tourism continued to be an issue in the country.

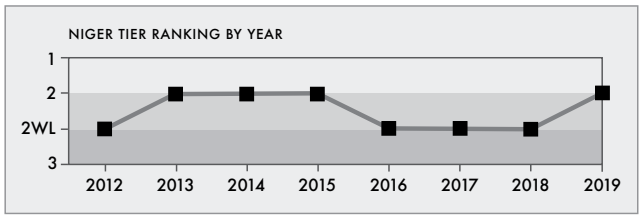
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Nicaragua, and traffickers exploit victims from Nicaragua abroad. Groups considered most vulnerable to human trafficking in Nicaragua include women, children, and migrants. 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. Traffickers increasingly use social media sites to recruit their victims who are attracted by promises of high salaries outside of Nicaragua for work in restaurants, hotels, construction, and security. Traffickers also recruit their victims in rural areas or border regions with false promises of high-paying jobs in urban centers and tourist locales, where they are subjected to sex or labor trafficking. 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, rampant poverty, and a higher crime rate increase the vulnerability of the local population. Nicaraguans who migrate to other Central American countries and Europe are reportedly vulnerable to and have been reported to be victims of sex and labor trafficking. In addition, experts report children left by migrants in Nicaragua are vulnerable to sex and labor trafficking. Nicaraguan adults and children are subjected to labor trafficking 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. Observers report traffickers exploit children through forced participation in illegal drug production and trafficking. 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 Costa Rica and Panama in search of employment; some are subjected to labor trafficking in these destination countries. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

NIGER: TIER 2

The Government of Niger does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Niger was upgraded to Tier 2. These efforts included convicting more traffickers; training more law enforcement officers, justice sector personnel, local officials, and civil society members to recognize trafficking indicators and investigate trafficking cases; coordinating with traditional leaders to house children removed from forced labor; increasing its public awareness campaigns using multiple media platforms; partnering with an Islamic cleric to address the common issue of *marabouts* using children for forced labor in begging; and addressing issues related to traditional slavery practices. However, the government did not meet the minimum standards in several key areas. Government security forces coordinated military operations alongside an armed group that recruited and used child soldiers in 2018. The government did not report investigating, prosecuting, or convicting any individuals for traditional slavery practices. Victim protection services remained inadequate and the government's efforts remained nascent to implement its national referral mechanism for standardizing victim identification and referral procedures.



PRIORITIZED RECOMMENDATIONS:

Cease all coordination with, and provision of support to, any armed groups that recruit and use child soldiers. • Increase investigations, prosecutions, and convictions of traffickers, including those engaged in traditional forms of caste-based servitude and hereditary slavery, by training additional law enforcement and first responders on the 2010 anti-trafficking law and the 2003 anti-slavery law. • Increase coordination with regional, sub-regional, and international law enforcement organizations to investigate and prosecute transnational trafficking cases, separate from smuggling cases. • Disseminate and implement the national referral mechanism to increase proactive victim identification. • Amend the 2010 anti-trafficking law to increase the base penalties for adult sex trafficking so they are commensurate with those for rape or kidnapping. • Increase the quantity and quality of services available to victims in coordination with international and multilateral organizations, as well as NGOs.

PROSECUTION

The government increased prosecution efforts. Order No.2010-86 on Combating Trafficking in Persons, enacted in 2010, criminalized all forms of sex trafficking and labor trafficking. This law prescribed sufficiently stringent punishments of five to 10 years' imprisonment for trafficking offenses involving adult victims and 10 to 30 years when the victim was a child. Penalties for sex trafficking of children were commensurate with those prescribed for other serious crimes, such as rape, although the penalties for sex trafficking of adults were not. In February 2019, the High Court established a legal precedent finding the practice of *wahaya*, traditionally linked to hereditary slavery, to be illegal.

The government reported investigating 28 suspected traffickers, prosecuting 27 cases involving 27 suspects, and convicting 11 traffickers under its 2010 anti-trafficking law during the reporting period, compared with investigating 29 suspects, prosecuting one case involving one suspect, and convicting zero traffickers during the previous reporting period. Authorities released some sentencing details related to the 11 convictions in 2018; officials reported sentencing one trafficker to seven years' imprisonment and a fine of 100,000 West African CFA franc (FCFA) ($176), and six traffickers in Agadez to one year incarceration and other cases to fines of 100,000 FCFA ($176). The government did not report investigating or prosecuting any *marabouts* (Quranic school teachers) who forced children to beg, or traditional chiefs who perpetuated hereditary 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 resources to seek punitive action against their traffickers. Limited government resources resulted in prosecutorial delays and unfulfilled victim protection requirements of the 2010 anti-trafficking law; victims rarely participated as witnesses due to limited government resources to support victim engagement. The National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants (ANLTP/TIM) provided training on Niger's anti-trafficking law, methods to improve governmental coordination, and investigative techniques to more than 319 law enforcement and security personnel, justice sector officials, and civil society actors in 2018, compared with training approximately 60 officials in 2017.

Authorities did not report investigating, prosecuting, or convicting government officials for complicity in trafficking

crimes; however, corruption and official complicity in trafficking crimes remained concerns and may have impeded law enforcement action during the year. Government security forces coordinated with the Malian paramilitary group Imghad Taureg and Allies Self-Defense Group (GATIA), which recruited and used child soldiers in 2018.

PROTECTION

The government maintained efforts to identify victims, but overall protection efforts remained inadequate. The government did not compile comprehensive victim identification and assistance statistics, although the ANLTP/TIM reported law enforcement officials identified more than 70 victims in 2018 (primarily women and girls from Benin and Nigeria), a decrease from identifying 108 victims during the previous reporting period. The ANLTP/TIM referred victims to an international organization it gave in-kind support to and worked with traditional leaders to house children removed from forced labor circumstances.

In February 2019, the government collaborated with civil society actors and international organizations to validate a comprehensive national referral mechanism; however, officials did not disseminate or implement the referral mechanism. The referral mechanism identified roles for prosecutors, judges, law enforcement, labor inspectors, diplomats, international organizations, NGOs, and union actors. The government did not report providing any specialized services for victims of trafficking, including victims of hereditary slavery. Due to budgetary constraints, officials commonly lacked resources to provide shelter and services for victims, reducing the government's ability to encourage victims 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. There were no reports officials penalized victims for unlawful acts traffickers compelled them to commit; however, some victims may have remained unidentified and subsequently penalized due to the government's 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 was unsafe for them to return to their countries of origin. Multilateral organizations reported Algeria deported thousands of migrants to Niger during the year—including more than 2,000 children who were vulnerable to trafficking due to their lack of economic security and access to justice. The government coordinated with an international organization to provide temporary shelter, food, and primary health care to migrants before assisting in the return of both Nigerien citizens and non-Nigeriens to their home regions and countries.

PREVENTION

The government increased efforts to prevent trafficking. The National Coordinating Commission for the Fight against Trafficking in Persons (CNCLTP) 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 and coordination challenges with international organizations impeded certain anti-trafficking efforts. The government worked with international and multilateral organizations to draft an updated national action plan to improve coordination across ministries and service providers, although it had yet to finalize the plan as of March 2019. The ANLTP/TIM continued to expand its national engagement with prosecutors' offices, improving its collection of trafficking statistics and law enforcement coordination across the country. In spite of severe resource constraints, the government increased funding to the CNCLTP and ANLTP/TIM from 69.6 million FCFA ($122,390) in 2017 to 73.58 million FCFA ($129,390) in 2018.

The ANLTP/TIM increased its public awareness campaigns and used multiple media platforms across Niger to familiarize the public with trafficking and the risks of irregular migration to Europe. In 2018, ANLTP/TIM officials partnered with an Islamic cleric to address the common issue of *marabouts* using children for forced labor in begging. The government increased public engagement around its annual September 28 anti-trafficking day events for the fourth straight year, featuring senior officials from the Ministry of Justice, Ministry for Women's Promotion and Children's Protection, and the Ministry of Health, in addition to traditional leaders and representatives from media outlets. The ANLTP/TIM held a workshop in June 2018 to familiarize 40 senior government administrators, six regional leaders (groupements), five village chiefs, two National Guardsmen, two police officers, eight representatives from the transportation sector, and four leaders of women and youth organizations on the risks of trafficking and traditional slavery practices. The government did not make efforts to reduce the demand for commercial sex acts.

The Ministry of Justice supported programming in 2018 to provide six million identity documents to an unspecified number of previously undocumented Nigeriens, thereby decreasing their vulnerability to trafficking. ANLTP/TIM officials provided training to staff from the Economic Community of West African States and international organizations, increasing their understanding of human trafficking trends in Niger. In 2018, border officials screened irregular migrant populations for signs of trafficking, identifying at least 41 potential victims. 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 Ministry of Foreign Affairs sent trafficking-related guidance to its missions abroad, but did not report providing training for diplomats prior to their departure.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Niger, and traffickers exploit victims from Niger abroad. Hereditary and caste-based slavery practices perpetuated by politically influential tribal leaders continued, although no reliable estimate exists of the number of traditional slaves in the country in 2018. An NGO specializing in assisting victims of hereditary and caste-based slavery reported most victims do not self-identify or file complaints against their traffickers because of a lack of reintegration services and ingrained dependency on their trafficker.

Traffickers in Niger exploit West and Central African victims in sex and labor trafficking. Exploitative Quranic school teachers (*marabouts*) subject boys to forced labor, including forced begging, within Niger and in neighboring countries. Traffickers subject Nigerien children and children from neighboring countries to forced labor in gold, salt, trona, and gypsum mines; agriculture; stone quarries; and manufacturing within the

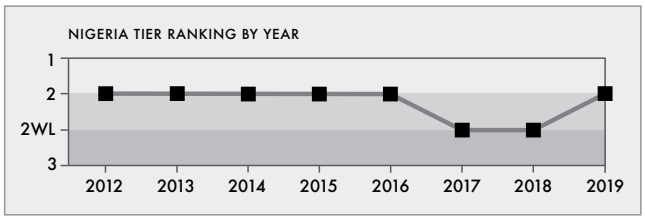
country. In the Tahoua region of Niger, influential chiefs facilitate the transfer of girls from impoverished families to men as "fifth wives" for financial or political gain. This practice—known as *wahaya*—results in girls as young as nine being exploited in forced labor and sexual servitude; their children are then born into slave castes, perpetuating the cycle of slavery. Girls fleeing these forced marriages are vulnerable to traffickers who exploit them in commercial sex due to a lack of reintegration support exacerbated by continued discrimination based on their former status as *wahayu*. In Algeria, traffickers force Nigerien children to beg and subject Nigerien women and girls to sex trafficking. Criminals exploit girls in sex trafficking along the border with Nigeria.

Traffickers fraudulently recruit Nigerien women and children and transport them to Nigeria, North Africa, the Middle East, and Europe where they subject victims to domestic servitude, sex trafficking, or forced labor in the agricultural sector. Some Nigerien migrants traveling with unrelated children to Algeria were suspected to be traffickers. Impoverished seasonal migrants—commonly from the Zinder region—traveling to Algeria for agricultural work were also vulnerable to forced labor and sexual exploitation. Traffickers in Sudan exploit Nigerien and other West African children in forced begging rings. Nigerien traffickers primarily operate small, freelance operations in loosely organized networks. There have been reports of businesspeople 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. West African migrants fall victim to traffickers while transiting Niger en route to Libya or through Algeria and Morocco to reach Europe. European support for the government's implementation of its 2015 anti-smuggling law, intended to limit irregular migration through Niger, has forced previously open (albeit illicit) migration underground and increased migrants' vulnerability to forced labor or sex trafficking by criminal networks. Criminals transport both Nigerien and Nigerian women into neighboring West African countries, and exploit them 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 to serve as child soldiers, girls into forced marriages, and minors to serve as suicide bombers. According to reports, government security forces coordinated military operations with GATIA within Niger; GATIA forces recruited and used child soldiers in 2018.

NIGERIA: TIER 2

The Government of Nigeria does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Nigeria was upgraded to Tier 2. These efforts included supporting implementation of a 2017 action plan between Civilian Joint Task Force (CJTF), a government-supported nongovernmental armed group, and an international organization to end its recruitment and use of child soldiers. There were no verified cases of any Nigerian government-supported entity recruiting or using child soldiers during the reporting period. The government convicted significantly more traffickers than the previous reporting period and initiated prosecutions against seven government officials allegedly complicit in trafficking. At the state level, the Edo State Government passed a new anti-trafficking law and provided additional resources to combat trafficking, while Delta and Ondo states established anti-trafficking task forces. However, the government did not meet the minimum standards in several key areas. For the fifth consecutive year, the government did not convict any complicit government officials despite consistent reports of government officials committing a variety of trafficking offenses each year. The government did not investigate, prosecute, or hold accountable any military or CJTF members for exploiting IDPs in sex trafficking or past recruitment and use of child soldiers. The Nigerian military did not provide female and child trafficking victims allegedly associated with insurgencies trafficking victim protections. The government identified fewer trafficking victims and did not fully disburse the budget allocated to the National Agency for the Prohibition of Trafficking in Persons (NAPTIP).



PRIORITIZED RECOMMENDATIONS:

Hold complicit officials, including security officials, and CJTF members accountable for trafficking offenses, including in particular sexual exploitation of IDPs and child soldiering offenses. • Improve access for humanitarian actors to provide assistance to trafficking victims, including in IDP camps and military facilities holding potential trafficking victims. • Allow independent criminal investigations into alleged trafficking abuses among security officials and CJTF members in northeast Nigeria. • Improve coordination among law enforcement actors, including NAPTIP, the Nigerian Immigration Service, police, and others. • Continue to ensure the Nigerian military has ceased unlawful use of children, including in collaboration with CJTF. • Work with CJTF and the UN to implement fully the child soldier action plan and confirm all children have been removed from the CJTF's ranks and, if they have not, cut provision of financial and in-kind support to CJTF. • Continue to vigorously investigate, prosecute, and convict traffickers—including labor traffickers and 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. • Disburse the full promised budget for NAPTIP, particularly to provide adequate victim care. • Finalize and implement the draft protocol to hand children identified in armed conflict over to civilian authorities, screen for trafficking among those detained, and provide appropriate care. • Continue to 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. • As security and safety permits, allow trafficking victims to obtain

employment and move freely in and out of NAPTIP shelters.
• 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.

PROSECUTION

The government significantly increased anti-trafficking law enforcement efforts, but there were continued reports of, and only insufficient efforts to address, government officials' complicity in human trafficking offenses. The Trafficking in Persons Law Enforcement and Administration Act, as amended in 2015, criminalized sex trafficking and labor trafficking and prescribed a minimum penalty of two years' imprisonment and a fine of 250,000 naira ($693) for both sex and labor trafficking; the minimum penalty for sex trafficking increased to seven years' imprisonment and a fine of 1 million naira ($2,770) if the case involved a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. In May 2018, the Edo State government approved a state-level anti-trafficking law that criminalized sex trafficking and labor trafficking and prescribed a minimum penalty of five years' imprisonment and a fine of one million naira ($2,770) fine for both sex and labor trafficking; the minimum penalty for sex trafficking increased to seven years' imprisonment and a fine of one million naira ($2,770) if the case involved a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping.

NAPTIP received 938 cases for investigation, completed 192 investigations, prosecuted at least 64 suspects in 64 cases, and convicted 43 traffickers, compared with receiving 662 cases for investigation, completing 116 investigations, 43 prosecutions, and 26 convictions the previous reporting period. In addition, NAPTIP convicted three perpetrators for baby-selling for the purpose of exploitation. In addition, the Edo State Task Force (ESTF) was codified in the Edo state by its anti-trafficking law to investigate and prosecute trafficking cases in Edo state, and investigated 56 cases and initiated prosecutions in 20 cases; all 20 prosecutions were ongoing at the end of the 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. Judges convicted all traffickers under the 2015 anti-trafficking law compared to the previous reporting period when some judges convicted traffickers under the 2003 anti-trafficking law, which allowed the option of fines in lieu of imprisonment. Prison sentences ranged from one to 12 years' imprisonment, although two convicted traffickers were given the option of fines in lieu of imprisonment despite a 2015 amendment that removed fines alone as an option; this is a decrease from the previous reporting period, when judges penalized seven traffickers with the option of fines alone. 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 at least nine labor traffickers, an increase from five labor trafficking convictions 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. Prosecutors and investigators reported poor coordination between NAPTIP and other government agencies impeded prosecution efforts. The government acknowledged many judges remained unfamiliar 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.

During the reporting period, NAPTIP investigated four cases and initiated prosecutions of seven suspected officials complicit in trafficking. These investigations and prosecutions included NAPTIP officers, Nigerian Police Force officers, National Quarantine Service officers, Nigerian Immigration Service officials, and a Nigerian Prison Service officer. However, the government did not convict any government officials complicit in trafficking for the fifth consecutive year, despite consistent reports of government employees committing trafficking offenses each year. Despite 16 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.

While the government made modest, concrete steps to address complicity in some cases, widespread and pervasive corruption affected all levels of government, including the security forces, and undermined accountability for trafficking offenses. The government did not take adequate steps to investigate or prosecute military personnel or CJTF members complicit in trafficking in the Northeast, in particular sexual exploitation of IDPs and female detainees. An NGO alleged 10 male soldiers in Giwa Barracks, including five who worked in the health clinic, coerced at least 15 female detainees into sex in exchange for food, soap, basic necessities, and the promise of freedom. Several international organizations and media reported that the sexual exploitation, including sex trafficking, of IDPs in camps, settlements, and host communities around Maiduguri remained a pervasive problem. In more than 14 IDP camps, reports documented soldiers, CJTF, and police forced or coerced 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 reports that the Nigerian military, CJTF, and other camp officials fraudulently recruited female IDPs for jobs outside of IDP camps and transported them to town for commercial sexual exploitation. In addition, an NGO reported CJTF members and military officials fraudulently recruited approximately 100-200 women and girls to work outside the IDP camps for work in Bama to sell food but were coerced into commercial sex. NAPTIP filed charges against a Nigerian Prison Service employee for sexual exploitation of a 14-year-old IDP; however, proceedings were delayed as the case was reassigned to multiple different judges and, to discourage the victim's family from cooperation with the prosecution, the officer offered to marry the victim. Aside from this case, 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 and CJTF members, alleged to have exploited IDPs. The Nigerian Army categorically denied that any of its personnel used child soldiers in the past or sexually exploited IDPs, which impeded investigation of such reports. A credible international organization reported that when representatives from the Ministry of Defense headquarters visited the camps with journalists after the release of a May 2018 NGO report, victims were coached ahead of the visit to remain silent. In June 2018, a Senate panel began to investigate these allegations; however, contacts reported the panel's access to the camps was restricted and heavily curated by military officials.

In past reporting periods, an international organization reported the Nigerian military used children in support roles; there were no new verified cases of such acts during the reporting period, and an NGO confirmed it did not encounter any children affiliated with Nigerian security forces during that time. In the past, 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. There were no such verified cases during the reporting period. The government did not report any investigations, prosecutions, or convictions for child soldiering offenses, including of government officials who committed such offenses. There were reports 49 Nigerian soldiers deployed as UN peacekeepers to Liberia sexually exploited 58 women and children from 2003-2017, including in sex trafficking; the government did not report investigating any of these allegations.

The government collaborated with foreign governments on anti-trafficking cases. It participated in joint investigations and provided technical assistance with countries in West Africa and Europe. Through the United Kingdom-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, at times in partnership with foreign donors and other international partners, trained at least 302 officials on identifying and investigating human trafficking. However, law enforcement cooperation with Italy remained uneven, partly due to the lack of a signed mutual legal assistance treaty.

NAPTIP's budget in 2018 was 4.3 billion naira ($11.91 million), an increase from 3.1 billion naira ($8.59 million) in 2017; however, NAPTIP received approximately 2.6 billion naira ($7.2 million) of this budget in the reporting period. 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. The Edo state government allocated 242 million naira ($670,360) to the ESTF in 2018.

PROTECTION

The government decreased efforts to identify and protect trafficking victims. NAPTIP identified 126 forced labor victims and 1,028 potential victims. This was a decrease compared to 188 forced labor victims and 1,121 potential trafficking victims identified in the previous reporting period. NAPTIP conducted several fact-finding missions to Mali to investigate reports of Nigerian sex trafficking victims in Mali and in January 2019, NAPTIP announced there were 20,000 Nigerian trafficking victims in Mali; however, international organizations, NGOs, and other international observers were unable to corroborate this estimate. NAPTIP provided initial care for all trafficking victims, which could have included referrals to government facilities for medical care, shelter, legal assistance, psychological services, vocational training, or education assistance. NAPTIP did not report how many victims it referred to NGOs for additional care. During the reporting period, the ESTF referred to care 1,030 returning migrants, some of whom were trafficking victims. 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.

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's 10 zonal commands, including the Abuja headquarters, each operated a victim shelter during the reporting period, for a total of 10 shelters for trafficking victims. During the reporting period, a foreign donor funded the renovation and expansion of NAPTIP's Lagos shelter; after the expansion, NAPTIP's 10 shelters had a total capacity of 334 compared to 315 in the previous reporting period. NAPTIP shelters offered six weeks of initial care. Extended care in NAPTIP shelters was dependent on cooperation with law enforcement investigations; if a victim needed to remain in a shelter beyond the six-week period but did not want to participate in the law enforcement investigation or prosecution, NAPTIP referred the victim to NGOs for care. Specialized services at the NAPTIP shelters were available for both men and women. NAPTIP staff did not permit victims to leave shelters without a chaperone, which limited victims' freedom of movement and educational and work opportunities; however, victims staying longer term were generally able to leave unaccompanied to access rehabilitative services. Because NAPTIP operated closed shelters, it often referred school-aged victims to foster care so they could attend school. 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. NAPTIP provided training as well as limited in-kind and financial resources to NGOs providing services to trafficking victims.

In response to continued reports of sexual exploitation of IDPs in the Northeast, NAPTIP continued partnering with an international organization to implement a screening and sensitization campaign to identify sex trafficking victims in IDP camps in Bama and other areas near Maiduguri. NAPTIP reached an unreported number of camps in the Maiduguri area with screening, sensitization, or both; however, due to the deteriorating security situation, these activities were generally restricted to areas in and around Maiduguri. According to an international organization, the government participated in the forced return of Nigerian refugees from Cameroon, including populations vulnerable to trafficking, during the reporting period; it is unclear whether the government made efforts to screen for trafficking among this population. 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 the previous reporting period; between April and November 2018, an international organization, with assistance from the government, repatriated 3,160 Nigerians from North Africa. The influx of migrants returned from Libya, some of whom were trafficking

victims, overwhelmed the shelter and service system, including NAPTIP facilities. In May 2018, the governor of Edo State signed the Edo state anti-trafficking law, which codified the ESTF and provided a legal framework for state-level anti-trafficking efforts. The ESTF, chaired by the state attorney general, was mandated 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 screened some returnees from Libya for trafficking and referred the identified trafficking victims to NAPTIP facilities or NGOs. Several Nigerian embassies, particularly within West Africa, provided funding or in-kind support to repatriate Nigerian trafficking victims exploited abroad.

The anti-trafficking law prohibited the penalization of trafficking victims for unlawful acts committed as a result of being subjected to trafficking, including by armed groups. However, multiple credible international organizations reported the government continued to arrest and in some cases 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 consistently 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. An NGO reported 68 boys were first detained by the Nigerian military in Giwa Barracks before they were transferred to Maiduguri prison where they were housed with adult inmates; according to the NGO, inmates raped some of the detained boys during the reporting period. The government continued 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 standard procedures developed in partnership with an international organization improved identification of potential trafficking victims among those detained, some trafficking victims—including women and children forced to be combatants—remained in detention and subject to criminal prosecution, contrary to Nigerian law, for unlawful acts traffickers compelled them to commit. 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 low-level ex-combatants. Some women and child ex-combatants participated in this program, in addition to men. The government adopted a communique and national action plan on DDR for persons formerly associated with Boko Haram or ISIS-WA, including children, during the previous reporting period.

Officials encouraged victims to assist in the investigation and prosecution of trafficking cases and reported 16 victims assisted in investigations and prosecutions during the 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 allocated a total of 1.8 million naira ($4,990) from the trust fund to 18 trafficking victims during the reporting period. 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. NAPTIP continued to lead national government efforts to combat trafficking. In May 2018, the new Edo state anti-trafficking law codified the ESTF, a working group led by the attorney general of Edo state, to lead state-level government efforts in Edo state. The inter-ministerial committee on trafficking met on an ad hoc basis and helped to develop national policies on trafficking, including the draft of a Protocol for Identification, Safe Return, and Rehabilitation of Trafficked Persons; at the end of the reporting period, the protocol was pending cabinet approval. In March 2018, NAPTIP approved a 2019 anti-trafficking national action plan and continued drafting a five-year national action plan in collaboration with international donors and NGOs. NAPTIP continued awareness campaigns at schools, churches, and transit centers, among other places, and expanded media outreach via television and radio to educate the public on the identification and dangers of human trafficking. Once a week, each of NAPTIP's nine zonal commands and the Abuja headquarters led such outreach campaigns to raise awareness of trafficking. In response to reports that some individual government employees, service providers, and security officials sexually exploited female IDPs, NAPTIP and an international organization continued conducting a screening and sensitization campaign in IDP camps in and around Maiduguri, including all state-run camps. NAPTIP also conducted outreach activities in IDP camps in Benue State for persons displaced by mass flooding and rural violence, and in IDP camps in the Federal Capital Territory. The ESTF also conducted public awareness campaigns in Edo state, as did the Lagos state government, focused on the vulnerability of migrants to trafficking and sexual exploitation. NAPTIP and the ESTF increased collaboration during the reporting period to overcome initial conflicts over mandates. At the close of the reporting period, NAPTIP encouraged other states, such as neighboring Delta and Ondo states, to follow Edo state's model; in March 2019, Delta and Ondo states inaugurated anti-trafficking task forces. 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 the previous reporting period, NAPTIP began discussions on how to provide pre-departure information to migrants on available assistance if exploited abroad; NAPTIP did not report on the status of these plans. The government made some efforts to reduce the demand for commercial sex but did not make discernible efforts to reduce the demand for forced labor. Each of the nine NAPTIP zonal commands and NAPTIP headquarters in Abuja operated hotlines for trafficking victims; the hotlines were staffed 24 hours and hotline staff spoke English and the relevant local languages for the region. There were reports Nigerians traveled to Togo for child sex tourism during the reporting period but the government did not report efforts to address 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 used and recruited children in previous reporting periods. The Borno State government provided administrative support to help implement a 2017 action plan between CJTF and an international organization to end CJTF's recruitment and use of children; the international organization did not verify any cases of recruitment and use of child soldiers by CJTF during the reporting period. However, humanitarian organizations were unable to access some areas of Borno state due to insecurity and restrictions imposed by security forces; the international organization had limited visibility in those areas. During the reporting period, the CJTF separated 866 of an estimated several thousand children previously affiliated with the group and referred them to the international organization for care. The Nigerian government publicly criticized and imposed restrictions on those who 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. During the previous reporting period, a foreign government reported to NAPTIP a Nigerian diplomat suspected of attempted smuggling, trafficking, or both; the government did not report investigating these allegations. In partnership with a foreign donor the government provided anti-trafficking training to its troops prior to their deployment as peacekeepers; however, the government did not report investigating reports that 49 Nigerian soldiers deployed on a UN peacekeeping mission to Liberia in 2003-2017 exploited 58 women and children, including in sex trafficking.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Nigeria, and traffickers exploit victims from Nigeria abroad. 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. In 2010, the government estimated as many as 9.5 million young boys were studying in Quranic schools, commonly known as Almajiri, many of whom may be 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 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 exploited in sex trafficking 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 traffickers force them into commercial sex. Nigeria's ports and waterways around Calabar are transit points for West African children subjected to forced labor in Cameroon, Equatorial Guinea, and Gabon. As in past reporting periods, NGOs reported Nigerians traveled to Togo for child sex tourism.

Authorities identified Nigerian trafficking victims—often exploited by Nigerian traffickers—in at least 34 countries in four regions 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. Following relaxed visa requirements for the 2018 World Cup in Russia, traffickers fraudulently recruited Nigerian women for jobs in Russia and later exploited them in sex trafficking; as of early 2019, 1,863 Nigerians remained in Russia without travel documents. Historically, the majority of Nigerian trafficking victims in Europe have 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. 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; there were some reports traffickers were now performing the *juju* ceremonies in neighboring states such as Delta state. 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 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. Between April and November 2018, an international organization repatriated 3,160 Nigerians from North Africa, 80 percent of whom were repatriated from Libya. In 2017, the 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. In March 2018, 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.

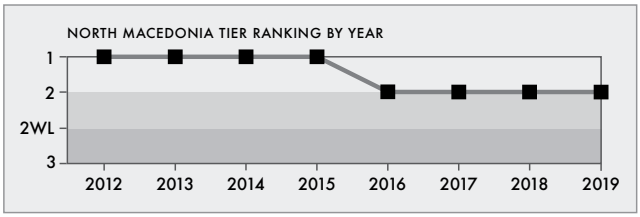
As in past years, reports continue to indicate government officials and security forces commit widespread sexual exploitation—including sex trafficking—and such exploitation is a major concern across the Northeast, including in informal IDP camps and all of the 13 formal, state-run IDP camps in and around 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 media previously reported, 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 2018, Boko Haram used at least 48 children as human bombers, compared to 158 used in 2017. 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. Contrary to Nigerian law, the government continued to arrest and, in some cases, 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- to 17-years-old.

There were no verified reports during the reporting period that the Nigerian military or CJTF recruited or used child soldiers. In previous reporting periods, the Nigerian military unlawfully used children as young as 12 years old in support roles such as messengers and porters. 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. The Nigerian military also conducted on-the-ground coordination with the CJTF, a non-governmental self-defense militia that received state government funding and recruited and used child soldiers in the past. In past years, 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. In past reporting, CJTF 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 2019, CJTF and an international organization compiled a list of 3,737 children potentially associated with CJTF and were in the process of interviewing the children and separating those associated with the group.

NORTH MACEDONIA: TIER 2

The Government of North Macedonia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore North Macedonia remained on Tier 2. These efforts included investigating, prosecuting, and convicting more traffickers and identifying more potential victims. The government increased resources for victim protection and amended the penal code to include a non-punishment clause for trafficking victims. However, the government did not meet the minimum standards in several key areas. Judges continued to issue weak sentences that were below the trafficking statute's minimum penalty. While the government investigated a police officer for complicity, corruption and official complicity in trafficking crimes remained significant concerns, and the government had not prosecuted a government official for complicity in recent years. The government did not award grants to anti-trafficking NGOs for the fourth consecutive year, despite relying heavily on their support, and some first responders were inconsistent in referring victims to care.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences. • Increase efforts to proactively identify trafficking victims and screen for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations. • Allocate sufficient resources for NGOs providing 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 to the police anti-trafficking unit and task force to proactively investigate trafficking. • Institutionalize advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions. • Train first responders on standard operating procedures for identification and referral of victims and consistently include social workers in all potential trafficking cases. • Improve compensation mechanisms for victims and inform them of their right to seek restitution. • Publicly report on governmental anti-trafficking efforts. •

Finalize the establishment of an independent Office of the National Rapporteur.

PROSECUTION

The government increased law enforcement efforts. Articles 418(a) and (d) of the criminal code criminalized sex trafficking and labor trafficking and prescribed a minimum penalty of four years' imprisonment, which was sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government investigated four cases involving 13 suspects (two cases with seven suspects in 2017). The government prosecuted eight defendants in three cases (four defendants in four cases in 2017). Courts convicted seven traffickers (one trafficker in 2017), three for sex trafficking of adults and four for sex and labor trafficking of children. Some judges continued to issue sentences below the statute's prescribed minimum penalty of four years' imprisonment. Judges sentenced one trafficker to 13 years' imprisonment, two to 12 years' imprisonment, and one to four years and six months' imprisonment, but judges also sentenced three traffickers to two years' probation. The only convicted trafficker in 2017 received two years' probation.

The Combatting Trafficking in Human Beings and Migrant Smuggling Unit (Anti-trafficking Unit) within the Ministry of Interior (MOI) led specialized investigations. The government maintained an anti-trafficking task force, but observers reported the task force focused mainly on smuggling. The government, mostly with technical and financial support from international organizations and NGOs, trained judges, prosecutors, judicial officials, border police officers, and officers in the Anti-trafficking Unit. The government signed a cooperation agreement with Kosovo, Montenegro, and Serbia on trafficking issues and conducted joint investigations with neighboring countries. The government amended Article 418(a) to reduce the prescribed minimum eight years' imprisonment for convicted complicit officials to a minimum of five years' imprisonment. Corruption and official complicity in trafficking crimes remained significant concerns. Authorities investigated one police officer for alleged complicity in trafficking. Additionally, the government charged a civil servant with complicity in trafficking in 2017 and a municipal inspector for trafficking in 2016, while 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 increased victim protection efforts. The government identified nine victims; six were victims of sex trafficking and three were victims of both sex trafficking and forced labor, compared with four sex trafficking victims, one sex trafficking and forced labor victim, and one forced labor victim in 2017. Of these, three were children (five in 2017); all nine were female (five females and one male in 2017); and one foreign victim in 2017 and 2018. The government and NGOs also identified 104 potential victims (99 potential trafficking victims in 2017); 25 were adults and 79 were children (57 adults and 42 children in 2017); 65 were females and 39 were males; and four were foreign potential victims (75 in 2017). The Ministry of Labor and Social Policy (MLSP) maintained mobile identification teams comprising social workers, inspectors, and psychologists in five regions for vulnerable populations, including trafficking victims; mobile teams identified all 104 potential victims and assisted 390 individuals. MLSP continued to dispatch social workers to screen vulnerable populations at border crossings and migrant and refugee camps; MLSP did not identify any victims through these efforts (one official victim in 2017). The government trained first responders on victim identification, including police officers, labor inspectors, border police officers, and social workers. 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. However, government and civil society actors raised concerns about the low number of identified victims, and experts reported most government agencies lacked proactive identification efforts. Border agents screened for trafficking indicators at border posts, but did not properly identify victims, and international organizations reported authorities conducting several informal forcible removals to neighboring countries. The Office of the National Referral Mechanism (NRM) within MLSP remained responsible for coordinating the identification and referral procedures. First responders referred potential victims to the Anti-trafficking Unit and/or the NRM, which were authorized to officially identify victims. The government updated standard operating procedures on identification and referral and civil society reported the procedures worked well, particularly with the participation of social workers in the official identification phase, but some first responders followed referral procedures on an ad hoc basis. NRM officials and social workers participated in interviews with potential victims, but law enforcement and the labor inspectorate did not consistently include NRM officials and social workers at the outset of identifying potential trafficking cases. Mobile identification teams, comprising government and civil society representatives, referred 104 potential trafficking victims and civil society separately referred 20 potential victims, compared with 15 potential victims referred by the government and 84 by civil society in 2017.

The government allocated 3.07 million denars ($57,420) to the Center for Victims of Trafficking and Sexual Violence (the Shelter) and the transit center for foreigners (migrant facility), compared with 2.66 million denars ($49,720) in 2017. The government allocated 525,850 denars ($9,830) to support services and security for victims, compared with 382,950 denars ($7,160) in 2017. The government did not award grants to NGOs in 2016, 2017, or 2018; NGOs reported the lack of these grants forced them to reduce services to victims. The government relied heavily on funding from the international community and on NGOs to provide assistance. 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 assigned a guardian from a center for social welfare for victims while at the shelter and MLSP-run social service centers maintained one social worker at each of the 30 centers dedicated to handling trafficking cases and provided psycho-social support and reintegration assistance, including education and job placement. The government and NGOs provided assistance to 31 official and potential victims, including basic necessities to 31, counselling and medical assistance to 22, legal assistance to six, and vocational training for one. MLSP and an NGO shared operating costs for the Shelter, the only specialized shelter for trafficking victims. The same NGO managed daily operations of the Shelter and the government amended legislation to accommodate domestic and foreign potential trafficking victims at the Shelter. 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 Shelter and the migrant facility could both house male, female, and child victims. The 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, despite renovations, was in "poor material condition" and "effectively a detention facility and not the appropriate environment for trafficking victims." The Shelter accommodated all nine confirmed victims (five child victims in 2017) and the migrant facility housed a total of 317 foreigners (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 testify; no foreign victims requested residence permits in 2017 or 2018.

The government amended the penal code to include a non-punishment clause for trafficking victims and the Academy for Judges and Public Prosecutors trained officials in non-penalization of victims and victim identification. In previous years, 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 who assisted in initial investigations in 2017 or 2018 (12 in 2016) but four officially identified victims gave statements against their alleged traffickers (five in 2017). The government reported no victims required witness protection services in 2017 or 2018. Victims could not leave the country before testifying in court; however, prosecutors, with the consent of the defense, can make exceptions and allow a victim to leave the country prior to testifying. While victims can claim compensation 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

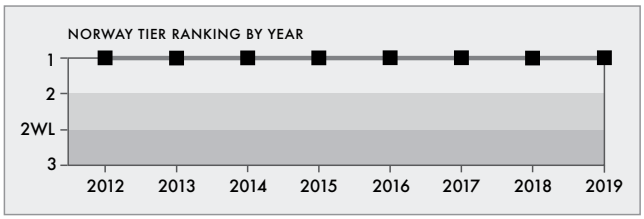
The government maintained prevention efforts. The National Commission (NC), led by the national coordinator and comprising government agencies, met bi-monthly and published an annual report of its activities, including the implementation of the 2017-2020 national action plan. However, the national rapporteur did not produce a public assessment for the fourth consecutive year. The NC distributed awareness raising leaflets to the general public and organized an awareness campaign on forced labor in the textile and fashion industries. Two state universities informed their students and faculty on trafficking issues, including students traveling abroad about fraudulent recruitment and labor exploitation. The government, in partnership with NGOs, conducted two seminars for Romani students, teachers, and NGOs on the risks of trafficking and forced marriages. The government assisted six local anti-trafficking commissions in implementing local action plans for trafficking. The government did not operate a hotline, but MOI managed an application to report various offences, including trafficking; the application received one trafficking-related report (one in 2017), which resulted in an investigation. Observers reported cases of Romani children not registered at birth and their 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, human traffickers exploit domestic and foreign victims in North Macedonia, and traffickers exploit victims from North Macedonia abroad. Women and girls in North Macedonia are subjected to sex trafficking and forced labor within the country in restaurants, bars, and nightclubs. Foreign victims subjected to sex trafficking in North Macedonia typically originate from Eastern Europe and the Balkans, including Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Citizens of North Macedonia and foreign victims transiting North 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 North Macedonia are vulnerable to trafficking, particularly women and unaccompanied minors. Traffickers frequently bribe police and labor inspectors, and police have been investigated and convicted for complicity in human trafficking.

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. These efforts included allocating additional funds to NGOs for victim assistance, establishing a coordinating unit for service and assistance to child trafficking victims, and organizing anti-trafficking units in each of Norway's police districts. Although the government meets the minimum standards, authorities possessed a limited knowledge of trafficking laws and issued fewer residence permits to victims. For the second consecutive year, the government did not report the number of identified and assisted victims. Furthermore, the government continued to lack formal identification procedures and a national referral mechanism (NRM).



PRIORITIZED RECOMMENDATIONS:

Increase training for investigators and prosecutors on applying trafficking laws and understanding different aspects of trafficking, such as investigations and rights of victims. • Increase efforts to investigate, prosecute, and convict sex and labor traffickers under Sections 257 and 258. • Develop a comprehensive NRM and victim identification procedures that receive adequate input from NGOs and define processes and roles of all relevant government agencies and front-line actors. • Proactively screen foreigners and asylum-seekers in detention for indicators of trafficking prior to their deportation.

• Complete a comprehensive statistical system, including data on child trafficking, victim identification and assistance, victim compensation, investigations, prosecutions, and convictions. • Reassess national legislation limiting the period for appealing rejected asylum decisions to allow sufficient time for identifying victims of trafficking. • Conduct public awareness campaigns on trafficking targeting vulnerable populations.

PROSECUTION

The government maintained law enforcement efforts. Sections 257 and 258 of the penal code criminalized sex trafficking and labor 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. Police reported 45 trafficking cases (24 sex trafficking, 18 labor trafficking, three unconfirmed), compared with 46 (30 sex trafficking, 16 labor trafficking) in 2017. The government reported 13 concluded prosecutions, compared with 13 in 2017. Authorities convicted 13 traffickers (one sex trafficking and 12 forced labor), compared with 11 traffickers in 2017. All of the convicted traffickers received prison sentences, ranging from four to nine years' imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

The Ministry of Justice and Public Security concluded establishing anti-trafficking units in Norway's 12 police districts. Many of these police districts lacked prosecutors with specialized training in trafficking and prosecutions of trafficking cases. Additionally, the City of Oslo established and funded an anti-trafficking unit. In 2018, there were no trafficking cases prosecuted in Oslo. Experts reported prosecutors and investigators tended to charge traffickers with non-trafficking crimes, such as narcotics and pimping. While experts noted enhanced police awareness and willingness to pursue trafficking cases, police lacked sufficient human resources and familiarity with trafficking laws. Additionally, GRETA indicated a need for more specific trainings on different aspects of trafficking, such as investigations and rights of victims. During the reporting period, the Coordination Unit for Victims of Trafficking (KOM) hosted a two-day seminar, focusing on trafficking in the context of migration; 100 officials from law enforcement, health care, social services, labor organizations, and victim services participated. KOM also conducted a second seminar on child trafficking, which garnered 100 participants from law enforcement and child welfare services. The National Criminal Investigation Service organized a conference for law enforcement personnel from all 12 police districts on recognizing trafficking indicators.

PROTECTION

The government maintained 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 the number of victims it identified or assisted in 2017 or 2018, whereas it identified and assisted 262 victims in 2016. The government provided assistance through municipal crisis centers and government-funded NGOs, including Re-establishment, Organizing safe places to stay, Security, Assistance (ROSA), the largest project exclusively assisting trafficking victims. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. In 2018, 77 potential victims contacted ROSA and 35 ultimately accepted shelter (118 and 45, respectively, in 2017). ROSA received 30 victim referrals from government agencies, compared with 38 referrals in 2017. Parliament earmarked 30 million kroner ($3.46 million) in grant schemes to NGOs, specifically for measures to support victims and prevent trafficking, compared with 20 million kroner ($2.3 million) in 2017. ROSA received 2.9 million kroner ($334,100) in government funding, the same as in 2017. Another NGO assisted sex trafficking victims who had received a reflection period with vocational programs and sponsored internships. Parliament earmarked five million kroner ($576,040) to the Directorate for Children, Youth, and Family Affairs to establish a coordinating unit for service and assistance to child trafficking victims. Municipal child welfare services provided assistance, including accommodation in an orphanage or foster home, to eight potential child victims. Foreign victims had the same access to care as domestic victims.

The government had neither formal identification procedures nor a NRM, although authorities utilized informal guidelines to identify and refer potential victims. During the reporting period, the government continued to develop a NRM. NGOs had limited engagement with the government in that process; GRETA's recent report recommended the government give NGOs a larger role in decisions concerning victims of trafficking. Experts expressed concern the government would assign the NRM and identification procedures to the Labor and Welfare Administration Agency, an agency with minimal experience and knowledge on dealing with victims and trafficking trends in general. Experts also expressed concern the proposed NRM would reduce the reflection period for victims from six months to 45 days, which could result in fewer victims assisting authorities in investigations and authorities deporting more victims while they were still recovering from their abuse. Authorities granted a six-month reflection period to 13 victims and limited residence permits of up to 12 months to 11 victims, compared with eight and 15, respectively, in 2017. The law required victims to file a formal complaint to police and assist authorities in investigations in order to be eligible for the limited residence permits. Authorities granted two possible victims residence permits due to compelling humanitarian considerations (seven in 2017). Experts reported the government continued to issue fewer residence permits to victims on the basis of trafficking, which hindered the ability to fully understand the scale of trafficking in the country. Observers raised concerns 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 also raised concerns that amendments to asylum law, particularly the shortened deadline 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. Additionally, the continued closure of the Storskog border crossing with Russia to anyone seeking protection prevented the screening for victims of trafficking along the northern border. Forced labor victims who were material witnesses against a former employer could obtain other employment while awaiting trial and were eligible to leave the country before trial proceedings.

PREVENTION

The government maintained prevention efforts. Norway continued to implement measures from its national action plan. KOM published an annual report providing an overview

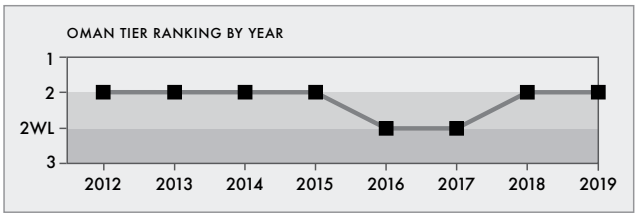
on victim identification, challenges relating to trafficking, and relevant agencies' anti-trafficking activities. For the third consecutive year, the government did not fund any information campaigns targeted toward potential trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. ROSA managed a 24-hour hotline for potential trafficking victims and noted an increase in calls from potential labor trafficking victims. Parliament earmarked 3.68 million kroner ($423,960) in grants to ROSA for the hotline and other victim assistance activities, compared with 3.25 million kroner ($374,420) in 2017.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Norway, and, to a lesser extent, traffickers exploit victims from Norway abroad. Trafficking victims identified in Norway primarily originate from Eastern and Southern Europe (Albania, Bulgaria, and Romania); observers noted an increase in victims from South America (Brazil and Colombia). Traffickers subject women and girls to sex trafficking and men and women to labor trafficking, specifically in domestic service and construction. Traffickers subject children to forced criminal activities, such as shoplifting, begging, and drug sales, and other forms of forced labor, including illegal employment in car washes and private housekeeping. Some unaccompanied children, who applied for asylum or disappeared from asylum centers are vulnerable to trafficking. Foreign au pairs from the Philippines are vulnerable to trafficking in Norway.

OMAN: TIER 2

The Government of Oman does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Oman remained on Tier 2. These efforts included investigating, prosecuting, and convicting more sex traffickers, and sentencing the offenders to significant jail time. Additionally, the government increased funding toward operation of its victim shelter and protective services and, for the first time, provided alternate sponsorship for a domestic worker who reported work conditions indicative of trafficking. The government also entered an agreement to facilitate pro bono legal representation in both criminal and labor court proceedings, promulgated a new video awareness campaign that reached the vulnerable migrant worker population, and increased the frequency of anti-trafficking capacity building trainings for officials across several government entities and the number of officials participating in these trainings by 50 percent. It investigated cases of passport retention and referred some cases to the public prosecutor and labor court system. However, the government did not meet the minimum standards in several key areas. The government continued to process potential labor trafficking cases through mediation in labor courts without investigating them as potential trafficking crimes, which omitted criminal accountability and victim care. While it initiated prosecution of one labor trafficking case, it did not convict a perpetrator of a single labor trafficking crime, though the issue of forced labor remained a significant problem in Oman. The government identified fewer victims, did not adopt standardized procedures for the proactive identification of trafficking victims among vulnerable groups, and only referred victims to protective services if they filed cases with the public prosecutor. The government did not take steps to reform the sponsorship system that tied workers to specific employers, which increased vulnerabilities for forced labor and penalization of victims who fled forced labor circumstances.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers for forced labor offenses, including by investigating indicators of potential trafficking crimes in enforcement of labor law violations. • Expand labor law protections to, and enforce legal protections for, domestic workers. • Institute formal procedures to proactively identify and refer to care male and female trafficking victims among vulnerable populations, such as migrant workers and people in prostitution. • Amend the law to allow referrals of suspected male and female trafficking victims to protective services, regardless of whether they file charges against, or there is a corresponding prosecution of, an alleged offender. • Amend the sponsorship-based employment scheme that renders expatriate workers vulnerable to exploitative labor, to include allowing them to leave reportedly abusive employers and removing the requirement for "no objection" certificates in seeking new employment and exit permits. • Undertake serious efforts to prevent penalization of trafficking victims by screening for victimization among vulnerable groups such as those arrested for immigration violations or prostitution or who flee abusive employers and face deportation. • Impose dissuasive penalties on employers who withhold their employees' passports. • Increase utilization of the specialized unit to prosecute trafficking crimes. • Expand trainings for officials involved in criminal investigations. • Institute trainings for hotline operators to ensure accurate characterization of trafficking crimes. • Fully implement the national action plan. • Continue to carry out the *Ehsan* national public awareness campaign, after transferring it to the management of the Ministry of Information.

PROSECUTION

The government increased its overall law enforcement efforts, registering higher numbers of investigations, prosecutions, and convictions of sex trafficking crimes compared to the previous year. However, it continued to focus disproportionately on sex trafficking versus labor trafficking crimes, and it did not convict any labor traffickers during the reporting period. Oman's 2008 anti-trafficking law criminalized sex trafficking and labor 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.

In 2018, the government reported investigating 11 alleged human trafficking cases—10 for sex trafficking and one for forced labor—compared to a total of nine human trafficking cases (six potential sex trafficking and three forced labor cases) investigated during the previous reporting period. Authorities charged all suspects in the 11 cases under the anti-trafficking law. It initiated prosecution of five of the 11 cases, an increase from three the prior year; the six remaining cases were pending at the close of the current reporting cycle. The government achieved 15 sex trafficking convictions—up from 12 in 2017—under the anti-trafficking law, seven of which stemmed from outstanding cases stymied in the courts in previous years. Officials sentenced the defendants to imprisonment ranging from three to 10 years and fines from between 500 to 10,000 Omani rial ($1,300 to $25,970). The government planned to deport and impose lifetime Oman reentry bans on all 15 (non-Omani) convicted traffickers upon completion of their sentences. The government reported the public prosecutor's specialized anti-trafficking unit initiated criminal proceedings of two of these cases during the year. According to labor-sending country diplomats, law enforcement personnel continued to treat forced labor cases as labor law violations rather than criminal offenses, without referring victims to trauma-informed care and investigating only tangible evidence to build trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. Anecdotal reports alleged police officers sometimes informed Omani sponsors if their runaway domestic workers filed charges of trafficking or related crimes against them.

The government increased efforts to address passport retention compared to the previous reporting year, during which it did not investigate cases as potential trafficking crimes but rather settled all of them via dispute mediation. The MoM reported 120 total passport retention cases in 2018; it investigated 58 as potential trafficking cases, and referred one case to the public prosecutor and 13 cases to the labor court system. The MoM reported that, as of the end of the reporting period, 36 cases remained under investigation, authorities initiated investigations into 22, resolved 30 through mediation, and determined three to be unfounded.

The government did not provide data on its expenditure for trafficking-related trainings in 2018, whereas in the prior year it provided venues, catering, and in-kind support totaling approximately 25,000 Omani rial ($64,940) for such, in addition to auxiliary support of 5,000 Omani rial ($12,990) from the public prosecutor's office to offset foreign donor contributions. However, in close partnership with an international organization, the government facilitated and provided in-kind and monetary support for anti-trafficking law enforcement training for more than 750 officials from the justice, police, and labor regulatory sectors during the reporting year, a 50 percent increase over the previous year. Representatives from an international organization, NGOs, and foreign governments conducted several trainings on implementation of the anti-trafficking law and victim-centered approaches to law enforcement, reaching 95 relevant government officials. The Royal Oman Police training academy continued to educate all incoming cadets on the legal framework for trafficking and related crimes, victim identification, and mechanisms for transferring potential cases to court, and reached more than 550 new Omani officials.

PROTECTION

The government demonstrated uneven efforts to protect victims. The government reported identifying and referring to its shelter 10 sex trafficking victims, a decrease from 24 trafficking victims—including 19 for forced labor—in the previous reporting period. The government lacked formalized identification and referral procedures. In practice, officials reactively referred to care some victims identified as part of ongoing police investigations. Officials continued to rely on victims to self-identify and report abuses to authorities, and victims could only obtain government-provided services if they filed cases with the public prosecutor and the public prosecutor issued a referral for them. Some source-country embassies in Oman offered victim services for their nationals. As the labor law did not adequately cover domestic workers, authorities continued to treat potential domestic servitude cases as labor violations and did not identify potential victims of domestic servitude.

Due to the government's increasing efforts to provide victim identification training, some officials became more proficient at screening for potential sex trafficking victims, particularly among women in prostitution. Officials typically referred self-identified victims first to the police rather than directly to the government-operated shelter, which resulted in delays in victims receiving protective services. Foreign workers, whose legal status continued to be tied to their employer, could be compelled to work for lower or no wages under the credible threat of deportation by their employers. Additionally, labor regulations continued to require an employer to provide a "no objection" certificate to a foreign employee to seek a job with a new employer in Oman; although illegal, employers commonly charged a month's salary or more to administer this certificate.

During the reporting period, the government fully operated, and allocated slightly more money—198,130 Omani rial ($514,620) compared to 191,860 Omani rial ($498,340) in the previous reporting period—for accommodations and victim care at its permanent shelter, 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. As in previous years, the government did not provide shelter services for any male or child victims during the reporting period. The government provided complimentary repatriation services to all 10 victims with initiated court proceedings who did not want to remain in-country. 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 leave the shelter in the interim, and given protracted court cases coupled with prolonged unemployment they were thereby disincentivized from participating in trials. In December 2018, the national anti-trafficking committee signed an MOU with a local association to provide pro bono assistance to trafficking victims involved in court proceedings, to include seeking damages on behalf of trafficking victims and pursuing labor claims via MoM mediation. During the reporting period, for the first time, the government facilitated new sponsorship for a domestic worker who reported work conditions indicative of trafficking; however, most cases during the year ended with aggrieved workers unable to switch employers, reaching administrative settlements with their former employers, and subsequently returning to their home countries. 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 increased efforts to prevent trafficking. During the reporting period, the government strengthened its implementation of various activities within its 2018-2020 national action plan, which it approved as official policy in 2017; the national anti-trafficking committee met during the year to recommend modifications to this plan. Several government entities routinely disseminated anti-trafficking messaging on their respective social media platforms, and Omani state newspapers increased press coverage of trafficking arrests and victim support services substantially over the previous year. Additionally, in March 2019, the MoM created and widely shared a video, in both Arabic and English, on expatriate workers' rights and responsibilities; the video encouraged migrant workers to contact authorities in case of any workplace irregularities and prominently featured the ministry's hotline numbers. The government reported it was in the process of transferring its national awareness campaign—entitled *Ehsan* and inaugurated during the previous reporting period—from management by a private company to the Ministry of Information's direct management. During the reporting year, the government passed legislation that made it more difficult for employers to use existing absconder laws to punish employees who refused to work without pay or for wages disparate than contractually agreed upon.

The Ministry of Foreign Affairs continued to fund an international trafficking expert to advise and assist interagency entities in operating a task force to carry out victim-centered investigations, devising legislative improvements, and enhancing information-gathering techniques. The police maintained the government's main trafficking hotline, and its phone number was displayed on social media posts and news articles pertaining to trafficking. For the first time, the government confirmed that calls to the police hotline received resulted in trafficking investigations; police reported it received 24 total calls of which authorities referred two for trafficking-specific investigations. The MoM had a labor violation hotline and the government shelter operated one that served as an all-purpose 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 MoM reported it received 21,563 complaints via phone, website, and walk-ins. Some labor recruiters who mediated disputes between sponsors and domestic workers preferred to register complaints on behalf of aggrieved workers on the MoM's website instead of calling any of the hotlines or reporting the possible crimes to law enforcement. 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. Local press reported initial bilateral negotiations on treaties with Nepal, Kenya, and Uganda, and Oman became party to a Gulf Cooperation Council-wide labor agreement with the Philippines. During the reporting period, the MoM issued a ministerial decision stating that companies must prove they have paid the past three months' of an employee's salary before filing a complaint to charge an expatriate employee with "absconding." The ministerial decision stipulates that, if a company files more than five complaints in a month or more than 10 in a year, it will be subject to increased inspections to ensure it is complying with local labor laws. If the company is noncompliant with local labor laws, the MoM will suspend it. The ministerial decision also created protections to prevent employers from firing employees while on leave or otherwise absent from work. During the reporting period, authorities inspected 3,593 establishments to ensure compliance with labor law provisions, screen for trafficking indicators, and build awareness against forced labor and exploitative practices among the migrant workforce; from these efforts, it did not report referring any cases to the courts for administrative or criminal proceedings or refer any victims to care. The government did not report any efforts to reduce the demand for commercial sex or forced labor. It provided anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

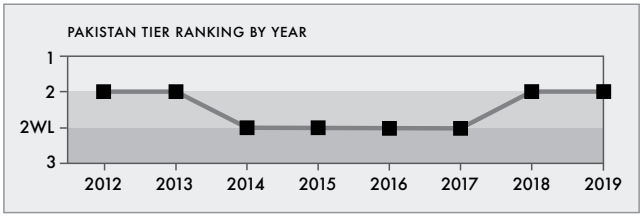
As reported over the past five years, human traffickers exploit domestic and foreign victims in Oman. Oman's migrant worker community hails primarily from Bangladesh, India, Pakistan, Sri Lanka, and the Philippines, and most recently Uganda. However, largely as a result of Omanization—a series of labor-related policies designed to prioritize Omani nationals for employment over expatriates—the number of migrant workers in Oman in every sector declined in 2018, continuing a trend started the previous year and effectively reducing the pool of vulnerable third-country residents in Oman. 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. Male victims are generally from South Asia and more vulnerable to forced labor. Traffickers exploit female victims, predominantly from South, Southeast, and East Asia and East Africa, in forced labor and sex trafficking. Women, primarily from Southeast and East Asia, who come to Oman seeking domestic work are sometimes exploited in sex trafficking. Domestic workers who flee their employers are also vulnerable to sex trafficking. Uganda and Kenya maintained bans prohibiting their citizens from working as domestic workers in Oman; however, during the reporting period both Uganda and Kenya simultaneously engaged in negotiations with Oman on bilateral labor agreements that would provide a legal basis for Ugandan and Kenyan domestic workers to return.

Expatriate workers seeking low-wage jobs continue to be at risk for trafficking under the visa-sponsorship employment system in Oman, which grants individuals' recruitment agencies and/or Omani visa sponsors significant unilateral control over their ability to change employers or leave the country. The system gives employers the power to dictate the status of residency permits. 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 working conditions significantly worse than otherwise promised, providing fraudulent contracts with fictitious wages and exorbitant recruitment fees charged to the employees. Traffickers subject some of these workers to employment practices that constitute forced labor, to include excessive work hours, passport confiscation, non-payment of wages, food deprivation, and psychological and sexual abuse. Conversely, other workers enter Oman with full knowledge of their work obligations but sponsors ultimately coerce them to work for little or no pay or in dire conditions under the credible threat of deportation. Additionally, some victims originally intend to travel to the United Arab Emirates (UAE) but are subsequently compelled to accept work in Oman, or vice-versa. After arriving in the UAE, traffickers transport the migrant laborers into Oman and force them to work for lower wages and in austere conditions in the absence of legal contracts. Informal labor middlemen operate legally but without regulation in Oman, communicating anonymously via social media platforms

to promise Omani sponsors inexpensive domestic labor at a fraction of cost stipulated by the formal, well-established recruitment agencies.

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 overall increasing efforts compared to the previous reporting period; therefore Pakistan remained on Tier 2. These efforts included passing the country's first comprehensive human trafficking law that criminalized all forms of sex trafficking and labor trafficking; securing its first conviction in 10 years of an official complicit in human trafficking; and identifying and referring an increased number of trafficking victims to care. However, the government did not meet the minimum standards in several key areas. Overall law enforcement efforts against labor trafficking remained inadequate compared to the scale of the problem. Punjab continued to be the only province to report convictions for bonded labor, and those convictions decreased significantly. While the government took action in two cases of official complicity in trafficking that garnered national attention, it did not address widespread reports of local officials' pervasive involvement in bonded labor, and some provincial government officials denied the existence of bonded labor. Government protection efforts remained inconsistent; officials did not refer the majority of identified trafficking victims to care, and the lack of protective services for bonded labor victims contributed to their re-trafficking.



PRIORITIZED RECOMMENDATIONS:

At both the federal and provincial levels, increase prosecutions and convictions, particularly of forced labor—including bonded labor—and cases involving allegedly complicit officials, and stringently punish perpetrators. • Finalize, disseminate, and train officials on the implementing rules for the 2018 Prevention of Trafficking in Persons Act (PTPA). • Designate specialized prosecutors and judges to hear trafficking cases. • Increase trafficking-specific services for victims, including for males, and ensure victims are not penalized for acts traffickers compelled them to commit. • Create, disseminate, and train officials—including provincial police, labor inspectors, and social services—on standard operating procedures (SOPs) for victim identification and referral to rehabilitation services. • Expand services for bonded laborers, including shelter, identity documents, and legal assistance. • Register and inspect brick kilns in accordance with relevant laws regulating factories, and refer suspected bonded labor to law enforcement. • Take steps to eliminate all recruitment fees charged to workers. • Train government officials to clearly distinguish between human trafficking and migrant smuggling. • Remove the provisions in the 2018 PTPA that allow judges to prescribe only fines to convicted traffickers. • Lift restrictions on female migration while negotiating female worker protections with destination country governments. • Improve efforts to collect and accurately report anti-trafficking data. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated mixed overall law enforcement efforts against trafficking. Pakistani laws criminalized sex trafficking and labor trafficking. During the reporting period, the government repealed the Prevention and Control of Human Trafficking Ordinance (PACHTO) and replaced it with the 2018 (PTPA). The 2018 PTPA criminalized sex trafficking and labor trafficking and prescribed penalties of up to seven years' imprisonment, a fine of up to 1 million Pakistani rupees (PKR) ($7,220), or both for trafficking offenses involving an adult male victim, and penalties of between two and 10 years' imprisonment, a fine of up to 1 million PKR ($7,220), or both for those involving adult female or child victims. These penalties were sufficiently stringent. However, with regard 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 government continued to use other sections of the Pakistan Penal Code (PPC) that criminalized some forms of human trafficking. For example, Section 371A and 371B criminalized the buying and selling of a person for prostitution and prescribed penalties of up to 25 years' imprisonment and fines. Section 374 criminalized unlawful compulsory labor and prescribed penalties of up to five years' imprisonment, a fine, or both. Section 366A criminalized procuration of a "minor girl under 18" and prescribed penalties of up to 10 years' imprisonment and a fine. Section 370 criminalized buying or disposing of any person as a slave and prescribed penalties of up to seven years' imprisonment and a fine, and Section 371 criminalized habitual dealing in slaves and prescribed penalties of up to life imprisonment and a fine if the imprisonment was less than 10 years. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. The federal 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, including anti-bonded labor laws, under a devolution process that began in 2010. However, federal laws apply until corresponding provincial laws are enacted.

The 2018 PTPA replaced PACHTO in May 2018 and the government did not finalize implementing rules for the 2018 PTPA by the close of the reporting period; thus, it did not report any investigations, prosecutions, or convictions under either the 2018 PTPA or PACHTO, compared to 90 investigations, 53 prosecutions, and 29 convictions under PACHTO in 2017. Despite efforts to differentiate human trafficking and migrant smuggling in law and policies, some law enforcement officials continued to conflate the two crimes. The government reported data on trafficking investigations, prosecutions, and convictions under the PPC by province and special administrative area. Overall, the government reported investigating 2,367 alleged sex trafficking cases and initiating prosecutions in 2,212 cases, an increase from investigation of 1,647 sex trafficking cases and prosecution of 1,540 the previous reporting period. The vast majority of sex trafficking convictions took place in Punjab under Section 371A of the PPC for "Selling person for purposes of prostitution etc." The overall number of sex trafficking convictions remained unclear. The government had reported 72 sex trafficking convictions the previous reporting period. The government did not report sentences for the convictions.

Khyber Pakhtunkhwa, Balochistan, and the Islamabad Capital Territory decreased sex trafficking investigations, prosecutions, and convictions compared to the previous reporting period. Azad Jammu and Kashmir and Gilgit-Baltisan did not report any investigations, prosecutions, or convictions for trafficking offenses. Punjab continued to report the vast majority of law enforcement action against sex trafficking; of the national statistics on sex trafficking, Punjab reported 98 percent of the country's investigations, 99 percent of prosecutions, and 100 percent of convictions.

The government's law enforcement action on labor trafficking remained severely inadequate compared with the scale of forced labor, including bonded labor, in the country; and investigations, prosecutions, and convictions for bonded labor decreased significantly. While Sindh reported one investigation and prosecution for bonded labor, Punjab remained the only province to secure convictions under the BLSA. Punjab authorities investigated 23 cases of bonded labor, initiated prosecutions in 22 cases, and convicted three traffickers—a significant decrease from 197 investigations, 182 prosecutions, and 37 convictions during the previous reporting period. Punjab convicted the fewest number of traffickers for bonded labor since 2015. An international organization stated the BLSA was not adequately enforced because of police inaction on complaints and lower court judges' lack of understanding of the law. No province, including Punjab, reported law enforcement action on forced labor under PPC Section 374, unlawful compulsory labor—a decrease from one investigation in Punjab the previous reporting period. Additionally, Punjab significantly decreased investigations and prosecutions under Section 369A, trafficking in human beings, from 79 case investigations, 79 prosecutions, and 17 convictions in 2017 to four, three, and zero, respectively, during the reporting period, although this is partly explained by removal of Section 369A after passage of the 2018 PTPA. Khyber Pakhtunkhwa reported one investigation under Section 369A. While media reported Sindh police conducted at least 66 raids on brick kilns during the reporting period—largely in response to Supreme Court directives—the province only reported prosecution of one bonded labor case. Sindh initiated two additional investigations and prosecutions under PPC Section 370 for buying or disposing of any person as a slave and Section 371 for habitual dealing in slaves. While this was similar to three cases under Sections 370 and 371 in the previous reporting period, it remained a significant decrease from investigation of 19 alleged traffickers and prosecution of 16 in 2016 and low compared to the scale of the problem. The government also reported data on several penal code sections that criminalized labor trafficking and other non-trafficking crimes but did not disaggregate the data to specify which cases under these sections were for labor trafficking versus non-trafficking offenses.

The Federal Investigative Agency (FIA) remained the government's lead reporting and coordinating entity on human trafficking. The agency focused on transnational offenses, while provincial police generally investigated internal human trafficking cases. While FIA and provincial police coordinated on an ad hoc basis, overall collaboration remained weak and complicated law enforcement efforts and data collection. FIA investigated human trafficking and migrant smuggling cases through its 27 anti-trafficking law enforcement joint task forces at the federal, provincial, and local levels. FIA's basic training for new recruits included information on human trafficking and migrant smuggling. Foreign governments and international organizations funded trafficking-specific trainings for police, investigators, prosecutors, and FIA officials during the reporting period; and government agencies contributed in-kind support to some of the trainings. NGOs noted provincial police were reluctant to file First Information Reports—required to launch criminal investigations—into many crimes, including trafficking, and some police requested bribes to register legitimate complaints and accepted bribes to not register complaints. Furthermore, observers cited the country's overburdened prosecutors and judges, who frequently lacked adequate training, as a contributing factor to lengthy trafficking trials and low conviction rates.

Official complicity in trafficking remained a significant concern. However, for the first time in 10 years, the government convicted an official for a human trafficking-related offense. In April 2018, the court convicted a former district judge and his wife for cruelty to a child for subjecting a 10-year-old girl to torture and domestic servitude. The court prescribed a sentence of one year of imprisonment and a fine of 50,000 PKR ($360) each. The couple appealed the case to the Islamabad High Court, which dismissed the appeal, increased the sentence to three years' imprisonment and a 500,000 PKR ($3,610) fine, and ordered the former judge's wife to pay the victim 500,000 PKR ($3,610) in restitution. In October 2018, police removed a 10-year-old domestic worker from the house of a Pakistani army major after allegations of torture and domestic servitude; police arrested the army major's husband, and the military reportedly initiated an investigation. In addition, the police suspended an assistant sub-inspector of police for the failure to file a police report when a neighbor first reported the case. While the government took action in these cases, it did not report vigorous efforts to address numerous other credible allegations of official complicity in trafficking, especially local officials' reportedly endemic perpetuation of bonded labor, which created a culture of impunity for offenders. During the reporting period, NGOs increasingly reported that feudal landlords and brick kiln owners used their political connections to facilitate their use of forced labor. In some cases, when bonded laborers attempted to escape or seek legal redress, police refused to file a case and 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, at times in collusion with police. Some police reportedly assisted employers in kidnapping bonded laborers that authorities or NGOs had previously removed from exploitation. Police reportedly demonstrated reluctance to investigate cases of potential bonded labor when wealthy and influential individuals, such as local politicians, were the alleged perpetrators. Some police reportedly acted against trafficking only when pressured by media and activists. Observers alleged police accepted bribes to ignore prostitution crimes, some of which may have included sex trafficking. A research study of Pakistan's garment sector published in January 2019 revealed that some garment factory workers reported forced overtime, underpayment of wages, and abuse—indicators of forced labor—and some of those factories paid monthly bribes to labor department officials to avoid inspections. In February 2018, Australian media reported that the High Commissioner for Pakistan in Australia allegedly subjected her domestic worker to forced labor for 18 months; according to media reports, 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 efforts to identify and refer trafficking victims to care but protection efforts remained inadequate,

especially for bonded labor victims. FIA did not identify any trafficking victims, a decrease from 17 victims identified in the previous reporting period. Provincial police identified 19,723 victims, an increase from 14,588 victims identified in 2017. The government did not disaggregate the data by forms of trafficking or province. The government reported some law enforcement, immigration, and social service personnel had SOPs for the identification of trafficking victims within their respective departments; however, it was unclear how widely officials disseminated and employed these SOPs. Several provincial government officials and law enforcement noted they had never received, and did not employ, SOPs, and other law enforcement reported use of SOPs on an ad hoc basis.

Provincial police reported referring 2,697 trafficking victims to care, a considerable increase from 303 victims referred to care in 2017 but still low compared to the total number of victims identified. Observers attributed the increase in part to better reporting on such referrals. Police reported some victims declined to avail themselves of government services, but availability of services was an issue, with a lack of shelter and services available in many regions, particularly for male victims. Government-run shelters for women experiencing a range of difficult circumstances, including trafficking, were the most predominately available service. Punjab operated women's shelters in each of its 36 districts; Sindh operated five women's shelters in its 29 districts and four centers that offered women in distress medical and legal aid and shelter for up to 72 hours; Khyber Pakhtunkhwa operated women's shelters in six of its 26 districts and 10 welfare homes for exploited children; Balochistan operated one women's shelter and one shelter for destitute male citizens among its 32 districts; and the Islamabad Capital Territory had one family and rehabilitation center that served women and children. NGOs and local politicians continued to note concerns about the low quality of victim care at many government-run shelters, including their lack of basic resources such as showers. There were also reports government-run women's shelters continued to limit victims' freedom of movement. Punjab continued to operate its wholly integrated center that provided shelter, medical and psychological support, and legal assistance for female victims of violence. While all female victims of violence could access the center, including trafficking victims, the government did not report whether it assisted any trafficking victims. Some government officials and NGOs continued to note the lack of shelters and services for trafficking victims. Child trafficking cases in which parents might have been complicit were of particular concern, since authorities often returned potential child trafficking victims to their families immediately following identification without effective methods to ensure families would not subject their children to trafficking again. Boys could access government shelters in many provinces, but the government only identified one shelter in the country that adult males could access. Several government officials denied that male trafficking victims, if identified, would require care. Both government and NGO contacts noted that, due to cultural norms, male victims were less likely to seek or accept assistance. Civil society continued to provide some victim services, largely without government support. In part due to lack of dissemination and training on SOPs, authorities may have charged sex trafficking victims with moral crimes.

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. Khyber Pakhtunkhwa established four new CPUs during the reporting period, for a total of 12. Balochistan had not yet established any CPUs, despite passing legislation in November 2016 to establish such units in all districts. 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 and identified and referred 10,203 child beggars to the shelters during the reporting period, an increase from 6,474 children in 2017. Authorities did not report how many of these children were identified as victims of forced begging. Khyber Pakhtunkhwa continued to fund and operate a shelter for homeless children.

The BLSA required districts to establish bonded labor vigilance committees (DVCs) to ensure implementation of the BLSA and provide assistance to bonded labor victims. Punjab maintained 36 DVCs. While Sindh noted it had 10 functional DVCs, NGOs countered that the majority did not function and those that did operate did so minimally in response to international pressure. In addition, one Sindh official claimed bonded labor no longer existed in the province, and another downplayed the prevalence of the practice, indicating there was no need for the provincial government to dedicate additional personnel or resources to combat the problem. Khyber Pakhtunkhwa and Balochistan did not have DVCs. Punjab and Khyber Pakhtunkhwa could provide free legal aid to bonded laborers who requested assistance.

NGOs noted most cases of bonded labor ended with financial settlement in lieu of criminal prosecution, in part because police and the judiciary often ceased support for victims after authorities had removed the victim from exploitation and did not guide them through how to pursue a formal civil or criminal case. Bonded laborers whom authorities had released from exploitation frequently had no alternative employment or housing and sometimes returned to brick kilns or farms and assumed more debt. Those who lacked identity documents were even more vulnerable, since they could not access government services such as health care and food stipends. Some NGO-run shelters could accommodate bonded laborers, including entire families, but often had insufficient resources to provide long-term housing. Government policy included protections for those cooperating in trafficking-related investigations; however, the government did not report how often it granted protection. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The 2018 PTPA and sections of the PPC provide for victim restitution. The Bureau of Emigration and Overseas Employment (BEOE) within the Ministry of Overseas Pakistanis and Human Resources Development (OPHRD) employed 19 community welfare attaches in 14 destination countries to provide support and information to Pakistani migrant workers; BEOE did not report if the attachés identified or assisted any trafficking victims. The Ministry of Interior had the authority to grant extensions for foreign victims to stay in the country until the Federal Review Board of the Supreme Court reached a decision on repatriation; it did not report whether it 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 continued implementation of the 2015-2020 national strategic framework against trafficking in persons and migrant smuggling, although lack of resources continued to hamper efforts. FIA's research and analysis center reportedly collaborated with an international organization to create quarterly newsletters on human trafficking and migrant

smuggling, although it did not make these reports publicly available. The federal government did not collect or provide comprehensive data on labor law enforcement; while provinces reportedly collected such information at the district level, authorities lacked a centralized repository for the data and mechanisms to report it to the federal government. Labor inspectors did not have the authority to assess penalties for labor law infractions; they reported infractions to labor courts, which could assess penalties. NGOs continued to report inadequate training and funding for labor inspectors, including lack of funds for transportation, impeded inspectors' ability to monitor working conditions in brick kilns and other factories—sectors in which forced and bonded labor occurred. Labor inspectors did not have the authority to remove children or bonded laborers from exploitative situations. Inspectors should refer potential child or bonded labor cases to law enforcement; however, NGOs reported a lack of coordination between labor inspectors, law enforcement, and social services, including the absence of a standardized referral mechanism. Thus, it was unknown if labor inspectors or courts referred any potential bonded labor cases to law enforcement or victims to care. NGOs noted that despite high incidences of child and forced labor in agriculture and domestic work, the majority of provincial labor laws did not allow labor inspectors to inspect these worksites for infractions. Brick kilns fall under the Factories Act of 1934 and are subject to the same regulations as other factories, including workers' rights provisions. However, these regulations were rarely enforced, and the majority of the estimated 18,000 kilns continued to operate without registration and the required benefits for workers.

Punjab prosecuted 3,953 brick kilns for lack of compliance with labor laws, including non-payment and illegal deductions from wages, and imposed fines totaling 288 million PKR ($2.08 million). This is a significant increase from prosecution of 1,516 brick kiln owners the previous reporting period and comparable to the prosecution of 3,989 brick kiln owners in 2016. Khyber Pakhtunkhwa's labor department did not report any dedicated funding for its specialized inspection team within the office on child and bonded labor—a decrease from 7 million PKR ($50,510) devoted to this team the previous reporting period. During the reporting period, Punjab reportedly halted implementation of its multi-year project to eliminate child and bonded labor and birth registration program for brick kiln workers as it assessed policy priorities. It did, however, continue efforts to provide identity cards to brick kiln workers. Khyber Pakhtunkhwa, Punjab, and Sindh continued to fund and implement some multi-year programs focused on combating the worst forms of child labor and other labor abuses, although fewer programs than in previous years. With technical assistance from an international organization and some provincial government funding, four provinces began surveys to assess the prevalence of child labor, including child bonded labor.

BEOE issued licenses to private employment promoters and monitored workers who migrated through licensed agencies. 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 ($43) for a welfare fund to compensate workers' families in case of the workers' death abroad, and workers to pay all the costs associated with overseas employment. While the government stipulated employers should provide workers with a receipt for these costs, the government did not specify any cost limit and did not consistently review migrant workers' receipts. BEOE cancelled licenses of 54 registered employment promoters, compared to cancellation of 29 licenses and suspension of 41 during the previous reporting period; BEOE did not provide details of the agencies' violations. BEOE referred 285 complaints against recruitment agencies to FIA for criminal investigation, an increase from 160 referrals in 2017. The government continued to ban female migrant workers younger than 30 from migrating for domestic work and required females 30-35 to obtain special approval from OPHRD. The UN and members of civil society argued any ban on female migration increased the likelihood such women would migrate illegally and therefore heighten 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 these centers did not provide sufficient information on the risks of, and assistance to combat, trafficking.

In July 2017, the governments of Pakistan and Afghanistan agreed 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 Foreigners' Act, and as of March 2019 had distributed more than 423,000 ACCs, valid through April 30, 2019. The government continued to grant previously registered Afghan refugees an extension of proof of registration (POR) cards but did so in short-term extensions, which created an environment of uncertainty for refugees. The government extended validity of POR cards through June 30, 2019. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. During the reporting period, the UN continued to investigate two allegations of sex trafficking by Pakistani peacekeepers, one from the UN Mission in the Democratic Republic of the Congo in 2017 and one from the UN Mission in Liberia in 2011-2012; the government did not report if it investigated the allegations. Pakistan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Pakistan, and traffickers exploit victims from Pakistan abroad. 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 predominately in Sindh province in agriculture and Punjab province in brick kilns but also occurs in other sectors in those provinces and in Balochistan and Khyber Pakhtunkhwa provinces in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and textile-, bangle-, and carpet-making. Observers reported employers in Sindh are beginning to move carpet- and bangle-making productions into private homes to further increase the difficulty in monitoring labor conditions. Some feudal landlords and brick kiln owners affiliated with political parties use their influence to protect their involvement in bonded labor. Landlords exploit widespread illiteracy among workers and manipulate accounting records to continue to the cycle of bonded labor. Observers also reported some brick kiln owners buy and sell workers among one another. Children are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, and sex trafficking. According to a prominent child rights NGO, the majority of children working in the streets in

Pakistan are subjected to forced begging. Begging ringmasters sometimes maim children to earn more money and sometimes force children to steal. NGOs report traffickers subject boys to sex trafficking around hotels, truck stops, bus stations, and shrines. There are reports of widespread sexual exploitation of boys in one coalmining community in Balochistan. Boys as young as six years old from Balochistan, Khyber Pakhtunkhwa, and Afghanistan, are purportedly lured to work in the mines but then subjected to sex trafficking; in some cases, parents are complicit in sending their children to the mines for sex trafficking. Within Pakistan, NGOs and police report some employers, including in restaurants and factories, require boy child laborers to provide sexual favors in order to obtain a job with the employer, to keep the job, and/or for accommodation. An NGO reported multiple cases of forced labor by students in government-run schools.

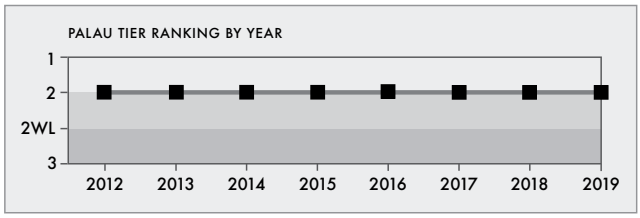
Observers report some police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Some factories pay monthly bribes to labor department officials to avoid inspections. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. In previous years, trafficking experts have described a structured system for exploiting women, girls, and LGBTI individuals in sex trafficking, including offering victims for sale in physical markets. Women and girls are sold into forced marriages; in some cases, their new "husbands" force them into prostitution in Iran, Afghanistan, or China. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Some Pakistani traffickers lure women and girls away from their families with promises of marriage, create fraudulent marriage certificates, and exploit the women and girls in sex trafficking. Additionally, some traffickers force the victims to take drugs and exploit the drug addiction to keep them in sex trafficking. Those displaced internally due to natural disasters and domestic military operations are vulnerable to trafficking.

Some organizations reported that non-state armed groups that had a presence in Pakistan recruited and used child soldiers in Afghanistan, although there is no evidence that the Government of Pakistan was complicit in the recruitment and use of child soldiers. Non-state militant groups kidnap children, buy them from destitute parents, coerce parents with threats or fraudulent promises into giving their children away, or recruit children from *madrassahs*; these armed groups force children to spy, fight, and conduct suicide attacks in Pakistan and Afghanistan. Traffickers have promised Pakistani boys admittance to Afghan religious schools but sold them to members of the Afghan security forces for *bacha bazi*, a form of sex trafficking. Iranian authorities coerce some undocumented and impoverished Pakistani adult migrants to fight for Iranian-backed militias in Syria.

Pakistani men and women migrate overseas voluntarily, particularly to the Gulf states and Europe, for low-skilled employment such as agriculture, domestic service, driving, and construction work; traffickers exploit some of them in 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 in sex trafficking and bonded labor, including in the United Arab Emirates (UAE). Traffickers have exploited Pakistani girls in sex trafficking in Kenya. During the reporting period, Pakistani traffickers brought 35 Pakistani adults—including 14 individuals with disabilities—to the UAE and forced them to beg. Pakistani boys are vulnerable to sex trafficking in Greece. Some traffickers, including organized criminal groups, subject Pakistani adults and children to forced labor in domestic work, construction, and begging in Iran; some traffickers have targeted Pakistanis with disabilities for forced begging. During the reporting period, some Chinese nationals residing in Pakistan took Pakistani girls to China through fraudulent marriages and exploited them in prostitution. Pakistan is a destination country for men, women, and children subjected to forced labor—particularly from Afghanistan, Bangladesh, and Sri Lanka. Chinese men working in construction may be vulnerable to forced labor in Pakistan. Traffickers exploit women and girls—and, to a lesser extent, boys—from Afghanistan, Iran, and other Asian countries in sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan. Traffickers exploit Rohingya refugees in forced labor in Pakistan.

PALAU: TIER 2

The Government of Palau does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Palau remained on Tier 2. These efforts included the president's approval of the national action plan, funding an assessment of the trafficking situation in Palau and the government's anti-trafficking infrastructure, creating a temporary shelter for victims, and establishing a trafficking hotline. Courts sentenced the government's lone convicted trafficker to 25 years' imprisonment, a departure from previous cases where courts had fully suspended sentences. However, the government did not meet the minimum standards in several key areas. The government remained without standard operating procedures for victim identification and referral to services. Protection services were insufficient; the government did not provide basic services such as medical and psychological care, and the government did not investigate indicators of trafficking in labor recruitment and contract violations experienced by many foreign workers.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials, under trafficking laws, and sentence traffickers to adequate penalties, which should involve significant prison terms. • Develop, disseminate, and train officials on standard operating procedures for the proactive identification of trafficking victims and their referral to protection services. • Increase resources for and develop victim protection and rehabilitation services, including long-term shelter options, interpretation services, and medical and psychological care. • Amend anti-trafficking laws to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses and do not prosecute or penalize victims for unlawful

acts traffickers compelled the victim to commit. • Create and implement a system to proactively offer foreign trafficking victims job placements and work visa extensions. • Establish and implement witness confidentiality procedures. • Enforce the anti-trafficking laws punishing recruiters, employment agents, and labor officials for illegal practices that facilitate trafficking. • Increase anti-trafficking awareness among vulnerable populations, including foreign migrant worker communities. • Establish a mechanism for the systematic monitoring of government anti-trafficking efforts. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained law enforcement efforts. Sections 2106-2108 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to 25 years' imprisonment, a fine of up to $250,000, or both if the victim was an adult and up to 50 years' imprisonment, a fine of up to $500,000, or both if the victim was under age 18. 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 prescribed for other serious crimes, such as rape. The Ministry of Justice's anti-human trafficking office (AHTO) investigated 11 potential cases of labor trafficking and exploiting a trafficked person, one of which was investigated for soliciting sex acts from a sex trafficking victim, compared with 14 potential trafficking case investigations in 2017 and none in 2016. The AHTO referred five of the cases to the attorney general's office (AGO), which all remained under review at the end of the reporting period. The AGO initiated the prosecution of one alleged trafficker during the reporting period, compared with three prosecutions in 2017 and two in 2016. In the prosecution initiated during the reporting period, the court found the alleged offender not guilty of labor trafficking and people trafficking but found her guilty of prostitution and promoting prostitution; sentencing had not taken place by the end of the reporting period. Separately, the courts convicted one Bangladeshi national of labor trafficking and sentenced him to 25 years' imprisonment; the defendant began to serve his sentence while awaiting the outcome of his appeal. This is compared with three traffickers convicted in 2017, two of whom received suspended sentences and were deported within 30 days and one who received probation and was deported one year after sentencing.

Observers noted official complicity played a significant role in facilitating trafficking. The AGO continued to investigate allegations of official complicity but did not report the details of the allegations or the number of officials involved. The AGO did not initiate prosecutions or secure convictions of complicit officials during the year. The government provided in-kind support for five trainings on trafficking hosted by foreign governments or international organizations. The AHTO trained 24 police cadets for one week on trafficking and victim identification. Despite these trainings, observers stated officials generally continued to lack an understanding of trafficking.

PROTECTION

The government maintained efforts to protect victims. The AHTO reported it began to develop a victim identification tool but had not completed or approved the tool; consequently, the government remained without standard operating procedures for victim identification and referral to services during the reporting period. The government reported identifying five potential victims of labor trafficking and two potential sex trafficking victims from the five cases referred to the AGO for prosecution, compared with 10 foreign labor trafficking victims and four minor victims of sex trafficking identified in 2017. All potential victims were adult foreign nationals and the majority were male. An international organization stated only the most egregious cases of trafficking were likely to come to the attention of authorities because of the lack of proactive identification procedures and foreign migrant worker reluctance to complain to authorities out of fear that complaining would result in job termination and deportation. At the beginning of the reporting year, the AHTO created a temporary shelter for trafficking victims with five cots; however, none of the identified victims stayed there during the reporting period as they requested to stay with friends or relatives. Investigators employed local interpreters as needed in Bengali, Mandarin, and Tagalog. The government did not fund or provide any other emergency protective services to adult trafficking victims such as medical or psychological care. The lack of support services reportedly led some victims to leave the country rather than pursue legal recourse.

The government contributed approximately $15,000, the same amount as in 2017, to an NGO to assist trafficking victims with legal counseling and representation before labor and immigration hearings. The NGO filed five civil lawsuits to help victims recover lost wages and seek protection from the courts and settled two previously filed lawsuits during the reporting period; each case represented multiple victims. The AGO did not request restitution for trafficking victims, reportedly due to an inability to submit admissible evidence. The government did not report whether it assisted victims with work visa extensions and job placements in 2018. The government offered only ad hoc short-term legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution; the attorney general could designate victims as "vulnerable," making them eligible for alternate employment and accommodation assistance. The judicial system did not keep victim identities confidential and in the recent past, defendants in trafficking cases threatened witnesses. While the 2005 Anti-Smuggling and Trafficking Act granted victims immunity from prosecution for the "act of people trafficking," the vague language permitted prosecution for unlawful acts the trafficker compelled the victim to commit, such as prostitution or petty crime. Additionally, authorities' insufficient identification efforts made victims vulnerable to law enforcement actions.

PREVENTION

The government increased efforts to prevent trafficking. In January 2019, the President approved the national action plan, drafted in a previous reporting period. The government funded an international organization in August 2018 to assess and report on the scope of trafficking in Palau and the government's anti-trafficking infrastructure. The government conducted awareness campaigns through radio broadcasts and television programs, outreach missions to outlying states, and presentations at a women's conference and a program for teenagers. The AHTO distributed pamphlets, posters, and information sheets to all states to raise public awareness. It did not conduct educational or public awareness campaigns for employers or labor recruiters. During the reporting period, the AHTO instituted and staffed a mobile phone number for trafficking tips with on-call AHTO investigators who spoke Palauan and English and received an average of one call a day, resulting in five investigations during the reporting period. While the government revised the rules and regulations of the labor division to add more protections for foreign migrant workers, the government had not yet approved

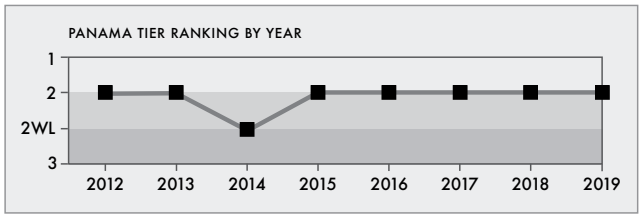
the revisions, and the government did not report making efforts to investigate as indicators of trafficking contract violations and other issues in labor recruitment experienced by many foreign workers during the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Palau is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human trafficking of foreign victims occurs in Palau. 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, Thai, 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, traffickers exploit some 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 traffickers exploit some in sex trafficking 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. Authorities have investigated government officials—including labor, immigration, law enforcement, and elected officials—for complicity in trafficking crimes.

PANAMA: TIER 2

The Government of Panama does not fully meet the minimum standards for the elimination of trafficking; but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Panama remained on Tier 2. These efforts included investigating more traffickers, prosecuting an allegedly complicit official, creating and granting temporary residency permits for foreign trafficking victims, directing funds to the Special Fund for Victims of Trafficking in Persons, and providing services for potential trafficking victims. However, the government did not meet the minimum standards in several key areas. The government identified fewer victims, did not fund trafficking-specific shelters, and did not amend the anti-trafficking law to make it consistent with international law.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute alleged traffickers, including those involved in child sex tourism, and sentence convicted traffickers to adequate penalties, which should involve significant prison terms. • Amend the anti-trafficking law to include force, fraud, or coercion as essential elements of the crime consistent with international law. • Train law enforcement and prosecutors to investigate and prosecute traffickers using the trafficking offense rather than a lesser offense. • Continue to increase funding for specialized victim services, including through the special fund for trafficking victims and funding for civil society organizations. • Provide funding for the dedicated trafficking shelter. • Inform foreign victims on the availability of the temporary residency permit and process such requests in a timely manner. • Increase training for government officials in victim identification and referral, including proactive screening of vulnerable populations such as migrants and individuals in prostitution. •Consistently inform victims of their right to apply for restitution from the courts and access to a lawyer to assist them. • Use existing laws and regulations to revoke the licenses of fraudulent recruiters.

PROSECUTION

The government increased investigations and maintained prosecutions and convictions. Article 456 of the penal code did not criminalize all forms of sex trafficking and labor trafficking because it required movement to constitute a trafficking offense. It prescribed penalties of 15 to 20 years' imprisonment for trafficking offenses involving an adult victim, and 20 to 30 years for those involving individuals under the age of 18 years old or other aggravating circumstances; 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, 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. The government charged some child sex traffickers with non-trafficking offenses, which carried 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 from a child and prescribed penalties of five to eight years' imprisonment.

Authorities initiated 32 trafficking investigations (25 for sex trafficking and seven for forced labor) involving 19 suspects, compared to 18 trafficking investigations involving 17 suspects in 2017 and seven sex trafficking investigations involving 13 suspects in 2016. The government prosecuted 12 suspects for trafficking, compared with 24 in 2017 and 13 in 2016. Panama transitioned from the inquisitorial to adversarial system in 2016, which prosecutors report resulted in a higher than average number of cases brought to prosecution in 2017 due to backlogs. Authorities convicted eight traffickers—seven sex traffickers and one labor trafficker—compared with seven traffickers in 2017 and two traffickers in 2016. The government sentenced these traffickers to four to 17 years' imprisonment, compared to 10 to 15 years' imprisonment in 2017 and six to 18 years in 2016. Law enforcement conducted an operation in a rural bar that resulted in the arrest and prosecution of six alleged traffickers, including an allegedly complicit government official, and the convictions of two of the perpetrators for trafficking and for renting out the space where the trafficking took place with sentences of four and six years' imprisonment.

The Panamanian National Police provided specialized training in trafficking investigations to 30 officers and worked with the attorney general's organized crime office to investigate cases, but it did not reopen a dedicated anti-trafficking unit closed in a previous reporting period. Panamanian authorities cooperated with Costa Rica and the Dominican Republic on two trafficking cases, which led to the identification of at least three victims. The government funded and provided anti-trafficking training to the national police and air naval service in three border areas and at least two island tourist destinations. The government

collaborated with international organizations, which provided training on trafficking for immigration officials, law enforcement, the military, and taxi drivers.

PROTECTION

The government maintained protection efforts. The government identified 46 potential trafficking victims—40 sex trafficking and six labor trafficking—compared to 59 trafficking victims (57 sex trafficking victims and two forced labor victims) in 2017 and 84 suspected adult sex trafficking victims in 2016. The Commission on the Identification and Protection of Victims trained government officials in victim identification and referral. The government implemented guidelines for victim identification and protection developed by an international organization, which resulted in formal procedures, internal guidelines, and training materials for the Technical Unit for Attention and Protection of Victims and Witnesses (UPAVIT). Officials referred all victims to the UPAVIT, which provided legal and other assistance to victims, and physical protection to victims, witnesses, and experts.

The government created the Special Fund for Victims of Trafficking in Persons mandated by the anti-trafficking law, which received 25 percent of funds directed to the National Commission Against Human Trafficking and the proceeds of seized assets. Despite the lack of dedicated funding, some agencies provided food, shelter in hotels, transportation, and psychological and legal services to all 46 potential victims. In the previous reporting period, the government approved the design and construction of a dedicated trafficking shelter by an international organization, but the government did not secure funding for it in 2018. Authorities placed victims in hotels, which they were free to leave, and covered the cost of the hotel rooms or allowed victims to return to their country of origin. 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 issued an executive order in January 2019 to create a temporary residency permit for trafficking victims and six victims received such relief. The government provided repatriation assistance to two of its own citizens identified as trafficking victims abroad. The government made available specially designed interview rooms to allow victims to provide testimony privately in order to minimize the risk of re-victimization during the judicial process, but it did not report using the rooms. The government seized assets derived from human trafficking activities and allocated the proceeds to services for trafficking victims. The law allowed victims to request restitution with the assistance of a lawyer from the National Human Trafficking Commission, but no restitution was requested in 2018.

PREVENTION

The government maintained prevention efforts. The National Commission Against Human Trafficking continued implementing its 2017-2022 national anti-trafficking action plan, fully funded and staffed a victim identification and assistance unit, and developed a training guide. The commission also led a process to establish a temporary residency permit for trafficking victims. Panama chaired the regional coalition against human trafficking and migrant smuggling, which led to a regional trafficking victim repatriation guide and a model anti-trafficking communication strategy, which Panama began adapting for use. The commission worked to improve interagency coordination in 2018, which resulted in the government appointing regional Ministry of Education liaisons who provided awareness-raising workshops for teachers, staff, parents, and students across the country. The government distributed flyers to passengers in the airport and in the capital city. The government operated a hotline to receive tips, administered by the national police, a 311 number for the public to report possible cases or request inspections of businesses, and additional hotlines to report crimes, but it did not report the number of calls received related to trafficking. 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 commercial sex acts or forced labor. Panama criminalized child sex tourism, but did not prosecute any cases. The Panamanian Commission against Sexual Exploitation Crimes expanded its campaign against the sexual exploitation of minors—including child sex trafficking—to high school and university students and private and public sector professionals capable of identifying and referring potential victims. The commission provided training for hotel and tourism sector staff and shared best practices for the tourism industry both in Panama City as well as in more remote locations. The government entered into an anti-trafficking cooperation agreement with the Government of Colombia but did not report any results achieved due to the agreement.

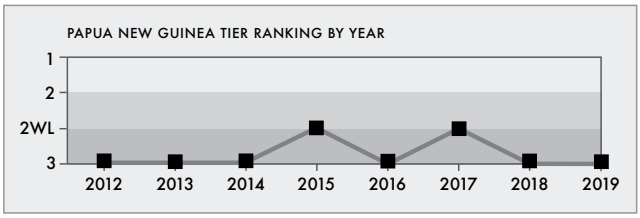
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Panama, and traffickers exploit victims from Panama abroad. Traffickers exploit children 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 Panamanians in sex trafficking in Panama and in the Caribbean and Central and South America. Traffickers have exploited transgender individuals in sex trafficking due in part to increased vulnerability because of discrimination and high demand for commercial sex acts from this population. Traffickers exploit some men and women from Central America who transit Panama en route to the Caribbean or Europe in sex trafficking or forced labor in their destination countries. Traffickers exploit indigenous females in forced labor in rural, impoverished border areas of the country. Traffickers exploit Central and South American, Chinese, and Vietnamese 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. Traffickers have forced victims to consume illegal drugs as a coercive measure. Men from the United States have been investigated as child sex tourists in Panama. Government officials have been investigated and arrested for alleged involvement in trafficking.

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 remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including advancing a prominent trafficking prosecution initiated in a previous reporting period, identifying and referring more victims

to protective care than in 2017, and jointly conducting foreign donor-funded training for law enforcement and judicial officials. However, the government did not provide or fund protective services for victims, nor did it systematically implement its victim identification procedures. Endemic corruption among officials, particularly in the logging sector, continued to facilitate vulnerability to sex trafficking and forced labor among foreign and local populations. Despite continued prosecution efforts, the government did not achieve a single trafficking conviction for the sixth consecutive year. An acute lack of financial and human resources dedicated to anti-trafficking, as well as very low awareness among government officials and the public, hindered progress.



PRIORITIZED RECOMMENDATIONS:

Disseminate, implement, and widely train police, immigration, and customs enforcement officers on standard operating procedures (SOPs) for victim identification, referral, and protection. • Investigate and prosecute trafficking offenses and convict and apply strong sentences to traffickers, including victims' family members and officials who facilitate or directly benefit from trafficking. • Amend the criminal code to criminalize child sex trafficking without elements of force, fraud, or coercion in accordance with the 2000 UN TIP Protocol. • In collaboration with civil society, screen for trafficking indicators among vulnerable groups, including internally displaced persons, communities located near commercial forestry operations, children in communities marked by inter-tribal conflict, and individuals—including children—apprehended for illegal fishing, desertion from foreign-registered fishing vessels, illegal logging, illegal gold panning, 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 groups, the private sector, and religious and community leaders to raise awareness of and reduce demand for commercial sex acts and forced labor, especially of children. • Strengthen the national trafficking committee by designating senior officials to represent their agencies, increasing awareness of the committee among potential stakeholders, and allocating increased resources for its activities. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained insufficient law enforcement efforts. The Criminal Code Amendment of 2013 criminalized most forms of sex trafficking and all forms of 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. 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 police did not initiate investigations into any instances of suspected trafficking during the reporting period (one investigation in 2017), and authorities did not initiate prosecutions of any new suspects for the second consecutive year. An investigation that opened in 2017 against a police commander for allegedly subjecting eight women to sex trafficking and forced labor was in process at the end of the reporting period. Court proceedings commenced for one sex trafficking case that had been awaiting trial since 2016. The defendant, initially charged on seven counts of trafficking for allegedly subjecting six Papua New Guinean women and one girl to sex trafficking, filed for dismissal of the case. In October 2018, the National Court dismissed his no-case submission but acquitted him on one count of trafficking due to the relevant victim's inability to provide evidence. Proceedings continued under the remaining six trafficking counts at the end of the reporting period. Despite having initiated several prosecutions in recent years, the government has never secured a conviction in a trafficking case.

An international organization partnered with the Department of Justice and attorney general to conduct trainings for 80 law enforcement officials and 32 judges in several provinces. The government provided the venue and logistical support and co-facilitated some training sessions. 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. Observers also ascribed poor prosecutorial efforts to widespread observance of customary justice practices; fear of retribution and distrust of law enforcement among victims; and insufficient resources and political will among urban law enforcement to conduct investigations in rural areas. Electoral violence led to the destruction of government facilities in some geographic areas in 2018, reportedly further hampering prosecution efforts.

PROTECTION

The government maintained insufficient efforts to protect victims. Authorities and an international organization jointly screened for trafficking indicators among 17 individuals, culminating in the positive identification of one Filipina victim of forced labor, two Papua New Guinean sex trafficking victims, and three Papua New Guinean victims of both sex- and labor trafficking (none in 2017). The government referred three of these victims to protective care. 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 SOPs for victim identification, but authorities lacked a written guide as recommended in the national action plan, and general awareness of the SOPs among front-line officers was limited. The government did not have a structured plan to monitor, secure, identify, or refer victims among vulnerable communities in IDP camps as a result of conflict or natural disasters. Officials did not seize any foreign vessels for trafficking or illegal fishing for the second consecutive year, despite reported prevalence of the crime. 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 and child 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 ineffective victim identification, in the context of poor interagency coordination and a lack of clarity over who had the authority to verify an individual as a victim of trafficking. Law enforcement arrested migrant laborers at illegal logging operations, despite their having been ordered to work at those sites by companies operating with the permission of a separate government agency; some of these workers may have been unidentified trafficking victims. Observers reported a law allowing officials to apprehend foreign fishermen for desertion in port may have dissuaded some victims of forced labor from escaping and reporting their abuses. In prior years, authorities arrested and prosecuted children who were forced to pan for gold in areas where this activity was illegal; although the National Anti-Human Trafficking Committee reported efforts to identify these children as trafficking victims in 2017, it did not report having done so during 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 victims in 2018. The government allowed "ongoing stay" for trafficking victims but did not extend the service to any individuals during the reporting period, and it lacked provisions for victims to seek compensation through civil suits.

PREVENTION

The government decreased efforts to prevent trafficking. The National Anti-Human Trafficking Committee continued to operate with insufficient resources; the government did not appoint specific committee members representing relevant agencies, and some key interagency stakeholders were unaware of its existence. The Committee met infrequently and, unlike last year, did not report participating in informational sessions to gauge stakeholder awareness of the crime. The government did not demonstrate measurable progress in, or allocate any resources to, the implementation of its national plan of action. Authorities 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 commercial sex acts or forced labor, nor did it have effective policies to regulate foreign labor recruiters or hold them liable for fraudulent recruitment practices. With only two labor inspectors per province, inadequate resources, and endemic corruption, the government did not take steps to prevent forced labor in the highly vulnerable logging industry. To the contrary, authorities in some cases issued forestry permits in violation of preexisting land ownership rights and without further oversight, leading to the displacement and heightened vulnerability of the land's previous occupants and to increased risk of labor exploitation among forestry workers. 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, human traffickers exploit domestic and foreign victims in Papua New Guinea, and they subject victims from Papua New Guinea to trafficking abroad. Traffickers also use Papua New Guinea as a transit point to subject foreign individuals to trafficking in other countries. Traffickers exploit foreign and local women and children in sex trafficking, domestic servitude, forced labor in the tourism sector, manual labor, and forced begging and street vending. According to international NGO research conducted in previous years, approximately 30 percent of Papua New Guinean sex trafficking victims are children under the age of 18, with some as young as 10 years old. Immediate family or tribe members reportedly subject children to sex trafficking or forced labor. Some parents force children to beg or sell goods on the street, and some sell or force their daughters into marriages or child sex trafficking to settle debts, resolve disputes between communities, or support their families.

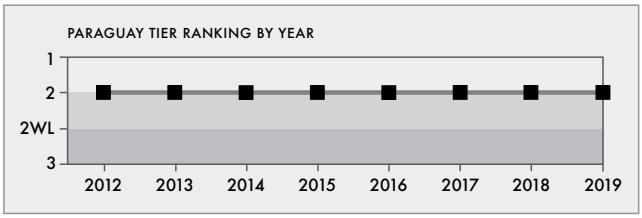
Marriages in Papua New Guinea commonly involve a "bride price" of money or chattel paid to the wives' families by the husbands' families, who use the bride price as debt to compel women to remain in abusive or servile marriages. Some parents reportedly transfer their children—some as young as 12—to other families via informal paid adoption arrangements that, absent monitoring or registration practices, increase their risk of exploitation; this is particularly prevalent among girls, whom adoptive families often seek out as potential sources of future bride-price income. 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, traffickers lure children and women with promises of legitimate work or education to travel to different provinces, where they are subjected to sex trafficking or domestic servitude. Men reportedly engage in transactional sex with girls as young as 15 in exchange for money, gifts, or mobile phone credits. Tribal leaders reportedly trade the exploitative labor and service of girls and women for guns, to forge political alliances, and to settle disputes with one other. Traffickers subject Papua New Guinean children to forced criminality in illegal gold panning. Boys as young as 12 reportedly experience conditions indicative of forced labor as porters in urban areas. Adolescent boys are also increasingly involved in inter-tribal and intercommunal armed conflict, possibly via forcible recruitment by local leadership. Hundreds of thousands of individuals—particularly women and girls—displaced following earthquakes in 2018 and heightened intertribal conflict are at higher risk of exploitation due to poor or nonexistent IDP camp security and loss of arable land for farming. International observers report increasing intercommunal tensions resulting from this displacement have led to more Papua New Guinean women and girls facing "sorcery" accusations from men in an attempt to psychologically coerce them into forced labor or sex trafficking.

Malaysian and Chinese logging companies arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas; this practice may also be present at other internationally owned logging sites. 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 sex trafficking and domestic servitude. Traffickers also reportedly subject foreign children to sex trafficking in Papua New Guinea. 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 companies indefinitely through debt bondage. Traffickers also subject Vietnamese, Burmese, Cambodian, and local men and boys

to forced labor on fishing vessels; they face little to no pay, harsh working conditions, and debt bondage. Often with direct government support, companies reportedly compel some of these workers to carry out illegal logging and fishing activities, 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. Corruption among forestry officials in particular may be permissive of forced labor among loggers and sex trafficking in communities situated near logging sites; some of these officials reportedly accept bribes to issue logging permits in violation of environmental standards and land ownership rights, leading to displacement and concomitant loss of livelihood that make some communities more vulnerable to exploitation.

PARAGUAY: TIER 2

The Government of Paraguay does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Paraguay remained on Tier 2. These efforts included assisting more victims and training more officials working on anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. Services for all victims remained insufficient, cooperation with civil society remained inadequate, use of the identification protocol and referral mechanism was ad hoc, cases of police officers' complicity continued to go unaddressed, and the 2014-2018 national plan to combat trafficking expired without ever receiving presidential approval.



PRIORITIZED RECOMMENDATIONS:

Increase access to adequate specialized victim services, including shelter options for all victims of trafficking. • Increase funding and training to implement 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. • Investigate criminally and punish official complicity in the facilitation of trafficking. • Increase investigations, prosecutions, and convictions of traffickers. • Adopt reforms to eliminate situations of *criadazgo* (child servitude) and the related abusive practices and working conditions that may amount to trafficking. • Train law enforcement officials to bolster understanding that child sex tourism is human trafficking. • Draft an updated national plan to combat trafficking and approve funding for its implementation. • Improve interagency coordination and develop a case management database for trafficking cases. • Designate a government entity responsible solely for coordinating anti-trafficking efforts. • Further increase transnational cooperation with neighboring governments to bolster law enforcement coordination, victim protection, and consular assistance. • Train members of the navy on victim identification and inspect barges and ships traveling through the major waterways. • Revise the definition of human trafficking under law 4788/12 to ensure force, fraud, or coercion are essential elements of the crime as established under the 2000 UN TIP Protocol.

PROSECUTION

The government decreased prosecution efforts. The Comprehensive Anti Trafficking Law 4788 of 2012 criminalized sex trafficking 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 Paraguayan National Police Anti-Trafficking Unit was responsible for investigating trafficking crimes, while the Anti-Trafficking Unit (ATU) was the lead prosecuting agency. In 2018, authorities initiated 110 trafficking investigations, 60 for sex trafficking and 50 for forced labor (134 investigations in 2017). The ATU indicated that 25 of those investigations led to filing preliminary charges (53 in 2017) and 15 to convictions (17 in 2017) under Law 4788/12; sentences for trafficking offenses averaged five years.

Government funding for police anti-trafficking activities decreased, leading to the termination of five officers specializing in trafficking and the permanent closure of a critically important anti-trafficking office in Encarnacion. In 2018, the ATU cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on cases that led to the arrest of 14 traffickers and the identification of nine victims. With assistance from a foreign government, the ATU participated in four training sessions on labor trafficking reaching 800 government officials, including judges, prosecutors, investigators, labor inspectors, and immigration officials. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government did not report investigating reports of official complicity, and civil society organizations continued to allege police involvement in trafficking activities. Such reports included officials taking bribes to issue passports for Paraguayan trafficking victims exploited abroad, and from massage parlors and brothels where trafficking crimes allegedly occur. The government did not open a formal investigation into allegations that police facilitated sex trafficking of women and girls on barges operating along the Paraguay River. The government did not investigate crimes of child sex tourism in Ciudad del Este and the Tri-Border area as trafficking crimes.

PROTECTION

The government decreased protection efforts. The government lacked a comprehensive database to aggregate efforts taken by various ministries and did not provide comprehensive data; however, it reported identifying 70 victims during the reporting period, compared with 90 in 2017. The Ministry of Children and Adolescents (MINNA) reported all of the victims identified this year, whereas the Ministry of Women Affairs (MWA) reported all the victims identified in 2017. 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, use of these tools was inconsistent and ad hoc. In practice, some government entities had protocols for the proactive identification of victims, but valuable statistical information on trafficking cases was not aggregated as the government did not have a database for adequate data collection.

There were two shelters dedicated for female trafficking victims, one managed by the MWA for adults and the other co-managed by MINNA and an NGO for child and adolescent victims. MINNA assisted 48 victims (12 in 2017), while the MWA assisted 15 victims (15 in 2017). In addition to shelter and food, the government provided psychological support, social assistance, legal advice, and reintegration programs for victims. The government did not have a shelter to assist male trafficking victims; however, the ATU continued to provide psychological assistance, food, and immediate shelter at hotels on an ad hoc basis before facilitating the return of male victims to their community of origin. The government did not have significant engagement with civil society and, besides some funding provided to the NGO operating the MINNA shelter, the government did not provide assistance for NGOs to help in the protection victims. Lack of substantive cooperation with civil society limited the government's ability to provide comprehensive, trauma-informed care. The overall quality of care for victims was insufficient due to limited resources and the lack of qualified personnel. The ATU continued to provide basic assistance to victims of trafficking, going beyond its core investigative responsibilities. The government continued to rely heavily on international partners to provide assistance for victims, including in reintegration. In 2018, authorities cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on cases involving five Paraguayans and four foreign victims of trafficking. Government officials reported funding was insufficient to assist victims adequately. In 2018, the government provided approximately 314 million guaranies ($52,720) for short-term victim assistance to the MWA. The ATU had approximately $16,000 for victim assistance provided by an international organization. In addition, MINNA provided approximately $50,000 to the NGO that operated the specialized shelter for underage victims. The government helped repatriate five victims and referred them to care facilities. Authorities did not provide any training for government officials on victim protection for the second consecutive year.

PREVENTION

The government maintained inadequate prevention efforts. The Office of the Director General for Consular Affairs (DGCA) was the government entity responsible for coordinating anti-trafficking programs and an interagency roundtable that included representatives from 16 government agencies. In 2018, the roundtable did not convene any formal meetings. Poor and informal interagency coordination limited the government's ability to monitor, collect, and report statistics. Law 4788/12 did not require participation of civil society in the roundtable and authorities provided them a limited role. 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. One NGO continued to serve as a liaison between the roundtable and civil society; however, observers indicated that engagement was cursory and insufficient. Despite the roundtable's efforts to draft the 2014-2018 national plan to combat trafficking, the plan expired before ever receiving presidential approval for its implementation.

In 2018, the MWA reported conducting training for more than 1,500 individuals in at-risk communities and high-risk industries, such as the hospitality sector. 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; however, authorities did not report how many reports of trafficking it received. Authorities continued to operate a cell phone app version of the hotline to promote use among younger audiences; however, the government did not report identifying any trafficking cases through the app. The government launched public awareness campaigns targeting tourists to prevent child sex tourism in high-risk areas such as Ciudad del Este in the Tri-Border area. In addition, it continued to investigate these trafficking crimes as separate offenses. The government sponsored training for taxi drivers in Encarnacion that included awareness on sex trafficking. In the Chaco region, where there was a high prevalence of trafficking, the government convened meetings with employers to raise awareness on forced labor. Authorities did not report any other efforts to reduce the demand for commercial sex or forced labor. The ATU provided anti-trafficking training to diplomatic personnel serving in border areas, and the DGCA trained its staff on anti-trafficking laws, protocol, and interagency coordination. However, the government did not provide anti-trafficking training for all diplomatic personnel deployed abroad.

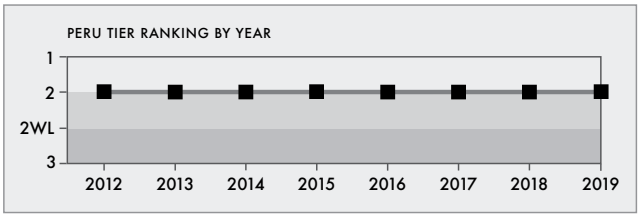
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Paraguay, and traffickers exploit victims from Paraguay abroad. The practice of child domestic servitude, *criadazgo*, is the most visible and common form of trafficking in the country. Middle- and upper-income families in both urban and rural areas take on children, almost exclusively from impoverished families, as domestic workers and provide varying compensation that includes room, board, money, a small stipend, or access to educational opportunities. 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 forced labor in the agriculture industry, domestic service, criminality, and in some cases as horse jockeys. Traffickers exploit Paraguayan women and girls in sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. In the Chaco region, traffickers exploit indigenous persons in forced labor. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to trafficking. Paraguayan victims of sex trafficking and forced labor have been identified in Argentina, Brazil, Chile, China, Colombia, Mexico, Spain, and other countries. Traffickers recruit Paraguayan women as couriers of illicit narcotics to Europe and Africa, where they subject them to sex trafficking. Paraguayan women and girls are vulnerable to trafficking on ships and barges navigating along the country's major waterways. Traffickers exploit Paraguayan children in forced labor in the cultivation and sale of illicit drugs in Brazil. 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. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. The Tri-Border

Area between Argentina, Brazil, and Paraguay is vulnerable to trafficking given the lack of regulatory measures, insufficient transnational cooperation, and the fluidity of illicit goods and services. Civil society and victims reported instances of officials—including police, border guards, judges, and public registry employees—facilitating sex trafficking, including taking bribes from brothel owners in exchange for protection, extorting suspected traffickers to prevent arrest, and producing fraudulent identity documents.

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. These efforts included convicting an increased number of traffickers, including the conviction and stringent sentencing of a foreign sex trafficker in a high-profile case. The government also increased the number of victims it identified and opened a new shelter for trafficking victims. In response to the continued influx of large numbers of Venezuelan migrants, many of whom were vulnerable to trafficking, authorities identified 102 Venezuelan trafficking victims and provided short-term protection services to all child victims and some adults. The government increased efforts to enforce laws against illegal mining—which fuels the demand for sex and labor trafficking in Peru—but it did not always apply victim-centered procedures in illegal mining operations. The government did not meet the minimum standards in several key areas. It decreased its anti-trafficking budget, and many ministries reported a lack of adequate funding to fulfill their anti-trafficking mandates, particularly victim protection. Poor interagency coordination continued to hinder victim identification and assistance, and most victims did not receive adequate care. Complicity of some government officials undermined efforts to combat trafficking, but the government did not report any new investigations of complicit officials.



PRIORITIZED RECOMMENDATIONS:

Increase funding for, and access to, specialized, comprehensive services—to include legal, medical, psycho-social, shelter, case management, educational or vocational, and reintegration assistance—for all victims, including adults, LGBTI children, and labor trafficking victims. • Increase cooperation among criminal justice officials and between those officials and service providers and increase efforts to employ victim-centered, trauma-informed procedures in law enforcement operations, investigations, and criminal justice proceedings. • Increase efforts to make victim services available to victims immediately following law enforcement operations, and prioritize effective victim screening and prompt removal of victims to secure locations. • Investigate and prosecute trafficking-related corruption and official complicity, and convict and punish complicit officials for these crimes. • Increase efforts to prosecute both sex and labor trafficking offenses, convict and punish traffickers, and apply adequate sentences to convicted traffickers, which should include significant prison terms. • Develop, fully implement, and train officials on government-wide protocols to guide proactive identification and referral of suspected sex and labor trafficking victims, including screening for indicators of trafficking among vulnerable groups and with a focus on de-conflicting trafficking from related crimes. • Cease holding victims in police stations, especially children. • Increase efforts to systematically screen for indicators of trafficking among Venezuelan migrants and continue to identify potential victims and provide them with protective services. • Amend the anti-trafficking law to prescribe penalties for sex trafficking that are commensurate with penalties for other grave crimes. • Strengthen and institutionalize training on enforcing anti-trafficking laws and employing victim-centered procedures for police, prosecutors, and judges and enforce policies to slow turnover among specialized police. • Improve efforts to collect and report comprehensive, harmonized, disaggregated data on anti-trafficking efforts. • Dedicate adequate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities and increase overall resources for fighting trafficking. • Enforce laws against crimes that facilitate trafficking, such as fraudulent job recruitment, illegal mining and logging, and counterfeit operations.

PROSECUTION

The government increased prosecution efforts. Article 153 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 15 years' imprisonment for offenses involving adult victims, 12 to 20 years' imprisonment for offenses involving victims between the ages of 14 and 18 years old, and a minimum of 25 years' imprisonment for offenses involving victims younger than the age of 14. These penalties were sufficiently stringent; however, with respect to sex trafficking, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include all forms of labor exploitation and illegal adoption or child selling without the purpose of exploitation. In 2017, Legislative Decree No.1232 amended the penal code to include separate offenses for "forced labor," "sexual exploitation," and "slavery and other forms of exploitation" that carried penalties of six to 12 years' imprisonment, 10 to 15 years' imprisonment, and 10 to 15 years' imprisonment, respectively. These articles criminalized certain forms of sex and labor trafficking and overlapped significantly with trafficking crimes prohibited in Article 153. The government continued to introduce the New Criminal Procedures Code, implementing it in 31 of 34 judicial districts. The new criminal code did not require victims of trafficking to submit a complaint in order for the government to prosecute a suspected trafficker.

Police conducted an increased number of operations that included anti-trafficking activities and arrested 423 suspected traffickers, compared with 410 suspected traffickers arrested in 2017. Prosecutors from the public ministry's anti-trafficking unit participated in 201 anti-trafficking operations, compared with 122 in 2017. The prosecutors also detained 142 suspects and opened 800 investigations; in 2017, they investigated 228 suspects. Several operations involved large, coordinated raids in remote locations. At times, law enforcement officials did not employ victim-centered procedures, particularly during raids on venues where commercial sex occurred. The government reported convicting 46 traffickers in 2018, an increase from 33

traffickers convicted in 2017. The government did not report complete prosecution data or sentencing data for convicted traffickers in 2017 or 2018. In May 2018, police and prosecutors conducted a raid in the mining town of La Pampa in Madre de Dios that led to the arrest of seven suspected traffickers. In February 2019, the government launched a large-scale operation to expel illegal miners in La Pampa; among the more than 1,500 criminal justice sector officials were 20 police and 10 prosecutors from anti-trafficking units. Officials detained eight alleged traffickers during the operation. The government did not report progress in the 2017 prosecution of a case in which an industrial fire at an illegal counterfeiting workshop resulted in the deaths of two workers who employers had locked inside; one suspect remained in preventative prison detention and one was under house arrest awaiting trial. In March 2019, the government convicted and sentenced to 27 years in prison a U.S. citizen for running a sex trafficking operation that exploited Peruvian women and girls in sex tourism.

Although several ministries collected data to track their anti-trafficking law enforcement and victim protection efforts, the government lacked a coordinated data collection system, making it difficult for authorities to verify statistics, assess efforts, and respond to trends. With support from a foreign donor, the government developed a data collection system to monitor implementation of its national plan, but it had not begun using the system by the close of the reporting period. Peru's overlapping legal framework further complicated data collection efforts, as authorities often charged trafficking cases as similar offenses such as sexual exploitation. Some officials applied a more narrow definition of trafficking than what was defined in Peruvian law, such as considering recruitment an essential element of a trafficking crime.

The government more than doubled the number of police in its anti-trafficking unit, totaling 398, and it maintained eight specialized anti-trafficking regional prosecutor offices with 35 prosecutors. However, it did not implement a ministerial resolution requiring anti-trafficking police to remain in their units for at least two years, and high police turnover undermined efforts to build this unit's capacity to fight trafficking. Only cases charged under Article 153 of the penal code could be assigned to specialized prosecutors; trafficking cases charged under other statutes such as forced labor or sexual exploitation were referred to generalized prosecutors, and local observers reported such cases often did not advance. Judges did not receive adequate training on trafficking. Officials reported judges often reduced sex trafficking charges to lesser crimes; required proof of force, fraud, or coercion for child sex trafficking offenses; or disregarded victims' ages and failed to apply relevant penalty provisions applicable in child trafficking cases. NGOs and government officials reported that poor communication and mistrust between police and prosecutors at both the national and regional level severely hampered anti-trafficking law enforcement efforts. The public ministry provided more than 25 training sessions to prosecutors and police, and the government partnered with NGOs and international organizations to provide training for additional officials on trafficking. The government reported cooperating with the Government of Brazil on a trafficking investigation. Peru signed a new bilateral agreement for combatting trafficking with Spain and maintained similar agreements with Bolivia, Colombia, Ecuador, Chile, and Argentina.

NGOs and government officials reported official complicity in trafficking crimes and widespread corruption in Peruvian law enforcement and judicial systems severely hampered anti-trafficking law enforcement efforts. 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 traffickers to prevent raids, close investigations, or reduce charges. In November 2018, authorities arrested a former police general for suspected trafficking crimes related to an illegal adoption ring; it was unclear whether these crimes amounted to trafficking under international law. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Authorities appeared to have dropped an investigation from a previous year of a former member of congress for allegedly operating a hotel where child sex trafficking occurred.

PROTECTION

The government increased efforts to identify and protect trafficking victims, but overall victim protection remained weak. Peruvian law required the ministries of education, health, women and vulnerable populations, transport and communications, and labor to proactively identify and appropriately refer suspected victims from among the high-risk populations they served. However, the government did not report complete data on the number of victims these ministries identified and referred during the reporting period. Police reported identifying 1,600 suspected victims in 2018—including 287 children and 1,313 adults—compared with 1,229 suspected victims identified in 2017. The public ministry reported 882 suspected victims in 2018; of these, 738 were female and 144 were male, and at least 374 were children. It was unclear to what extent police and prosecutors' statistics overlapped. Authorities identified 235 foreign victims, an increase from 59 in 2017; almost all were female and approximately half, 102, were Venezuelan. Police and prosecutors identified 96 suspected trafficking victims in La Pampa during the May 2018 raid and the government reported identifying 51 trafficking victims in La Pampa in February 2019, though some reports disputed this claim. Labor inspectors coordinated on operations with police and, additionally, identified eight suspected domestic servitude victims, and the transportation ministry participated in joint operations with law enforcement that resulted in the identification of 95 female victims. The government lacked standardized procedures for officials to screen for indicators of trafficking among the vulnerable populations they assisted and refer suspected victims to services. Local observers reported some officials were reluctant to identify and refer suspected trafficking victims due to fears of retaliation by traffickers. Police and prosecutors had difficulty identifying indicators of trafficking among women in prostitution, and officials had difficulty distinguishing between trafficking and similar crimes, including sexual exploitation and forced labor.

The anti-trafficking law (Law 28950) required the government to protect victims by providing temporary lodging, transportation, medical and psychological care, legal assistance, and reintegration assistance; but the government did not wholly fulfill this mandate. Authorities 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. 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. The government began implementing provisions from a 2017 decree that established new MIMP units responsible for the protection of vulnerable children including trafficking victims, and it developed a protocol to guide these units in providing protection to child trafficking victims.

MIMP provided services to 128 child trafficking victims, including 112 girls and 16 boys. The public ministry's program for victims and witnesses provided short-term services immediately following law enforcement operations to 684 trafficking victims in 2018, an increase from 521 victims assisted in 2017. The government continued to operate two shelters exclusively for trafficking victims and expanded the capacity of one of these shelters; these facilities served 71 victims in 2018. In February 2019, the government opened a third trafficking-specific shelter for girl victims, in a property seized from a convicted money launderer during a previous reporting period, and refurbished this facility with support from a foreign donor. Together, the three shelters could comfortably accommodate 60 trafficking victims at a time, though they were often filled beyond their capacity. The government operated 48 residential centers for children that assisted an unknown number of child trafficking victims during the year; staff lacked the expertise and resources to provide adequate protection services to trafficking victims. MIMP operated 295 emergency centers for women victims of domestic violence and sexual abuse, an increase from 222 in 2017; these non-residential centers provided drop-in legal, psychological, and social services to an unknown number of female sex trafficking victims. Many civil society organizations operated shelters or provided other services for victims without government support, although few offered trafficking-specific services. MIMP classified children based on the charges filed in their legal cases; because MIMP labeled many child sex trafficking victims as sexual exploitation victims, they could not access specialized trafficking victim services. There were limited shelter facilities for adult women and labor trafficking victims and no facilities that could accommodate adult male victims. There were no specialized services for LGBTI victims; transgender victims, in particular, did not receive adequate care. Authorities provided minimal, if any, services to reintegrate victims into communities. The government drafted guidelines for providing victims individual reintegration plans, but it did not finalize or implement them before the close of the reporting period. The Ministry of Interior held 15 workshops to more than 500 service providers on victim care and protection protocols.

Criminal justice officials often did not employ a victim-centered approach and at times they conducted anti-trafficking operations without adequate resources, such as safe places to screen potential victims and provide immediate care. Local observers reported MIMP did not participate in the February 2019 operation in La Pampa, and law enforcement officials failed to transfer victims to a secure location. Coordination problems between ministries often meant services for victims were unavailable immediately following law enforcement operations. Some prosecutors temporarily accommodated child trafficking victims in makeshift shelter spaces inside their office buildings. Lack of incentives to participate in investigations and prosecutions and limited access to specialized services, such as livelihood support, led many adult victims to decline government services. Officials cited the lack of adequate protective services as a key impediment to their ability to effectively combat trafficking in Peru; most victims did not receive sufficient protective services, leaving them at high risk of re-trafficking.

The law required the government to provide legal representation to victims, to safeguard their legal rights and guide them through the legal system. The Ministry of Justice reported providing legal assistance to 361 trafficking victims in 2018, a decrease from 394 victims in 2017. The government did not report whether any victims received restitution in 2018. Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law, but the government did not report what services it provided foreign victims during the year. It reported coordination with NGOs to repatriate some foreign victims exploited in Peru, but did not specify its contributions or the number of victims; nor did the government report assisting in the repatriation of any Peruvian victims exploited abroad. Inadequate victim identification procedures may have led authorities to arrest, detain, or otherwise penalize trafficking victims for unlawful acts traffickers compelled them to commit. At times, authorities placed child victims in police stations among children apprehended for crimes, where victims faced conditions similar to detention while waiting for referral to shelter.

PREVENTION

The government maintained prevention efforts. The interagency commission, which also included NGOs, met regularly and coordinated implementation of the national plan against trafficking in persons, in effect through 2021. Unlike past years, the government did not produce a required annual report to congress on the government's anti-trafficking efforts. The national government provided training and technical assistance to Peru's twenty-four regional governments, all of which maintained working groups that varied in capacity and effectiveness to address trafficking at the local level. Eight regional governments approved new or strengthened regional anti-trafficking plans. The government dedicated approximately eight million soles ($2.37 million) to anti-trafficking activities in 2018, a decrease from 11 million soles ($3.26 million) in 2017, though it could not quantify its total expenditures as many victims received assistance that was not specialized for trafficking and several ministries that conducted anti-trafficking activities did not have a line-item budget for trafficking. Officials noted a lack of adequate funding hindered ministries' and regional governments' ability to implement their duties as outlined in the national plan, especially victim protection efforts. The government had a separate commission, inter-ministerial protocol, and plan for combating forced labor and child labor. The government implemented a plan to increase protection for domestic workers, which included strengthened oversight of employment agencies and improved responses to suspected forced or child labor, and labor inspectors referred eight suspected cases of domestic servitude to the police during the year. The government opened two new regional labor inspection offices in 2018, increased the number of labor inspectors across the country from 480 to 636, and created 11-member inspection units in each regional office that are specialized in forced and child labor. In response to the influx of more than 700,000 Venezuelan migrants arriving in Peru since 2016, the government continued to issue permanent resident permits that allowed them to work legally in the country, reducing their vulnerability to trafficking; it issued approximately 300,000 permits during the year. The government launched a radio drama in Quechua to warn indigenous populations about risks of trafficking. Various ministries conducted additional 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. The government

increased efforts to enforce laws against illegal mining, which fuels the demand for sex and labor trafficking. The government did not report efforts to reduce the demand for commercial sex acts. The government made efforts to reduce the demand for forced labor; in February 2019, it arrested two labor recruiters for fraudulent recruitment that facilitated the trafficking of Peruvian victims in Brazil.

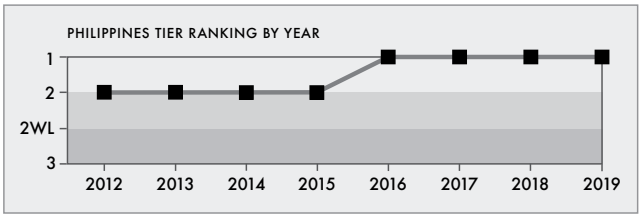
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Peru, and traffickers exploit victims from Peru abroad. Indigenous Peruvians are particularly vulnerable to trafficking. Traffickers exploit Peruvian and foreign women and girls, and to a lesser extent boys, in sex trafficking within the country; traffickers often recruit victims through false employment offers and, increasingly, on social media platforms. Traffickers exploit Peruvian women and children in sex trafficking in other countries, particularly within South America, and they exploit women and girls from neighboring countries in Peru. LGBTI Peruvians, especially transgender women and girls, 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, including Venezuelan migrants, or Bolivia. 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 and complicity of miners in their exploitation. 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 traffickers exploit women and children in sex trafficking in venues on the Amazon River.

Traffickers exploit Peruvian and foreign men, women, and children 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. Traffickers subject Peruvians to forced labor in artisanal gold mines and nearby makeshift camps that provide services to miners; traffickers compel victims through deceptive recruitment, debt-based coercion, restricted freedom of movement, withholding of or non-payment of wages, and threats and use of physical violence. Traffickers subject children to forced labor in begging, street vending, domestic service, cocaine production and transportation, and other criminal activities. The narco-terrorist organization Shining Path recruits children using force and coercion to serve as combatants or guards, and it 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. Traffickers subject Peruvian men, women, and children to forced labor in other South American countries, the United States, and other countries. Since 2016, more than 700,000 Venezuelans fleeing the humanitarian crisis in their country have entered Peru; traffickers subject Venezuelan adults and children to sex and labor trafficking en route to or after arrival in Peru. Migrants along Peru's southern border with Chile were reportedly vulnerable to sex and labor trafficking. NGOs and government officials reported official complicity in trafficking crimes continued to occur and widespread corruption in Peruvian law enforcement and judicial systems continued to hamper anti-trafficking efforts.

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. These efforts included implementing prosecution procedures that reduce the potential for further harm to child sex trafficking victims; convicting and punishing traffickers; and robust efforts to prevent trafficking of Filipino migrant workers and to assist those who become victims of trafficking overseas. Although the government meets the minimum standards, it did not vigorously investigate and prosecute officials allegedly involved in trafficking crimes, consistently criminally prosecute labor traffickers, or increase the availability of specialized protection and assistance services for child victims of sex trafficking or services for male victims. Access to mental health services, employment training, and job placement for survivors also remained inadequate.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict perpetrators of trafficking, particularly complicit officials and labor traffickers. • Provide increased support to government and NGO shelter programs that provide specialized shelter and psycho-social care for child victims of online sexual exploitation and male trafficking victims. • Expand the use of investigative methods that reduce the number of victim interviews and collect corroborative evidence to reduce the reliance on victim testimony in court. • Increase resources for anti-trafficking task forces to conduct timely, coordinated operations and preliminary investigations while ensuring robust victim protection, including support for law enforcement logistics and sufficient prosecutors. • Increase efforts to identify and assist child labor trafficking victims. • Expand government support for reintegration services for trafficking victims, including access to job training and in-country employment. • Increase the number of victim-witness coordinators to assist anti-trafficking task forces. • Develop and implement programs aimed at increasing awareness of the harmful impact of online child sexual exploitation and child sex tourism. • Increase efforts to protect children demobilized from armed groups. • Implement comprehensive, unduplicated data collection across agencies.

PROSECUTION

The government increased its law enforcement efforts. The 2003 and 2012 anti-trafficking acts criminalized sex trafficking and labor trafficking and prescribed penalties of up to 20 years' imprisonment and fines of between 1 and 2 million pesos ($19,050 to $38,100). These penalties were sufficiently stringent

and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Authorities investigated 407 suspected trafficking cases, compared with 488 in 2017. These actions led to the arrest of 689 suspects, an increase from 283 in 2017. The government initiated prosecution of 227 alleged traffickers (177 in 2017); these included 18 labor trafficking defendants, 195 sex trafficking defendants, and one defendant charged with using a child for soldiering. The government convicted 77 traffickers (65 traffickers in 2017), including three for labor trafficking and 27 for sex trafficking children online. Sentences imposed ranged from four years to life imprisonment. In three cases prosecuted in prior years, the appellate courts reversed the acquittal of eight alleged traffickers and sentenced them to life imprisonment.

The government increased the Philippine National Police (PNP) Women and Children's Protection Center budget in 2018; however, government agencies continued to report inadequate resources for anti-trafficking investigations and prosecutions. With donor support, the National Bureau of Investigation (NBI) Anti Human Trafficking Division developed standard operating procedures for trafficking investigations, including victim care, and set up a specially equipped room for child forensic interviews. The PNP and NBI increased their capacity to investigate online sexual exploitation of children by partnering with foreign law enforcement agencies and an NGO to establish the Philippine Internet Crimes Against Children Center. As more cases involving online sexual exploitation of children reached the courts, these cases continued to present challenges, including difficulty in obtaining timely search warrants and inadequate resources for operational logistics, analysis and investigation of cybercrime leads, computer evidence forensic analysis, and courtroom equipment for presentation of videotaped evidence and testimony. Endemic judicial inefficiencies, the nationwide shortage of prosecutors, the reduction in number of prosecutors assigned to anti-trafficking task forces, and the assignment of task force-designated prosecutors to other cases contributed to case congestion and delays. Countering these challenges, prosecutors increased the use of plea bargaining for cases of online sexual exploitation of children and increased the use of recorded victim interviews at the inquest stage, which reduced the potential for re-traumatization of child victims who served as witnesses and significantly decreased the time to case resolution. With donor support, the Interagency Council Against Trafficking (IACAT) began implementation of a case management system for prosecutors working with 16 anti-trafficking task forces to facilitate monitoring of prosecutions.

The government sustained its efforts to provide anti-trafficking training to its officials by supporting the provision of basic and advanced skills training through 136 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-Department of Justice (DOJ) and regional anti-trafficking task forces conducted 19 anti-trafficking training programs, while other IACAT member agencies and partners organized 117 anti-trafficking training programs, reaching 6,593 participants from government agencies, NGOs, and the private sector, compared to 6,400 the previous year. IACAT member agencies also provided in-kind support for numerous donor-funded anti-trafficking training programs for local, regional, and national government officials, including law enforcement, prosecutors, judges, and social service personnel. Philippine officials continued to cooperate with other governments on the investigation and prosecution of trafficking cases and conducted an international exercise for ASEAN law enforcement and prosecutors to enhance the capacity of ASEAN member states to conduct joint international anti-trafficking investigations. Despite continued reports of corruption at all levels of government and the government's reported concerns about the involvement of Bureau of Immigration (BI) officers and employees in immigration act violations, such as allowing the illegal departure of minors for overseas work, the government did not convict any officials for complicity in trafficking. Additionally, the government did not provide updated information on complicity cases initiated in prior years, including the investigation of two BI employees for trafficking a female victim in the Middle East, the investigation of two police officers and Department of Foreign Affairs (DFA) officials, and administrative cases against four immigration officers.

PROTECTION

The government increased protection efforts. 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. While comprehensive unduplicated data was not available, the government reported identifying 2,953 potential victims of trafficking through law enforcement activities, compared to 1,839 potential victims in 2017. The Department of Social Welfare and Development (DSWD) reported serving 2,318 possible trafficking victims, at least 1,269 of whom were female, compared with 1,659 victims in 2017. While compilation of services data for victims of different types of trafficking remained a challenge, DSWD reported assisting 672 victims of sex trafficking, 425 victims of labor trafficking, and 159 victims of illegal recruitment, compared with 516 victims of sex trafficking, 646 victims of labor trafficking, and 298 victims of illegal recruitment the prior year. The Philippine Overseas Employment Administration (POEA) reported identifying 215 female trafficking victims, all but two of whom were victims of domestic servitude, but did not report information about services provided to these victims. Through its recovery and reintegration program for trafficked persons, DSWD provided case management, psycho-social support, medical services, legal assistance, livelihood assistance, skills training, and reintegration services to identified victims and implemented the national referral system and maintained the national recovery and reintegration database. The government allocated 25.13 million pesos ($478,760), an increase from 24.8 million pesos ($472,470) in 2017, to implement this program. DSWD 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, 13 served women; the government also began construction of a new shelter to serve men. DSWD provided trauma-informed care and temporary shelter for 917 trafficking victims in its facilities, local government shelters, or an NGO facility, but most shelters were above capacity thus compromising the quality of care provided to victims. Specialized assistance services such as mental health services, community reintegration, job training, and access to employment remained inadequate to address the individual needs of trafficking victims, including child victims of online sexual exploitation and male victims. 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 police removed them from a trafficking situation.

During the reporting period, the IACAT revised immigration and law enforcement guidelines for the proactive identification of potential trafficking victims in airports and seaports. The government continued to support victims who served as witnesses during trials by providing assistance, security, and transportation. Two regional task force victim-witness coordinators provided support and assistance to 225 victims who participated as witnesses in criminal proceedings. In addition, 12 victims entered the witness protection program in 2018 and DOJ allotted 2.97 million pesos ($56,580) for the newly admitted victims. Under this program, justice officials protected 86 victims from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement. Judicial officials awarded 600,000 pesos ($11,430) in moral and punitive damages in at least one case to the minor victims; however, victims were often unable to navigate the complex legal process required to obtain the compensation from convicted traffickers. Through its Inter-Agency Council Against Child Pornography, the government issued new guidelines for the management of compensation that foreign courts order foreign perpetrators to pay to young Filipino survivors of online sexual exploitation. Staff permitted adult victims residing in shelters 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 Bangsamoro Autonomous Region in Muslim Mindanao, armed conflict and violence displaced an estimated 80,000 persons, and reports of recruitment and use of child soldiers by armed groups continued. There were reports soldiers of the Armed Forces of the Philippines detained a child suspected of associating with an armed group and used him to perform support duties on a base.

The government continued its robust services for Filipino victims abroad. The DFA, in coordination with DSWD social welfare attaches and DOLE labor attaches, assisted 2,591 potential Filipino trafficking victims in the Middle East, Asia, and Europe, compared to 1,476 potential victims in the preceding reporting period. Assistance included referral to appropriate agencies, coordination with the host government, contract buy-out, repatriation, shelter, provision of personal necessities, medical aid, financial assistance, and payment of legal fees. Some overseas posts maintained resource centers that included temporary shelter where female and male trafficking victims resided while awaiting the resolution of their cases or their repatriation. DSWD deployed social welfare attachés to Philippine diplomatic missions in Saudi Arabia, the UAE, Kuwait, South Korea, Qatar, Malaysia, and Hong Kong. DFA increased its expenditures for the Assistance to Nationals (ATN) Fund, which covered assistance such as airfare, meal allowance, medical care, and other needs of overseas Filipino workers (OFW) from 22.7 million pesos ($432,460) the previous year to 1 billion pesos ($19.05 million). DFA also expended 160.8 million pesos ($3.06 million) through its Legal Assistance Fund (LAF) for OFW; a decrease from 184 million pesos ($3.51 million). The Overseas Workers Welfare Authority (OWWA) and DSWD social workers assisted an unknown number of OFWs with services ranging from airport assistance, air tickets, or halfway home accommodation. With 5.3 million pesos ($100,970) allocated by the IACAT, the Commission of Filipinos Overseas (CFO) responded to 3,853 calls and assisted nine possible victims.

PREVENTION

The government increased its efforts to prevent trafficking. The IACAT, which the secretaries of DOJ and DSWD chaired and included three NGO members, and the government task forces involved in anti-trafficking activities met regularly during the reporting period to share information and coordinate policies. The IACAT member agencies and organizations conducted an assessment of the government's third strategic action plan against human trafficking (2017–2021), including analysis of ongoing efforts, key challenges and priorities, best practices, and stakeholder sustainability. The government increased the number of staff supporting the IACAT and anti-trafficking regional task forces; however, it decreased the IACAT's budget from 95.28 million pesos ($1.82 million) in 2017 to 80.39 million pesos ($1.53 million) in 2018 following underspending of IACAT's budget the preceding year. The government collaborated with NGOs, international organizations, and foreign donors to improve data collection on trafficking cases and services, but comprehensive data remained a challenge. The IACAT and its member agencies continued to lead national and regional trafficking awareness raising events. The CFO conducted a national prevention campaign across 12 provinces and reached 4,122 persons. The POEA held 48 seminars on illegal recruitment and trafficking for 3,239 participants and provided information about worker protection, legal recruitment, and government services available to OFWs to 30,517 individuals through community-based pre-employment orientation seminars and to 798,589 individuals through online seminars, compared to 722,132 total the prior year. DOLE distributed informational materials to 34,634 individuals within communities that were vulnerable to illegal recruitment and trafficking. In response to the increased number of underage females identified prior to departing from Mindanao for domestic work in Middle East, DOLE created a task force against illegal recruitment, recruitment of minor workers, and trafficking in persons. IACAT member agencies and local government units also partnered with an NGO and private recruitment agencies to conduct six awareness-raising events that reached 1,245 stakeholders in Mindanao.

NBI and POEA officials investigated 278 cases of alleged illegal recruitment and recommended 123 cases for filing in the courts; the government reported 11 convictions. This compared with 309 investigations and eight convictions in 2017. The POEA filed 1,432 administrative charges against licensed recruitment agencies for fraudulent employment or exorbitant fees, resulting in the cancellation of 40 agencies' licenses. The BI Travel Control and Enforcement Unit continued to screen departing passengers and deferred the departure of 24,753 passengers due to incomplete or missing travel documents or misrepresentation, referred 286 potential cases of suspected trafficking to IACAT task forces for further investigation, identified 286 potential victims of trafficking, and arrested nine suspected traffickers. The government stopped 199 foreign registered sex offenders from entering the country and the government increased its efforts to reduce the demand for commercial sex acts. POEA reviewed 30 bilateral and multilateral labor agreements with other countries and signed two multilateral and nine bilateral agreements aimed at preventing trafficking and reducing the vulnerability of OFWs.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the Philippines, and traffickers exploit victims from the Philippines abroad. An estimated 10 million Filipinos reside or work abroad and the government

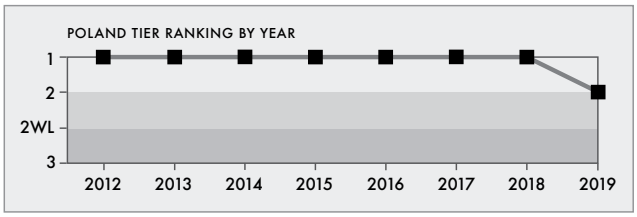
processes approximately 2.3 million new or renewed contracts for Filipinos to work overseas each year. A significant number of these migrant workers become victims of sex and labor trafficking—predominantly via debt-based coercion—in the fishing, shipping, construction, manufacturing, education, home health care, and agricultural industries, as well as in domestic work, janitorial service, service industry, 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 property and identity documents. In addition to using student, intern, exchange program, and tourist visas, illegal recruiters increasingly use social networking sites and digital platforms to recruit and circumvent the Philippine government and destination countries' regulatory frameworks for foreign workers, as well as travel through porous maritime borders and other countries to evade detection. 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 rural communities, conflict- and disaster-affected areas, and impoverished urban centers are most vulnerable to sex trafficking, domestic servitude, and other forms of forced labor around the country, while men become victims of forced labor and debt bondage in the agricultural, fishing, and maritime industries. 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, traffickers, who are often the victims' parents or close relatives, induce young Filipino girls and boys to perform sex acts for live internet broadcast to paying foreigners in other countries; this typically occurs in private residences or small internet cafes. NGOs note an increase in demand for the online sexual exploitation of children and an increased risk for male victims. Many sex tourists in the Philippines are convicted or charged sex offenders or pedophiles in their home countries and are most commonly citizens of Australia, New Zealand, the United Kingdom, and the United States with an increasing number of reports from Japan, Morocco, Iraq, and Denmark. Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines in 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 2

The Government of Poland does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included sentencing more convicted traffickers to prison without suspending their sentences and increasing coordination among prosecutors, border guards, and police through a prosecutorial review mechanism. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government liquidated its high-level interagency coordination body and replaced it with an auxiliary body subordinate to the Minister of the Interior. Government efforts to identify and protect child victims remained inadequate. The government continued to make minimal efforts to address forced labor, and courts failed to adequately hold labor traffickers accountable in the reporting period despite NGOs serving approximately 520 victims of forced labor in the past five years. Funding for victim services remained relatively stagnant for six years, which continued to constrain service provision despite increasing need. Therefore Poland was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking crimes, particularly forced labor cases, and increase training for law enforcement and prosecutors on evidence collection. • Increase funding for comprehensive victim services, including specialized accommodation for child and male victims. • Improve central operational coordination and data collection for anti-trafficking activities. • Sentence convicted traffickers to penalties proportionate with the severity of the crime, and increase training for prosecutors and judges on the importance of prosecuting under the anti-trafficking statute, the severity of the crime, and a trauma-informed, victim-centered approach to conducting trial. • Appoint trauma-informed officials to conduct child victim witness interviews in a child-friendly manner. • Create specialized prosecution units for trafficking crimes. • Improve training and efforts to identify victims proactively, particularly among unaccompanied children, migrants, and children exploited in commercial sex. • Create and widely distribute resources notifying foreign workers of their rights, responsibilities, and victim service providers. • Increase referrals of victims to services. • Enhance training for labor inspectors on trafficking indicators so victims are identified, and instruct labor inspectors to always use independent interpreters when interviewing workers. • Facilitate victims' access to compensation by encouraging prosecutors to request restitution during criminal cases.

PROSECUTION

The government decreased law enforcement efforts. Article 189a of Poland's penal code criminalized sex trafficking 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. Article 189a replaced Article 253 of the old criminal code, which prosecutors used in cases that started when Article 253 was in effect and the first instance conviction was under Article 253. Article 253 of the old criminal code also prescribed punishments of three to 15 years' imprisonment. 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, did not disaggregate sex and labor trafficking data, and only considered convictions and sentences issued after appeals to be final. The national police and the border guard initiated trafficking investigations. In cases that merited prosecution, law enforcement authorities transferred investigations to prosecutors, who initiated their own investigations of the same cases. Law enforcement authorities initiated 33 investigations under Article 189a in 2018 (27 in 2017). Prosecutors initiated 79 investigations of cases referred by police and border guard; the government did not report how many involved forced labor as it had reported in previous years (34 of 135 involved forced labor in 2017 and 12 of 45 in 2016). In 2018, there were 47 prosecutions under Article 189a (47 in 2017); the government did not report the number of prosecutions under Article 203 or Article 204.3. The vast majority of prosecutions were for sex trafficking crimes. First-level courts issued a total of 33 convictions (30 in 2017), which were subject to appeal—17 convictions under Article 189a (six in 2017, 33 in 2016, and 36 in 2015); 16 convictions under Article 203 (24 in 2017); the government did not track first instance convictions under Article 204.3. In 2017, the most recent year for which post-appeal judgments were available, judges issued a total of 42 final convictions (58 in 2015 and 58 in 2016)—24 final convictions under Articles 189a and 253 of the old criminal code (34 in 2016 and 30 in 2015); 11 final convictions under Article 203 (17 in 2016 and 16 in 2015); and seven final convictions under Article 204.3 (seven in 2016 and 12 in 2015). The government did not report whether courts achieved any final convictions for forced labor in the reporting period; media sources did not report any final forced labor convictions. Forty-three percent of convicted traffickers served less than one year of prison time. Sixty percent of sentences were for two years or less (55 percent in 2016, 58 percent in 2015 and 78 percent in 2014); two for one year; 12 for one to two years; eight for two years; three traffickers received a fine, community service, and wage penalties, respectively, instead of prison sentences. Authorities suspended 36 percent of prison sentences for trafficking convictions (43 percent in 2016), including nine sentences for one to two years and six for two years. In addition to imprisonment, 17 traffickers received a fine, 11 of which were suspended.

Authorities provided training on victim identification to 57 police, 18 border guards, 164 consular officers (154 in 2017), 29 labor inspectors (30 in 2017 and 99 in 2016), 43 employees of crisis intervention centers (94 in 2017 and 79 in 2016), and 20 officials who interview asylum-seekers (13 in 2017). The border guard organized training for 835 officers on standard operating procedures for assisting child victims of trafficking (410 in 2017 and 2,065 in 2016). Police and prosecutors, however, acknowledged authorities lacked the expertise to identify forced labor victims and child victims. Law enforcement had a list of indicators for interviewing potential victims; sample questions focused on freedom of movement and did not take psychological coercion or subtle forms of force into consideration. Authorities held one trafficking training session for 61 prosecutors and judges (111 in 2017 and 236 in 2016).

The National Prosecutor Office introduced a formal mechanism in 2018 to improve coordination among prosecutors, the border guard, and police, whereby law enforcement could refer discontinued or dismissed trafficking investigations and prosecutions for review. The prosecutor responsible for coordinating trafficking investigations within the National Prosecutor Office could review decisions made by lower-level prosecutors, including whether to discontinue or dismiss cases, and make assessments of the accuracy of these decisions. He served as a consultant on final resort appeals to the Supreme Court in cases of inadequate punishment. In 2018, the police referred eight cases to the National Prosecutor Office, and, in all eight cases, the office agreed with the police that the cases involved trafficking. The National Prosecutor Office sent the cases back to regional prosecutors' offices, who were obliged to look into the investigations and respond to the National Prosecutor Office with a planned course of action; in three cases authorities reopened investigations and in five cases authorities expanded charges to include human trafficking. The border guard did not use this review mechanism in 2018.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Authorities collaborated on investigations with counterparts in the United Kingdom (UK), requested extradition of a Polish citizen from the Netherlands, and extradited two Polish nationals to the UK on trafficking-related charges. Despite NGOs assisting approximately 520 victims of forced labor in the last five years, 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; and prosecutors and judges often lacked expertise in labor trafficking cases. Observers reported prosecutors and judges lacked familiarity with a victim-centered approach to trial, the impact of trauma on victims, and the severity and complexity of the crime. 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.

PROTECTION

The government maintained insufficient protection measures. Police and border guard identified 162 potential trafficking victims (155 in 2017 and 144 in 2016) and referred 47 to care facilities (21 in 2017); the government reported all victims were offered services but chose not to accept them. The National Intervention-Consultation Center for Victims of Trafficking (KCIK) provided assistance to 168 potential victims, three of which were child victims, compared with 169 in 2017, 200 in 2016, and 229 in 2015. Of these, 109 were victims of forced labor; 41 of sexual exploitation and abuse; four domestic slavery; four forced begging; three forced criminality; two combined sexual exploitation and domestic servitude; two combined forced labor and sexual exploitation; one degrading treatment;

one forced begging and sexual exploitation; and one forced marriage. KCIK offered adult and minor victims medical and psychological care, legal counseling, shelter referrals (or in the case of children, referrals to orphanages and foster care), welfare support, and reintegration services. Experts expressed concern changes may be made to KCIK that would impact funding levels. KCIK included two shelters for adult female victims and one apartment with capacity to accommodate three adult male victims. The shelters and apartment housed a combined total of 38 victims in 2018, (46 in 2017). KCIK arranged accommodations for an additional 48 victims, using crisis centers, hotels, and hostels for this purpose (61 in 2017). Victims also could receive comprehensive assistance (social, medical, psychological, legal) in 174 crisis intervention centers operated and funded by local governments; the government did not report whether staff at these centers were trained in assisting trafficking victims or 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; 24 non-EEA national victims received assistance through the welfare system in 2017, the most recent year for which statistics were available. EEA victims had access to the full scope of welfare benefits offered to Polish citizens if they could prove habitual residency; NGOs reported victims from Romania and Bulgaria had problems proving habitual residency. The government did not track whether EEA nationals received social welfare assistance. Five non-EEA national victims received a certificate from law enforcement, which was the basis for legalizing their stay for the reflection period and accessing social services. The government did not fund specialized care or accommodation for 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. Law enforcement referred one child victim to KCIK in 2018 (none in 2017). The border guard reported it had a formal procedure for screening unaccompanied children for trafficking; the border guard did not identify any unaccompanied child victims in 2017 or 2018. NGOs and academics reported there was no clear system of assistance to meet the needs of unaccompanied children.

In 2018, the government allocated 1.1 million zloty ($293,100) to two NGOs that run KCIK, of which 105,000 zloty ($27,980) went to operate the hotline. Funding for victim services remained relatively stagnant for the sixth year; the last increase was for 10 percent in 2015. Experts said limited government funding for victim assistance constrained service provision and shelter capacity for male victims was insufficient with the increasing number of male victims of labor trafficking. Civil society infrastructure to protect and assist victims was limited, especially outside of Warsaw and Katowice. The government allocated 84,000 zloty ($22,380) to train welfare assistance personnel on assisting trafficking victims and witnesses, compared with 79,800 zloty ($21,260) in 2017.

The government closed its witness protection program for trafficking victims because KCIK incorporated all relevant services offered within the program, and cooperated with police. 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; five victims used this three-month reflection period (12 in 2017, 23 in 2016, and 33 in 2015). Foreign victims were eligible for a residency permit valid for up to three years, which entitled them to work, and could apply for permanent residency. The government did not know how many victims received temporary or permanent residency. The government, in cooperation with an international organization, assisted two foreign victims to return to their home countries (four in 2017). Polish law permitted victims to provide testimony via video or written statements; audio-video recording of testimony was obligatory for victims younger than 15 years of age and for victims of sexual crimes, including sex trafficking. The law imposed a limit of one recorded interview for some victims at the trial stage. Experts noted law enforcements' and prosecutors' interviewing techniques lacked a trauma-informed approach, hindering opportunities to build rapport with traumatized victims, who then were unlikely to provide reliable testimony. NGOs reported judges interviewed children and did not receive training on child-friendly, victim-centered, or trauma-informed interviewing techniques, which re-traumatized victims. The labor inspectorate inspected all companies employing North Korean workers, but did not report finding actionable evidence to justify recommending formal law enforcement investigations, despite media reports showing indicators of trafficking. Officials acknowledged that inspections usually were confined to paperwork and investigators typically relied on interpreters provided by employers. Labor inspectors did not identify any victims in 2018; police and labor inspectors noted challenges in determining whether a given offense constituted a violation of workers' rights or forced labor. Prosecutors rarely requested compensation for victims and courts did not order any traffickers to pay restitution in post-appellate cases.

PREVENTION

The government decreased prevention efforts. The government liquidated the inter-ministerial anti-trafficking team that met at the deputy minister level twice a year and reported to the prime minister, curtailing high-level inter-ministerial coordination of efforts to combat trafficking. Before this took place, the inter-ministerial team approved the implementation report for the 2016-2018 action plan, but it still needed additional approvals. In 2018, the government allocated 135,000 zloty ($35,970) for the implementation of the 2016-2018 action plan, on par with 2017 funding, but a 43 percent decrease from 235,000 zloty ($62,620) allocated in 2016. The interior ministry approved an assessment of the government's anti-trafficking activities in June 2018. The MOI established a new auxiliary body, including interagency representatives but subordinate to the Minister of Interior, in February 2019, tasked with evaluating the implementation of anti-trafficking projects, monitoring national action plan implementation, and preparing annual reports. NGOs expressed concern that the new body operated at a lower level and presumably would not be able to compel other ministries to devote resources to specific tasks. 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. Observers noted these provincial-level anti-trafficking teams were uncoordinated and uneven in their effectiveness.

The government sponsored information campaigns on trafficking, several of which targeted students, at-risk Polish communities, and Poles seeking work abroad, but efforts to reduce vulnerability among migrant workers were weak. The ministry of interior's web portal continued to operate, offering information on prevention, the system of victim support, and relevant statistics and publications. 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

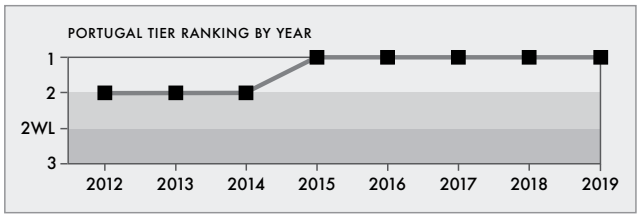
efforts. A government-funded NGO operated a hotline (10 hours per day on weekdays and 24 hours per day on weekends) for trafficking victims and witnesses, which received approximately 9,000 calls during the reporting period; the hotline did not maintain statistics on how many calls were trafficking-related or how many victims were identified. Local authorities could ban employers previously convicted of trafficking from hiring foreigners; the government did not know whether any entities were banned. Labor inspectors conducted 655 inspections of job recruitment agencies (735 in 2017), but did not identify any cases of trafficking or any agencies presenting fraudulent job offers. The National Labor Inspector identified 33 job recruiting agencies operating illegally (35 in 2017) and removed them from the official registry of legally operating recruitment agencies. The National Labor Inspector continued an awareness campaign, targeting employers and workers, to encourage legal employment among migrant workers, in particular from Ukraine, and to provide practical information to employers on legally hiring foreign workers. The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomats posted abroad.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Poland, and traffickers exploit victims from Poland abroad. 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, Belarusian, Filipino, and Vietnamese migrant populations, particularly in restaurants and construction, and North Korean workers dispatched by the DPRK government, particularly in shipyards, construction, and agriculture. Traffickers recruit children, particularly Roma, for forced begging in Poland. Traffickers subject men and women from Poland to forced labor in Europe, primarily Western and Northern Europe, in particular the UK and Sweden. There is an increasing number of Polish victims of forced labor for construction in the UK. Traffickers subject women and children from Poland to sex trafficking within the country and also in other European countries. Traffickers subject women and children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after traffickers subject them 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. These efforts included increasing the number of investigations, prosecutions and convictions, identifying more victims, and increasing victim resources. Although the government meets the minimum standards, it lacked legal safeguards to protect victims against potential prosecution, delayed issuance of victim residency permits, and granted few victims state compensation or restitution from their traffickers.



PRIORITIZED RECOMMENDATIONS:

Enact a legal provision to protect victims from prosecution for acts that traffickers coerced them to commit. • Develop an expedited process for granting residency permits to victims. • Increase victims' access to compensation and train police, prosecutors, and magistrates on victims' right to restitution and compensation. • Increase resources for law enforcement and labor inspectors monitoring for labor trafficking. • Increase victim identification training within the health care sector. • 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. • Strengthen monitoring and regulation of temporary employment agencies, including employing and recruiting domestic workers.

PROSECUTION

The government increased law enforcement efforts. Article 160 of the penal code criminalized sex trafficking 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. Some child sex trafficking offenses could also be prosecuted under Article 175, which addressed pimping crimes; it prescribed penalties of one to 10 years' imprisonment. Article 159 prohibited slavery and prescribed penalties of five to 15 years' imprisonment.

In 2018, the government initiated 114 trafficking investigations, compared with 103 in 2017 and 83 in 2016. Authorities prosecuted 55 defendants, compared with 45 in 2017. Courts convicted and sentenced 25 traffickers (17 sex trafficking and eight forced labor), compared with 12 in 2017 (one sex trafficking and 11 forced labor). Courts sentenced traffickers to significant prison terms; 20 of the 25 sentences issued were more than five years' imprisonment, and the average sentence was approximately eight years' imprisonment. Authorities suspended five sentences, compared with one in 2017. Prosecutors charged two national police officials for the exploitation of eight domestic workers; judges acquitted the accused due to lack of evidence. The judiciary police provided training on investigations and victim identification to 80 of its senior officials and 120 new inspectors. Over 100 magistrates from the public prosecutor's office received compulsory anti-trafficking training. The immigration and border service continued to provide institutionalized victim identification training to hundreds of border officers at all levels of seniority. The government trained law enforcement personnel assigned to the Lisbon airport. Authorities cooperated with Moldova on the extradition request for a suspected trafficker.

PROTECTION

The government increased protection efforts. The government's Observatory on Trafficking in Human Beings (OTSH) provided updated checklists 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 continued to report 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 and referred individuals deemed vulnerable or at risk 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 as 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. Potential victims received the same access to services as confirmed victims.

In 2018, authorities identified 203 potential victims and 49 confirmed victims, compared with 171 potential and four confirmed victims in 2017. Thirty-two of the confirmed victims were male, 17 were female, and 10 were children. The majority of the confirmed victims were forced labor victims from Moldova. The government provided approximately €1.5 million ($1.72 million) to shelters and the multidisciplinary regional teams, an increase from €1 million ($1.15 million) in 2017. 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. Three government-funded NGO-operated shelters were exclusively for adult 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. In 2018, the government funded Portugal's first shelter for child victims, which offered housing and comprehensive care services for up to six children. Child victims also received care under Portugal's child protection system. The government, working through its five regional multidisciplinary teams, conducted 162 training and awareness sessions, which reached 4,606 beneficiaries, including health care professionals, law enforcement, lawyers, social services professionals, and students.

During the reporting period, courts permitted some victims to testify by deposition or videoconference. 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; authorities could renew this permit indefinitely. Civil society reported delays in the issuance of residency permits for victims. Portuguese law allowed victims to receive restitution from and file criminal proceedings against their traffickers; victims could 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 restitution from traffickers or compensation from the government; GRETA reported few victims received compensation. NGOs reported many victims were unwilling to come forward and cooperate with authorities for fear of prosecution. GRETA reported the lack of a specific provision in Portuguese law protecting victims from prosecution for unlawful acts traffickers coerced them to commit could leave victims vulnerable to individual prosecutors' decisions to bring charges.

PREVENTION

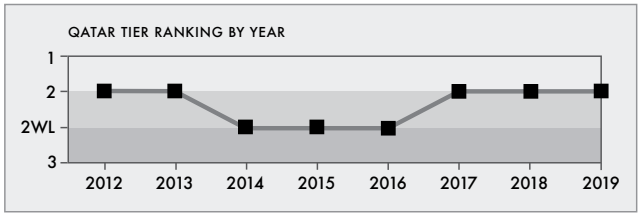
The government maintained prevention efforts. The government maintained a multi-stakeholder anti-trafficking network, led by the national rapporteur on trafficking, which included representatives from various central and local government agencies and three NGOs. In June 2018, the government published its 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. OTSH, responsible for the collection and dissemination of trafficking data, published an annual security report detailing the trafficking situation in the country. The government launched a national anti-trafficking campaign and multidisciplinary regional teams held awareness campaigns on sexual and labor exploitation throughout the reporting period. 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 operating inside and outside of Portugal. 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. Each of the five multidisciplinary teams operated a hotline available in several languages; the hotlines received over 800 calls relating to victim assistance.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Portugal, and traffickers exploit victims from Portugal abroad. Trafficking victims primarily originate from West Africa, Eastern Europe, Asia, and, to a lesser extent, Latin America. Labor traffickers exploit foreign victims in agriculture, construction, and domestic service, with seasonal migrant workers especially vulnerable. Traffickers exploit Portuguese victims 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 labor trafficking victims from Bangladesh, India, Nepal, and Pakistan. Sex traffickers exploit foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children within the country. Sex traffickers have exploited Portuguese in other countries, mostly in Europe. Traffickers exploit children from Eastern Europe, including those of Roma descent, for 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 for sex trafficking. Sub-Saharan trafficking networks increasingly use Portugal as a route into the Schengen area to exploit children for both sex trafficking and forced labor.

QATAR: TIER 2

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Qatar remained on Tier 2. These efforts included collaborating with civil society in opening its first trafficking-specific shelter; repealing the problematic exit permit requirement for migrants covered under Qatari labor law; and employing its existing Grievance Committee to adjudicate exit permits for more than 1,000 domestic workers and other expatriates not currently covered under the labor law. In addition, it established e-visa centers in four primary labor sending countries—a total of 12 centers—in part to reduce instances of contract substitution, and it increased prosecutions of trafficking-related crimes. However, the government did not meet the minimum standards in several key areas. It did not report investigating or prosecuting any Qatari employers or recruitment agencies for forced labor. The government did not investigate for trafficking indicators among other related crimes such as passport retention, withholding of wages, labor violations, and complaints of abuse; and authorities reportedly arrested, detained, and deported potential trafficking victims for immigration violations, prostitution, or for fleeing their employers or sponsors. The government did not report identifying any trafficking victims or referring them for care.



PRIORITIZED RECOMMENDATIONS:

Increase the number of trafficking investigations, especially by investigating as potential crimes indicators such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Increase efforts to prosecute trafficking offenses, particularly forced labor crimes, and convict and punish traffickers under the anti-trafficking law. • Cease the practice of converting potential trafficking crimes to labor law violations. • Undertake serious efforts to prevent penalization of trafficking victims by screening for trafficking among those arrested for immigration violations, prostitution, or those who flee abusive employers and face counter-charges and deportation. • Routinely apply formal procedures to proactively identify and refer to care victims of all forms of trafficking and institute regular trainings for all officials on how to employ these procedures. • Extend labor law protections and the suspension of exit permit requirements for all workers in the country, including domestic and expatriate government workers. • 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, for example, by removing the No Objection Certificate requirement for workers to change employers prior to the end of their contract period. • Develop standard operating procedures and institute trainings for officials to fully implement the 2018 domestic worker law. • Financially and logistically support the operationalization of the new shelters for male and female victims of trafficking. • Increase regular trainings for government officials on the identification of forced labor crimes, targeting the judicial sector and labor inspectorate. • Broaden implementation of the Labor Dispute Resolution Committees (LDRCs) to expedite cases pertaining to contract or employment disputes and refer suspected trafficking cases for criminal investigative proceedings. • Provide adequate staff and resources to manage the two existing Qatar Visa Centers, and open additional centers in critical countries, to reduce instances of contract substitution. • Ensure the Wage Protection System (WPS) covers all companies, including small and medium-sized companies, joint ventures, and foreign-owned companies. • Collect and report data pertaining to the number of victims identified and the services provided to them.

PROSECUTION

The government maintained overall anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized sex trafficking 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).

Despite numerous referrals of potential trafficking and trafficking-related cases to the Public Prosecution Office (PPO), the government did not prosecute any Qatari or foreign employers or recruitment agencies for forced labor under the anti-trafficking law. Although labor officials originally reported referring 109 cases involving forced labor for prosecution in the previous year, the PPO ultimately converted these cases to non-payment of wages cases. However, it referred six sex trafficking cases to prosecutors during the current reporting period. One reported prosecution under the anti-trafficking law against a suspected sex trafficker remained ongoing for the second consecutive year. During the reporting period, the government convicted six sex traffickers and sentenced each of them to prison time between three and five years plus a deportation order following their obligated time served. Additionally, the PPO prosecuted thousands of trafficking-related cases exhibiting various trafficking indicators; namely, 2,852 cases against companies and individuals for unscrupulous hiring and employment practices, 1,164 cases of non-payment of wages, 67 cases of fraudulent visa selling, 43 cases of passport confiscation, and six cases of recruitment agencies operating illegally. However, it did not report prosecuting such suspects under the anti-trafficking act, but rather under Qatari labor laws. For illegal visa trading, the government administered the maximum sentence of three years in prison plus fines to the vast majority of perpetrators during the year. Additionally, for non-payment of wages cases, the government applied fines (2,000-6,000 Qatari riyal or $550-$1,650, multiplied by the number of unpaid workers) for all those in violation. One prosecutor within the PPO specialized in trafficking crimes, and the government remained without a dedicated police or prosecution unit, although it commenced development of the latter during the year via an official mandate. The Labor Dispute Resolution Committees (LDRC) received 6,161 complaints,

from which resulted 1,339 judiciary verdicts (up from 763 the previous period), 93 out-of-court settlements, and 1,088 archived grievances due to incomplete evidence. In more than 70 percent of total workplace complaints, the government reported it issued verdicts in favor of the employees vice their employers; however, the government did not report investigation of potential trafficking indicators within these cases or their subsequent referral to PPO for criminal prosecution. The law mandated the LDRCs must reach resolution within three weeks for any contract or labor dispute, which aimed to help reduce the heavy financial burdens placed on laborers often left without income or housing while waiting on case closure. In addition, the government reached settlements in 197 other cases mostly pertaining to non-payment of wages. In 2018, the government enforced the law prohibiting passport retention by prosecuting 43 cases, compared to 53 in 2017. However, the government did not investigate such instances as potential trafficking offenses. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses.

Several government entities did not routinely categorize forced labor or exploitative working conditions—particularly of domestic workers—as human trafficking, but rather as criminal assaults and immigration or labor law violations. Prosecutors almost universally used the Qatari penal code to address trafficking crimes rather than the anti-trafficking law due to higher likelihood of successful prosecution under charges that were easier to prove. Consequently, authorities rarely punished trafficking offenders with dissuasive penalties and instead prosecuted victims regularly for immigration and prostitution, rather than identifying them as trafficking victims and referring them to care. The government lacked a clear and efficient judicial process to prosecute trafficking offenses or enforce labor law violations, 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.

As in previous years, 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 in trafficking-related disciplines, and the police training institute of the Ministry of Interior (MOI) conducted courses and workshops for officers and staff who investigate and work on trafficking cases. Qatar University's Law Clinic conducted training related to human trafficking at the local police training center. In addition, Qatar concluded its multi-year training program with an international organization on combating trafficking and held four trafficking trainings in 2018. The Ministry of Justice's Center for Judicial and Legal Studies partnered with a foreign government and an international organization to organize a workshop entitled "Combating Trafficking in Persons and Forced Labor in Qatari Laws," attended by roughly two dozen representatives from various government entities who discussed challenges inherent to implementation of the anti-trafficking law.

PROTECTION

The government increased its protection efforts. Similar to the previous reporting period, the government did not report identifying any trafficking victims or referring them for care, although it did report assisting 219 potential trafficking victims in its shelters, all of whom were expatriate women, and improved its institutional capacity to protect victims. During the reporting period, the government signed collaborative agreements with local civil society to assist in running the daily operations of six 20-person capacity villas specifically designated for both male and female trafficking victims and allocated a budget of 3 million Qatari riyal ($824,180). It also consulted two foreign NGOs regarding best practices and standard operating procedures for establishing and operating trafficking shelters. The government partnered with an international organization and foreign officials to organize a two-day workshop for shelter service providers designed to ensure the adequacy of protective provisions. The government-funded Aman Protection and Social Rehabilitation Center shelter continued to provide basic medical care, social services, psychological treatment, housing, rehabilitation, repatriation assistance, and reintegration for female and child victims of domestic abuse, including female workers who fled their sponsors. The shelter had a budget of 15 million Qatari riyal ($4.12 million). Victims possessed the right to leave of their own volition without supervision, although chaperones were on-call in the event security was needed. Victims were also able to access the shelter even if their employers filed charges against them. Several foreign diplomatic missions ran all-purpose shelters for their female nationals, which trafficking victims also used.

Government shelter officials did not customarily use established protocols to proactively screen vulnerable individuals for trafficking indicators. 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. Authorities revised the 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. The Supreme Committee for Delivery and Legacy (SCDL) conducted extensive interviews with workers to identify potential trafficking victims who had paid recruitment fees prior to arrival in Qatar, which numbered at more than 1,200 at the end of 2018. At the close of the current reporting period, the SCDL reimbursed roughly $20 million to laborers to cover their unlawful recruitment fees, blacklisted six employment agencies as a result of its internal auditing process, and placed 106 additional contractors on a special watch list. Although the SCDL targeted more than 16,000 workers for the recruitment fee payback initiative, it did not classify any workers specifically as trafficking victims from among this population.

Systemic hurdles continued to limit victim protection and impeded access to justice. The March 2018 Domestic Worker Law stipulated that domestic workers were required to 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 to leave their employers in cases of exploitation or violation of contract terms. However, at the close of the current reporting period, enforcement and knowledge of the law remained very low, thereby leaving significant vulnerabilities to forced labor among this population and victims without care or justice.

The government regularly charged and deported victims for

contravening Qatari labor and immigration laws. 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. Officials stated that absconding charges were not considered until after the resolution of labor disputes, but advocates and foreign officials in the country noted, in practice, some workers experienced difficulty in surmounting the burden of such charges. Police often detained workers without legal status for immigration violations and fleeing their employers or sponsors, including potential trafficking victims. Police sometimes detained workers for the failure of their sponsors to register employees or renew their residency documents as required by Qatari law. Authorities also charged an unreported number of potential sex trafficking victims with *zina* (sex outside of wedlock) and subsequently deported them. The government generally encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; it provided free legal services for 12 cases taken to court, including some potential trafficking cases, during the reporting period.

In September 2018 the Amir signed Law No.13 for 2018, which legally granted the vast majority of expatriate workers covered under the labor law the right to depart the country without employer approval during the course of an employment contract. However, employers still possessed the right to designate as critical no more than five percent of their workforce, who required permission prior to exiting the country, and Law No.13 of 2018 did not cover domestic workers and government expatriate workers. During the year, the MOI Grievance Committee evaluated and adjudicated employer refusals against workers not fully covered under Qatari labor laws or Law No.13 of 2018—domestic workers and expatriate government employees—to grant their employees exit permits. In 2018, the Grievance Committee reviewed 1,869 requests to overturn the employer refusals of an exit permit, of which the MOI approved 1,850, giving a vast number of vulnerable employees permission to leave the country. The government assisted workers who wished to prematurely terminate their contracts and transfer employers, or return to their respective countries of origin, in the event of employment malfeasance. The government reported the transference of 5,094 workers after reports of abuse or other contract violations, which is a significant decrease from the 10,485 workers transferred in 2017 and an increase from 1,784 transferred in 2016. The MOI's Search and Follow Up and Human Rights departments coordinated with embassies to provide 11,775 return tickets to assist in the repatriation of migrant workers, including potential trafficking victims. The government reported it did not deport those who faced harms or abuse in their country of origin.

PREVENTION

The government continued robust efforts to prevent trafficking in persons. The national anti-trafficking committee collected inputs from a foreign government, Qatar University's Law Clinic, and two international organizations to re-draft its national strategy to combat trafficking, which spanned 2017-2022 and prioritized prevention, protection, prosecution, and regional and international cooperation. For the first time, the government also compiled comprehensive research and released its own human trafficking report on Qatar. This report highlighted relevant laws, case statistics, and a primary list of recommendations for the government to address over the coming year. In 2018, the government placed more than 12 articles in local news outlets focused on trafficking to raise awareness among the general populace. 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 employers. The Slavery Museum in Doha—part of a government museum consortium—hosted regular visits from school groups and others, and held public ceremonies to highlight trafficking issues that received wide local press coverage. The government maintained its publication of manuals for expatriates in Arabic, English, and several labor exporting 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. Qatar Airways sponsored a joint training with an international organization for airline crew members to better identify potential trafficking victims onboard aircrafts. Furthermore, in partnership with an international organization, in October 2018 government entities produced a major conference on fair recruitment to help curb the charging of fees by unscrupulous recruiters. The SCDL, in conjunction with private sector firms in the hospitality and construction industries, held public dialogues to discuss effective ways to protect workers from the threat of trafficking. Officials maintained multiple hotlines for use by vulnerable migrant worker populaces, to include trafficking victims; as in the previous year, the government did not report how many calls any line received during the reporting period. The government made discernible efforts to reduce the demand for commercial sex acts and forced labor. 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 and general Islamic principles or risk losing lucrative, multiyear projects. The government's Diplomatic Institute held a train-the-trainer style course that provided information about legal employer obligations for Qatari diplomats posted abroad.

During the latter half of 2018, the Ministry of Development, Labor, and Social Affairs (MADLSA) conducted 496 inspections of recruitment companies, which resulted in the issuance of warnings to 19 agencies and the cancellation or revocation of the licenses of nine agencies that MADLSA's routine monitoring mechanism found to be noncompliant with Qatari labor law. The government did not report if it criminally investigated, prosecuted, or convicted any of these companies, or their owners or staff. It also signed a memorandum of understanding with a foreign government that focused on labor inspections writ large, complaint and referral mechanisms for domestic workers, and awareness raising on employer rights and responsibilities. During the reporting period, the government formally opened the ILO office in Doha to strengthen anti-trafficking operating capacity and generate sustainable labor reform efforts throughout Qatar. Committing itself to the ILO landmark agreement, signed during the previous year, the Qatari Cabinet created a new Supreme Committee for ILO Agreement Implementation, which included undersecretaries from all relevant government bodies to solely oversee the implementation of the activities contained therein. The government continued its rollout of the Wage Protection System (WPS), which requires employers to pay workers electronically and increases penalties for labor code contraventions. Officials blacklisted more than 14,000 companies for being in violation of the WPS, as compared to the blacklisting

of 18,000 companies in the previous reporting period. The government received 450 domestic worker complaints, of which 258 involved delayed payments and 131 were related to denial of other employment benefits; however, authorities did not report referring any potential trafficking cases flagged by the WPS for criminal investigation. The government continued to address recruitment issues and worker rights through 50 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.

In November 2018, the government opened its inaugural Qatar Visa Center (QVC) in Sri Lanka followed by the opening of two additional offices in Pakistan and two in Bangladesh by the year's end. At the beginning of April seven centers opened in India. The centers were responsible for finalizing all procedural elements pertaining to recruitment, including fingerprinting, medical examinations, verifying educational certificates, signing contracts in local languages, issuing Qatari residency permits prior to source country departure, conducting rights awareness training, and opening bank accounts for workers. The QVCs aimed to reduce instances of contract bait-and-switch, in which recruiters lured workers under one contact in home countries and subsequently forced them to sign new ones with lower wages once in Qatar. Under this new system, one unified contract was concurrently filed abroad and in Qatar. At the close of the reporting period, officials commenced plans to roll out new QVCs in six additional countries; in total, the eight countries comprised 80 percent of the total workforce in Qatar.

TRAFFICKING PROFILE

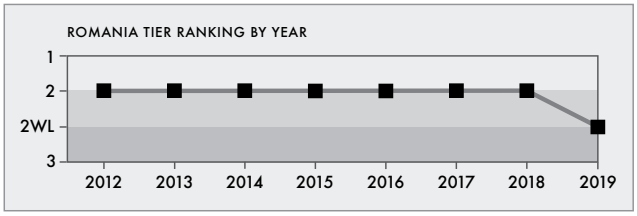
As reported over the past five years, human traffickers exploit foreign victims in Qatar. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Sri Lanka, Sudan, Kenya, Nigeria, Uganda, and other countries voluntarily migrate to Qatar as unskilled laborers and domestic workers, 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 labor trafficking, to include restricted movement, payment withholding, denial of employment-associated benefits, passport confiscation, exit permit retention, threats of deportation, and, in a small number of cases, threats of serious physical or financial harm or physical, mental, and sexual abuse. In addition, traffickers force some women who migrate for other employment offers to work in prostitution. Instances of delayed or unpaid salaries continue to be a leading indicator of forced labor in Qatar.

Qatar's unskilled migrant workers continue to comprise the largest group at risk of trafficking, while domestic workers remain the most vulnerable. Recruiters in labor-source countries and employers in Qatar continued to exploit widespread economic migration to prey on workers. In some cases, migrant workers reportedly pay inflated fees to recruiters in their home countries, and some predatory recruitment agencies in labor-sending countries lure foreign workers to Qatar with fraudulent or, upon arrival, vastly disparate employment contracts that bear no legal consideration in Qatar, rendering workers vulnerable to forced labor once in the country. Among foreign workers, female domestic workers are particularly vulnerable to trafficking, as Qatar's culture of privacy can lead to isolation in private residences because officials lack authority to enter them. Additionally, individuals in Qatar sell "free" visas to migrants and occasionally demand regular payments, enabling migrant workers to work illegally and without legal recourse against their respective sponsors. Many businesses fail to pay their employees in a timely manner, or at all, forcing workers to choose between leaving the country with heavy debts in the absence of fair compensation, or staying in Qatar with the hope of eventually being paid.

Qatar's employment-based sponsorship system, which is undergoing significant reform, currently places control disproportionately in the hands of employers, who have unilateral power to cancel residence permits, prevent workers from changing employers and, up until the current reporting period, deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation due to 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. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours and hazardous working conditions. Reports allege the vast majority of expatriate workers' passports were in their employers' possession, despite laws against passport confiscation.

ROMANIA: TIER 2 WATCH LIST

The Government of Romania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts include indicting more suspected traffickers and adopting a five-year national strategy and national action plan. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Courts convicted significantly fewer traffickers and officials identified considerably fewer victims, continuing a multi-year decline in such efforts. Endemic corruption and alleged complicity in trafficking crimes persisted without punishment, particularly with officials exploiting minors while in the care of government-managed placement centers. 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. Moreover, lack of sufficient government funding for assistance and protection services remained problematic, leaving most victims without services, susceptible to re-traumatization, and vulnerable to re-trafficking. Therefore Romania was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking cases under the trafficking statute and punish convicted traffickers with prison sentences. • Significantly increase efforts to investigate, prosecute, and convict complicit officials, and issue stringent 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, and individuals in

prostitution, through enhanced training for police officers and labor inspectors on recognizing indicators of exploitation. • Expand efforts to train officials involved in judicial proceedings, particularly judges, on working with trafficking cases and victims, sensitivity to trafficking issues, and understanding all forms of trafficking. • Increase the number of police officers investigating trafficking crimes and financial investigators specializing in trafficking cases. • Provide financial support to NGOs for victim services and develop and institute a formal mechanism for administering the funds. • Significantly increase anti-trafficking training for law enforcement officials on working with victims, evidence collection, and understanding psychological coercion. • Amend legislation to allow authorities to sanction recruiting agencies for crimes contributing to trafficking. • 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. • Provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions. • Revise the restitution mechanism to include minimizing court fees and increasing efforts to ensure victims receive compensation. • Allocate adequate financial resources for the implementation of the 2018-2022 national strategy and national action plan.

PROSECUTION

The government decreased law enforcement efforts. Articles 210 and 211 of the penal code criminalized sex trafficking 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 695 new trafficking cases in 2018, compared with 675 in 2017 and 864 in 2016. Prosecutors indicted 399 suspected traffickers (362 in 2017, 358 in 2016). Courts convicted 130 traffickers in 2018, continuing a multi-year decline from 222 in 2017 and 472 in 2016. Thirty-seven convicted traffickers (29 percent) received suspended sentences; the remaining traffickers received sentences of imprisonment that ranged from one to more than 10 years. Law enforcement often charged suspected traffickers for crimes other than trafficking, such as pandering and pimping. 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 to corroborate witness testimony. Authorities participated in 36 joint investigative teams with European counterparts but did not extradite any suspected traffickers, compared with 44 in 2017.

Failure to prioritize trafficking, widespread corruption, and sweeping legal and judicial reforms hampered effective law enforcement. Observers reported endemic corruption and alleged complicity in trafficking crimes by government officials, particularly with officials exploiting minors while in the care of government-managed placement centers and acting as accomplices to traffickers. The manager of a government placement center in a southern Romanian town allegedly engaged in sex trafficking of the children in his/her care. Nonetheless, the government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Furthermore, recently adopted changes to the criminal code could diminish the capacity of police to gather evidence in various types of criminal investigations, including trafficking cases. New legal provisions on the early retirement of police officers required 30 percent of the workforce to retire, resulting in overextended officers handling multiple cases simultaneously and struggling to build strong cases for prosecutors. Additionally, a new law reducing prison sentences for prisoners held in inappropriate conditions resulted in the early release of more than 500 convicted traffickers from prison during the reporting period.

Knowledge gaps limited prosecution efforts. NGOs reported many police officers and judges lacked specialized training and sensitivity toward sex trafficking cases and trafficking issues, including a basic understanding of trafficking. 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. Additionally, observers frequently criticized police, particularly in rural areas and small towns, 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, including minors. While the government mostly used donor funding to train police and prosecutors, it organized a series of anti-trafficking training programs for 25 border police officers during the reporting period.

PROTECTION

The government decreased efforts to protect victims. Public officials and NGOs identified 497 victims in 2018, the lowest number of identified victims in more than a decade and a decline from 662 in 2017 and 757 in 2016; these statistics included victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 73 percent were female and 67 percent were victims of sex trafficking. As in past years, fewer than half of identified victims received assistance. In 2018, 48 percent (236) of identified victims received assistance provided by public institutions, public-private partnerships, and NGOs (46 percent in 2017, 41 percent in 2016). Authorities used the existing national victim identification and referral mechanism to identify and refer victims, and during the reporting year, with support from NGOs, the National Anti-Trafficking Agency (ANITP) drafted new procedures for implementation in 2019. Observers reported authorities did not proactively identify victims, particularly in key places such as placement centers, and identification typically occurred after a criminal investigation started. Observers also reported authorities fined persons in prostitution, even if they were minors, without looking for trafficking indicators. Authorities referred identified victims to ANITP if the victim was an adult and child protective services if the victim was a minor. Victims received protection and assistance services in government-run facilities and in NGO-run trafficking shelters. The government maintained five government-run shelters and one shelter jointly run by the government and an NGO that were designated for trafficking victims; the shelters also housed domestic violence victims. Authorities placed child victims in general child facilities or in facilities for children with disabilities run by the child protection service, which, despite children representing 43 percent of identified victims, did not offer specialized services 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 vulnerable to trafficking. Romanian victims abroad, who accounted for 44 percent of identified victims, received free travel documents issued by Romanian embassies; however, the government did not pay for repatriation expenses, leaving NGOs and an international organization to cover the costs. In 2018, there were no foreign victims identified

among refugees and asylum-seekers, but observers suspected dozens of cases. The law permitted foreign victims to request asylum and granted asylum-seekers the right to work after three months. The law also permitted foreign victims who cooperated with authorities to receive a renewable, six-month temporary residence permit.

Lack of government funding for NGO assistance and protection services continued to be problematic. While the government relied on NGOs to accommodate and assist victims, it did not allocate grants directly to NGOs due to legislation precluding direct funding. The law entitled all victims to psychological and medical care; however, the government did not 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.

In general, victims lacked adequate support during criminal cases. In 2018, 349 victims participating in criminal proceedings accessed services available to victims assisting law enforcement; these services included transporting victims to court and returning them home. While the government provided legal aid to victims, the lawyers assigned often lacked experience working with trafficking victims. Additionally, the Ministry of Justice published the names of all trial witnesses, including minors, on its public website, putting victim-witnesses at risk of retaliation. The law entitled victims to compensation 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.

PREVENTION

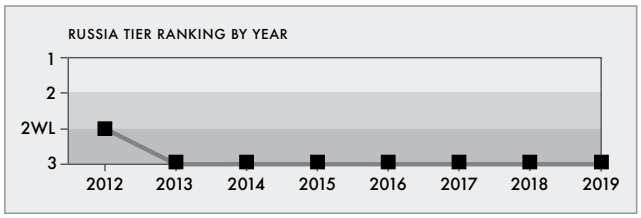
The government maintained prevention efforts. The government adopted a 2018-2022 national strategy and national action plan, focusing on prevention, victim protection, and anti-trafficking policies. While the action plan identified potential sources of funding, it did not allocate financial resources to any of the activities or goals. ANITP executed a national campaign focused on forced labor funded by a three-year €160,000 ($183,490) EU internal security grant. ANITP organized a number of additional campaigns raising awareness and continued to publish yearly reports and statistics on trafficking. The government made efforts to reduce the demand for commercial sex acts; however, it did not make efforts to reduce the demand for forced labor. Despite the criminal code prohibiting Romania-based recruitment companies from facilitating the exploitation of citizens abroad, the government did not have the power to punish recruitment agencies for crimes that contribute to trafficking, such as illegal recruitment fees. Police remained unresponsive to reports of labor trafficking, and labor inspectors lacked the competency for detecting trafficking and the legal authority for unannounced inspections to several categories of worksites. The UN reported an allegation of sexual exploitation and abuse against a Romanian peacekeeper deployed to the Democratic Republic of the Congo; the investigation was pending at the end of the reporting period. ANITP operated a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely; the hotline received 13 calls regarding potential trafficking cases.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Romania, and traffickers exploit victims from Romania abroad. Romania remains a primary source country for sex trafficking and labor trafficking victims in Europe. Traffickers subject Romanian men, women, and children to labor trafficking in agriculture, construction, hotels, manufacturing, and domestic service, as well as forced begging and theft in Romania and other European countries. Traffickers subject Romanian women and children to sex trafficking in Romania and other European countries. Experts report a rise in Romanian women recruited for sham marriages in Western Europe; after entering these marriages, traffickers force the women into prostitution or labor. Minors represent nearly 50 percent of identified trafficking victims in Romania. Traffickers subjected some children to trafficking while in the care of the state, particularly in small towns. Romani children, as young as 11 years old, are particularly vulnerable to forced begging and sex trafficking. Romania is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Vietnam and the Philippines. Traffickers subject Romanians living in government run institutions for the mentally disabled 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, the government took some steps to address trafficking, including by removing officials who may have been complicit in forced labor, facilitating the return of Russian children from Iraq and Syria, and identifying some victims, including foreign nationals. However, the number of victims identified by the government remained negligible and authorities routinely deported potential forced labor victims without screening for signs of exploitation and prosecuted sex trafficking victims for prostitution offenses. While estimates vary, the Russian government reported the number of North Korean workers in Russia declined from 30,000 to approximately 11,500 in 2018. It was not clear that the government screened laborers for trafficking indicators. Throughout 2018, the government maintained bilateral contracts with the Democratic People's Republic of Korea (DPRK) under which the DPRK operated work camps in Russia and subjected thousands of North Korean workers to forced labor. 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 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.



PRIORITIZED RECOMMENDATIONS:

Investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps. • Screen for trafficking indicators before deporting migrants, including from the DPRK. • End all bilateral labor agreements with the DPRK that perpetuate forced labor and cease the issuance of work permits under these contracts. • Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to 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 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. • Ensure victim identification and protection measures are not tied to the prosecution of a trafficker and allow all first responders to officially identify potential trafficking victims and refer them to care. • Implement a formal policy to ensure identified trafficking victims are not punished or deported for unlawful acts their traffickers compelled them to commit. • Ensure screening among children returned from Iraq and Syria for child soldiering indicators and provide with rehabilitation and reintegration support. • 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. • Increase efforts to raise public awareness of both sex and labor trafficking, including among minors. • Amend the trafficking law to align the definition of trafficking with international standards.

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, including some conviction information, 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.

Russia's federal-level Investigative Committee publicly reported 14 investigations, 11 under article 127.1 and three under 127.2, a decrease from 19 reported in 2017. The Supreme Court publicly reported 18 convictions of persons under article 127.1 and three convictions under article 127.2, compared with 26 convictions under article 127.1 and one under 127.2 in 2017. The government published sentencing information for 2018 that included for article 127.1, three paroles, 11 prison terms, one compulsory labor, and one fine; and for article 127.2, five prison terms and one parole. The government reported three acquittals. Media reports about these investigations and prosecutions revealed several cases involving baby-selling, a crime that falls outside the international definition of trafficking. An NGO reported that tens of thousands of trafficking-related cases were reported to authorities, but the government processed most under different articles, which suppressed statistics and masked the scale of the problem.

Law enforcement training centers provided instruction on trafficking identification. NGOs conducted limited trafficking training for local officials. Russian authorities cooperated in some international investigations involving Russian nationals subjected to trafficking abroad and extradited some alleged traffickers wanted in their home country. The government maintained bilateral contracts with the DPRK government, which continued to operate work camps in Russia throughout 2018. Despite credible reports of forced labor and slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into those conditions. Media reported the dismissal of several officials, including the director, of prison IK-14 in Mordavia; the director was alleged to have engaged the female prisoners in forced labor for his personal benefit. The investigation of this case remained on-going. Corruption and official complicity remained significant concerns, inhibiting law enforcement action during the year.

PROTECTION

The government maintained negligible efforts to protect 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. NGOs provided all protection services, including shelter, food, legal services, language interpretation, facilitating the return of documents or wages, and assisting in the resettlement or repatriation of victims. The last dedicated trafficking shelters closed in 2015 due to lack of funding; however, government-funded homeless shelters could accommodate Russian and foreign victims. Authorities did not routinely screen potential victims seeking assistance at these shelters for trafficking indicators; in prior years, the shelter provided medical and psychiatric aid, and referred victims to international NGOs and other homeless shelters located in many of Russia's regions. There were no reports of victims assisted in these shelters in 2018. A shelter "for women in difficult life situations," run by the Russian Orthodox Church, continued to accept victims and offered them food housing and psychological care, although not medical assistance; the government did not provide financial support for the shelter. 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 continued to designate two locally registered NGOs working on trafficking issues as "foreign agents" and blocked one of these NGOs from a government-linked social media site in 2018. An unknown person attacked and stabbed the leader of an anti-trafficking NGO, inflicting non-fatal wounds. 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; authorities could prosecute NGOs who assist unlawfully present victims of trafficking. There were limited examples of government cooperation with civil society. In July 2018, local authorities worked with NGOs to remove Nigerian sex trafficking victims from their exploiters; the victims had entered Russia with promises of employment and World Cup fan identification documents from their exploiters. An NGO reported repatriating 40 Nigerian victims. NGOs reported law enforcement worked with NGOs to remove victims from brothels and slave labor situation, obtain documents, and help repatriate victims from Nigeria, Ukraine, and Uzbekistan. Authorities reportedly covered repatriation costs on a case-by-case basis.

The government reported the identification of 19 trafficking victims in 2018. According to law enforcement statistics, of these 19 identified victims, 16 were Russian and three were from unspecified Central Asian countries; five were female sex trafficking victims, one female and three males were victims of forced labor, and 10 were children, although many of these were baby-selling cases. An NGO assisted approximately 193 victims in 2018, but it estimated the number of victims to number in the thousands. 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 recognize foreign victims when they were 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. 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. 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. The government, after a temporary suspension of operations, resumed the repatriation of Russian minors, including potential trafficking victims, whose parents were alleged fighters with the Islamic State in Iraq and Syria (ISIS). ISIS was known to use child soldiers and perpetrate other forms of trafficking. The government did not report screening specifically for indicators of trafficking, but media reports indicated the children received counseling. An estimated 200 children had returned to Russia since this program first became public in 2017; the government estimated 1,400 remained in Iraq and Syria.

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 UNSCRs 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 laborers whose permits had expired. Russian government officials stated they were taking steps to fulfill its obligations under the relevant UN Security Council resolution to repatriate all of these workers by the end of 2019, and reported the number of DPRK workers in Russia declined steadily throughout 2018 from 30,023 to 11,490 by the end of 2018. Media reported the government continued to issue new work permits. Some government officials noted an allowance for the extension of contracts for North Korean laborers who had valid contracts as of September 11, 2017 and were still in Russia, while a government spokesperson stated new workers were arriving if authorities had finalized their work authorizations prior to the adoption of UNSCR 2375. Although government representatives publicly stated authorities asked DPRK workers to leave voluntarily, it was not evident that authorities screened workers for trafficking indicators or offered them options to legally remain in the country.

PREVENTION

The government maintained limited efforts to prevent trafficking. The government continued to operate 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. An NGO reported some hospitals began to issue birth certificates to all children born in the country, regardless of the parents' immigration status. In October 2018, the government signed an agreement with Uzbekistan on the organized recruitment of Uzbek citizens for temporary employment in Russia. In February 2019, the government agreed to allow the Kyrgyz Republic Ombudsman to appoint five special representatives in Russia to monitor for violations of human rights of Kyrgyz citizens, including trafficking. 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. 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 and provided no funds to NGOs to carry out prevention and awareness campaigns. Prevention campaigns were hampered by a law that made it a crime to talk to children younger than 16 about sexual issues

and exploitation. Authorities denied an NGO's request to put up billboards advertising hotlines in advance of the World Cup. There were two media reports of government-compelled labor of civil servants for snow removal; in one of them the government decided to investigate the issue. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

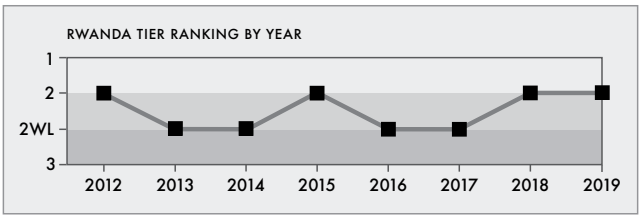
As reported over the past five years, human traffickers exploit domestic and foreign victims in Russia, and victims from Russia are exploited abroad. Although labor trafficking remains the predominant human trafficking problem within Russia, sex trafficking continued. Traffickers subject workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and DPRK—to forced labor in Russia. Instances of labor trafficking have been reported in construction, manufacturing, logging, saw mills, agriculture, sheep farms, brick factories, textile, grocery stores, maritime industries, and domestic service, as well as in forced begging, waste sorting, and street sweeping. There are between five and 12 million foreign workers in Russia, of which the government estimates 2 million are irregular migrants. 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. 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. 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. There are reports of Russian citizens facing forced labor abroad. Traffickers lure minors from state and municipal orphanages to forced begging, forced criminality, child pornography, and sex trafficking, and use by armed groups in the Middle East.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily China and the Philippines), Africa (particularly Nigeria), and Central Asia are victims of sex trafficking in Russia. During the 2018 World Cup, Russia relaxed its visa requirements, allowing visa-free entry for all Fan ID holders to enter and exit Russia without a visa through December 31, 2018. According to official government statistics, nearly 5,000 foreigners who entered on Fan IDs remained unlawfully in Russia at the beginning of 2019, including 1,863 Nigerians. Sex trafficking occurs in brothels, hotels, and saunas, among other locations. Homeless children are exploited in sex trafficking. 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. Russian criminal groups threaten family members in order to coerce women into prostitution in Russia and abroad. 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.

The ILO Committee of Experts noted its deep concern in 2016 that some provisions of the Russian criminal code, which included compulsory 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. Corruption among some government officials and within some state agencies creates an environment enabling trafficking crimes. In recent years, criminal cases have involved Russian officials suspected of allegedly facilitating trafficking by enabling 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. Prior to 2018, the DPRK sent approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East—an estimated 11,490 North Korean citizens are believed to be present in Russia; 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Rwanda remained on Tier 2. The government demonstrated overall increasing efforts by investigating and prosecuting more suspected perpetrators of transnational trafficking crimes. The government adopted a comprehensive anti-trafficking law and provided rehabilitation services to more former child combatants associated with armed groups in the Democratic Republic of the Congo (DRC). The government reported providing protection services to victim witnesses in government-run safe houses and training more front line officials than the previous reporting period, including facilitating an international anti-trafficking training event attended by 41 countries. 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 victims or establish a formal mechanism to refer trafficking victims to care. The government identified fewer trafficking victims, did not identify any victims of internal trafficking, and did not adequately screen individuals in government detention facilities. The government did not cooperate with civil society to provide assistance to victims, or operate sufficient long-term care facilities for all trafficking victims. The government did not adopt an updated National Anti-Trafficking Action Plan to coordinate national anti-trafficking efforts.



PRIORITIZED RECOMMENDATIONS:

Systematically and proactively identify trafficking victims, especially among vulnerable populations, including persons in prostitution and homeless children. • Cooperate and coordinate with civil society to provide all foreign and Rwandan 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 working with victim-witnesses. • Develop a formal mechanism to systematically refer trafficking victims to appropriate care. • Institutionalize training and provide resources, as feasible, to law enforcement officials, judicial officials, labor inspectors, and social workers on the implementation of the trafficking law and case prosecution, and victim identification procedures. • Increase effective trafficking investigations and prosecutions, particularly perpetrators of forced labor and sex trafficking and focusing especially on internal trafficking, while respecting the rule of law and human rights, and administer adequate sentences to convicted traffickers. • Adopt and implement an updated National Anti-Trafficking Action Plan. • Continue to implement trafficking protection measures for Rwanda's refugee population. • 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. In September 2018, the government adopted a standalone anti-trafficking law, the Law on the Prevention, Suppression, and Punishment of Trafficking-in-Persons and Exploitation of Others, which criminalized sex trafficking and labor trafficking. The law prescribed penalties of 10 to 15 years' imprisonment and a fine of 10 million to 15 million Rwandan francs ($11,240 to $16,850), which increased to 20 to 25 years' imprisonment and a fine of 20 million to 25 million Rwandan francs ($22,470 to $28,090) if the offense was transnational in nature. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the law defined trafficking broadly to include illegal adoption without the purpose of exploitation.

The National Public Prosecution Authority (NPPA) reported increased efforts compared to the government's previously reported timeframe, initiating 86 trafficking case investigations and prosecuting at least 53 alleged traffickers in 53 cases of suspected trafficking between October 2017 and September 2018. Of the 16 cases that courts ruled on, the NPPA reported obtaining convictions for at least 13 traffickers in 13 cases and prescribing penalties ranging from two to seven years' imprisonment and fines between 1 million Rwandan francs ($1,120) and 10 million Rwandan francs ($11,240). During the previous reporting period, the government reported investigating 65 cases, prosecuting 25 cases, and convicting 12 traffickers. In 2018, the government did not vigorously prosecute and did not convict any perpetrators of internal sex and labor trafficking crimes, despite the presence of trafficking within the country. The government admitted difficulty prosecuting and convicting trafficking offenders due to limited investigative and prosecutorial anti-trafficking knowledge and resources, lack of victim testimony, and lack of cooperation by other governments. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

The Rwanda Investigation Bureau (RIB) continued to operate a 15-officer anti-trafficking unit in its Criminal Investigations Division. The Rwanda National Police (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 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 government provided training to 40 officials on referral and treatment of victims and 32 officials on investigation, interviewing, and reporting on trafficking crimes. The RNP continued to convene quarterly meetings of provincial and district police, investigators, prosecutors, and immigration officials to provide ongoing training on Rwanda's anti-trafficking laws, trafficking indicators and investigation techniques, which reached an additional 57 investigators. However, the government did not report provision of training to law enforcement personnel on a victim-centered approach and victim-witness support mechanisms. In partnership with international organizations, the government facilitated an international anti-trafficking training for 100 police, military and corrections officers from 41 African countries.

PROTECTION

The government maintained protection efforts, but did not address screening at transit centers, internal trafficking victim identification, or long-term shelter and assistance for victims of all forms of trafficking. Law enforcement and immigration officials identified 33 transnational trafficking victims in 2018; officials referred all 33 victims for assistance at the government's one-stop centers, and provided rehabilitation assistance for 19 ex-child combatants in 2018. This compared to 56 transnational victims and four internal victims identified and assisted in 2017. However, the government did not report efforts to identify or assist any internal trafficking victims during the reporting period. The government reported providing counseling and funding the repatriations of three Burundian 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 indicators among the broader population of victims of GBV assisted at the centers. The government remained without a national referral mechanism for trafficking victims. 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 reportedly continued to detain vulnerable persons, including persons in prostitution, destitute individuals, and homeless children at these centers, and advocacy groups continued to report that the transit centers operated without judicial oversight and functioned as de facto detention facilities in which the government did not screen for trafficking and held vulnerable individuals for arbitrary periods of time. The government reported that immigration officials continued screening children crossing the border for trafficking indicators and to verify they were traveling with the permission of their parents.

The government continued to operate its network of 44 Isange One-Stop Centers to assist GBV and trafficking victims. 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 it did not always screen and identify trafficking victims as distinct from GBV

victims. However, the government did not report how many trafficking victims it assisted at the one-stop centers. 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. In 2018, an international organization reported separating eight Rwandan children from armed groups in the DRC. The government continued to operate a rehabilitation center for former child combatants associated with armed groups in the DRC, which assisted approximately 19 children in 2018, an increase from the previous year; the center provided accommodation, 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 and reported using the safe houses for six trafficking victims during the reporting period for stays of approximately one month in duration. Participation of victims in the investigation and prosecution of traffickers continued to be a challenge and lack of sufficient victim testimony continued to hinder prosecution of traffickers. An NGO previously reported that seven of the one-stop centers were equipped with video recording equipment to help encourage the cooperation of witnesses in prosecutions via recorded testimony, but the government did not report utilizing this option. The anti-trafficking law protected the identity of victims by allowing court proceedings to be conducted in camera and allowing the use of a video link; but the government did not report providing any victims with these protections during the reporting period. The 2018 anti-trafficking law ensured that victims would be provided information in a language they understood and be provided with legal assistance. The anti-trafficking law permitted foreign victims to remain in Rwanda for a minimum of six months and until legal proceedings concluded, but the government did not report any victims obtaining such benefits during the reporting period. The anti-trafficking law did not provide foreign trafficking victims with specific legal alternatives to their removal to a country where they may face hardship or retribution; but, in practice, the government made efforts not to deport foreign victims who faced retribution in their home country. Government assistance to victims was not contingent upon a victim's participation in law enforcement investigations. The anti-trafficking law allowed victims to file civil suits against traffickers and stated that victims are exempt from paying any associated filing fees, but the government did not report any suits filed during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued to operate its interagency anti-trafficking technical committee, which met once a quarter to coordinate public awareness campaigns and continued to work on adopting an updated National Anti-Trafficking Action Plan in partnership with an international organization. International organizations and NGOs reported that insufficient coordination among government agencies and resource constraints continued to hinder the government's anti-trafficking efforts. Throughout the reporting period, the government continued to conduct multiple national and local awareness raising anti-trafficking campaigns in schools and at community events; the awareness campaigns reached approximately 5,000 primary and secondary school students in six districts, a decrease compared to the previous reporting period. The government trained an unknown number of parents and community leaders on trafficking risk factors and how to identify potential trafficking victims; it continued to train volunteers at the local level on child protection issues, including forced labor, and how to report cases to the police. These campaigns focused primarily on transnational trafficking and did not adequately address internal trafficking. The RIB continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases; however, the government did not report how many trafficking victims were identified or assisted in 2018 through use of this hotline. 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 commercial sex and forced labor. The government provided anti-trafficking training to its diplomatic personnel. With funding from an international organization, the government provided training to all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment as peacekeepers.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Rwanda, and traffickers exploit victims from Rwanda abroad. Traffickers exploit Rwandan children and young adults, some of whom are secondary school students between the ages of 13 to 18, 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. Homeless underage girls, between ages eight and 17, remain highly vulnerable to trafficking and there were reports that some men would coerce these girls into staying at their homes, for the purpose of sexual exploitation, by convincing them that the police had plans to arrest homeless youth. Traffickers subject some Rwandan men, women, and children to sex trafficking and forced labor in domestic work and in 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. Traffickers reportedly exploit Rwandan victims 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. In 2018, an international organization reported separating eight Rwandan children from armed groups in the DRC. Traffickers in neighboring countries continue to pose as labor recruitment agents and recruit and transport small numbers of victims through and out of Rwanda.

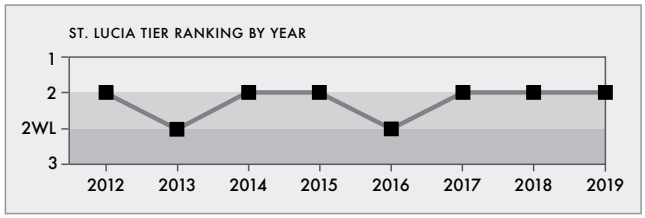
Refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation by traffickers in third countries after transiting Rwanda. According to an international organization, there has been an increase in sex trafficking of Burundian male and female teenagers through Rwanda to third countries since 2015. Traffickers subjected female child refugees in a Congolese refugee camp in Rwanda 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, traffickers recruited Burundian refugees residing in Mahama refugee camp in

Rwanda 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. In 2015, 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 since 2015.

ST. LUCIA: TIER 2

The Government of St. Lucia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore St. Lucia remained on Tier 2. These efforts included passing a national action plan, investigating suspected traffickers, funding anti-trafficking prevention, conducting baseline trafficking research, and training its personnel in measures to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government did not identify any victims for the third consecutive year, has not initiated a prosecution since 2015, and has never convicted a trafficker. The government did not formally approve standardized written procedures to identify victims, although they were used informally by law enforcement.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to identify victims. • Investigate, prosecute, convict, and punish perpetrators of sex trafficking and forced labor. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment. • Provide sufficient resources to fully implement the 2016-2019 national action plan. • Approve and implement 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 written procedures to proactively identify sex and labor trafficking victims among vulnerable populations, such as children exploited in sex trafficking and migrant workers, and refer them to appropriate services. • Develop and implement labor recruitment policies and increase labor inspections to prevent trafficking. • Provide legal mechanisms for victims to work and receive temporary formal residency status.

PROSECUTION

The government increased law enforcement efforts. The 2010 Counter-Trafficking Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to five years' imprisonment or fines up to 100,000 Eastern Caribbean dollars ($37,040) for offenses involving an adult victim; the maximum imprisonment penalty increased to 10 years' imprisonment for those involving a child victim. 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 conducted two investigations during the reporting period, compared to none in 2017 and three in 2016. The police participated in an INTERPOL operation targeting trafficking and initiated raids on nightclubs and areas of prostitution. The government has not initiated any prosecutions since 2015. The government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The police force has three officers dedicated to trafficking investigations and specially trained police interviewed potential victims during raids on commercial sex establishments. The Anti-Trafficking Task Force conducted training in victim identification and referrals, investigations, the trafficking law, money laundering, digital investigations of trafficking cases, and gender awareness in trafficking for 78 police officers and recruits, 22 immigration, customs, and ports officers, and 35 forensic lab staff and officers from the ministries of commerce and labor with the assistance of an international organization. The government conducted a capacity building workshop for 21 officers from the Department of Home Affairs and National Security. With technical assistance from an international organization, the government continued to develop a database to manage and process trafficking cases.

PROTECTION

The government decreased protection efforts. The government did not identify any trafficking victims in the past three reporting periods, compared with 10 in 2015. Authorities did not report screening vulnerable children for trafficking, despite government and outside observer reports that parents and others induced children into sex trafficking, The government completed drafting the National Child Protection Action Plan with an international agency to address child vulnerabilities. The government completed drafting standard operating procedures for victim identification, referral, and protection with an international organization. Although the government reported that it informally used the procedures, they have not been formally approved. The police used the draft victim screening form as a uniform guide. The government conducted two workshops on victim identification and referrals for civil society and health care providers. Authorities provided two workshops on victim identification and referral for diplomatic personnel and external affairs department staff. The government did not allocate any funds for victim protection in 2018 and 2017, compared to 1 million Eastern Caribbean dollars ($370,370) in 2016 for victim care related to a 2015 labor trafficking prosecution.

Trafficking victims could be referred through the Office of Gender Relations to various organizations for legal, health, advocacy, and crisis services. Although there was no dedicated shelter for trafficking victims, the government had six facilities available to house victims. Adult victims were able to leave at will but the government did not allow them to work or receive

formal residency status because it considered victims wards of the state. The 2018 Child Care, Protection, and Adoption Act designated the Human Services Department within the Ministry of Equity as lead on child protection issues, which increased coordination of child victim services. The 2010 anti-trafficking act contained victim protection provisions, such as privacy measures, the ability to testify via video link, and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers. The act provided for victim restitution and other compensation in cases of traffickers' conviction.

PREVENTION

The government increased efforts to prevent trafficking. The home affairs and national security ministry led an anti-trafficking task force, consisting of relevant agencies and NGOs, and passed an updated national action plan through 2019. The government provided 80,000 Eastern Caribbean dollars ($29, 630) to the anti-trafficking task force and received the support of an international organization to implement the national action plan against trafficking. The task force joined with international and local NGOs to develop a national awareness campaign and conducted two anti-trafficking capacity building and public awareness workshops for teachers and civil society representatives. The campaign opened January 2019 in native French Creole as well as English and ran on the government television station. The government worked with another country to institute computer games teaching about child labor and commercial sex in seven schools.

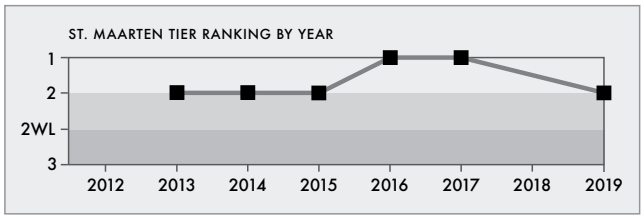
Authorities coordinated with another government on safe recruitment and labor protection policies for St. Lucian seasonal agricultural workers. Authorities provided training in identifying trafficking indicators for commercial licensing officials who were responsible for vetting applications for business licenses. The government established the first trafficking hotline in January 2019. The government conducted a baseline study on public understanding and perception of trafficking with the support of an international organization, the results of which informed the design of the national awareness campaign. 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, human traffickers exploit domestic and foreign victims in St Lucia, and traffickers exploit victims from St. Lucia abroad. 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 parents and caretakers in exchange for goods or services. Civil society has also reported women, or in some cases older teenagers, recruiting younger adolescents to provide commercial sex with adults at street parties. Documented and undocumented migrants from the Caribbean and South Asia, including domestic workers, are vulnerable to trafficking. Foreign women who work in strip clubs and in prostitution are also vulnerable to sex trafficking. NGOs report that 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.

ST. MAARTEN: TIER 2‡

The Government of St. Maarten does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included the appointment of a new anti-trafficking coordinator and continued cooperation with civil society. However, these efforts were not serious and sustained compared to efforts made during the previous reporting period. The government did not provide adequate protection services for victims identified and it penalized them with detention and deportation back to their country of origin. For the fourth consecutive year, the government did not secure any convictions. Therefore St. Maarten was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to prosecute and convict traffickers. • Screen all migrant workers for trafficking indicators, provide adequate protection to those identified, and cease the deportation of victims. • Fund protection services, including shelters. • Train law enforcement officials, prosecutors, and judges on proactive victim identification and victim-centered approaches to trafficking cases. • Establish a new central reporting bureau to improve coordination of victim protection and prevention efforts. • Adopt and implement formal standard operating procedures to guide officials, including health workers, on victim identification and referral. • Increase outreach to all incoming migrants, including domestic workers and foreign women on temporary entertainment visas, to ensure they are informed of their rights, the anti-trafficking hotline, and ways to seek assistance. • Raise awareness among the general public and vulnerable groups about trafficking in St. Maarten.

PROSECUTION

The government decreased prosecution efforts. The penal code criminalized sex trafficking and labor trafficking, prescribing penalties ranging from 12 to 24 years of imprisonment or a fine, which were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities conducted one investigation of forced labor in a case involving three domestic workers (one in 2017 involving one suspect and three in 2016 involving five suspects) but did not prosecute the traffickers implicated despite strong indicators of forced labor. Victims claimed exhausting hours, restricted freedom of movement, sleeping in inappropriate spaces, receiving fewer wages than agreed, confiscated passports, and possible debt-based coercion.

‡ *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.*

There were uncorroborated media reports that officials from the public prosecutor's office attempted to intimidate the victims into signing paperwork needed to receive a one-way ticket back to their country of origin. Victims refused to sign and demanded receipt of unpaid wages. At the end of the reporting period, authorities indicated victims received unpaid wages and were returned to their country of origin. The government did not prosecute or convict any traffickers in 2018; over the last six years, the government has only convicted three traffickers. Law enforcement officials, including police and immigration personnel participated in an annual regional training event focused on investigations of trafficking crimes.

PROTECTION

The government decreased efforts to identify and protect victims. Authorities identified 42 victims (96 in 2017), but the government did not report providing any with protection services (five in 2017). In 2018, St. Maarten continued recovery efforts from the devastation left by Hurricane Irma, which placed a strain on resources and hindered the government's ability to provide services. Authorities deported victims identified to their country of origin. While the government did not have standard operating procedures for the identification or referral of victims, informal agreements between government agencies were in place, and immigration officials and other stakeholders continued to use an NGO-developed checklist of trafficking indicators. Officials routinely screened for trafficking among adult entertainment workers during immigration procedures, labor inspections, and required medical screenings. During the reporting period, the National Reporting Bureau on Human Trafficking (NRB)—the lead agency for coordinating the government's efforts to combat trafficking and emergency response to cases—ceased to operate. Victims received shelter through the Red Cross and local NGOs. The government provided one NGO with a subsidy to assist in providing victim services and support; however, it did not provide any services to victims of trafficking in 2018. The temporary residence program served to encourage victim assistance in the investigation and prosecution of traffickers; however, the government did not report granting such benefits during the year. The government had a formal policy to protect identified victims from being punished for unlawful acts committed as a direct result of their trafficking; however, the government detained identified victims and deported them back to their country of origin. The anti-trafficking law allowed victims to request restitution as part of criminal cases or file a civil suit against traffickers; however, victims identified during the reporting period did not stay in the country long enough for prosecutors to seek restitution or for victims to file a civil suit.

PREVENTION

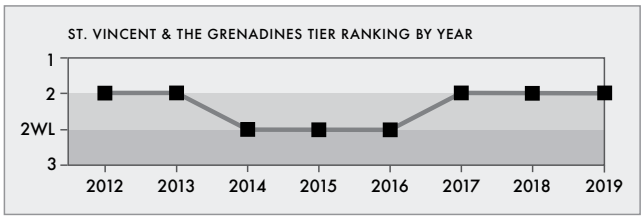
The government decreased efforts to prevent trafficking. The 2013-2018 national action plan for the elimination of trafficking expired during the reporting period. The government appointed a new anti-trafficking coordinator focused on prevention efforts and coordination of services. Authorities continued making public service announcements, generating social media and news releases, and participating in radio and television shows; however, it was unclear if any were specific to trafficking. The government did not make any efforts to reduce the demand of commercial sex or forced labor. The government did not conduct any new awareness campaigns during the reporting period. The government informed employers of migrant workers about applicable laws and made the national hotline accessible by phone and email.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in St. Maarten. 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. There are indications that some traffickers target foreign women in St. Maarten's commercial sex industry with debt-based coercion. Government officials' reports indicate a significant number of migrant workers are vulnerable to traffickers' coercive schemes in domestic service, construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Government officials report that traffickers may be coercing workers from Asia and the Caribbean in exploitative conditions indicative of forced labor. Migrants transiting St. Maarten en route to the United States and Canada may also be vulnerable to human trafficking, specifically Cuban and Brazilian nationals. There are indicators Colombian and Venezuelan women may travel to the islands under false pretenses and become victims of trafficking.

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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore St. Vincent and the Grenadines remained on Tier 2. These efforts included passing an act that allowed authorities to screen for suspected traffickers and trafficking victims, increasing training to relevant government officials, increasing cooperation with foreign governments to combat trafficking, extending and updating the national action plan through 2020, and improving its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. Authorities have not prosecuted a trafficking case since 2015 and have never convicted a trafficker. 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.



PRIORITIZED RECOMMENDATIONS:

Increase investigations of suspected sex and labor trafficking cases, particularly among children. • Vigorously prosecute and convict traffickers. • Improve the quality and specialization of victim services. • Amend the trafficking law to remove sentencing provisions allowing fines in lieu of imprisonment for sex trafficking offenses. • Increase government funding across all relevant agencies to combat trafficking. • Raise awareness about forced labor and sex trafficking and the need for public

cooperation in law enforcement investigations. • Increase training for law enforcement on evidence collection in human trafficking at all levels. • Create new bilateral agreements with relevant source countries to better coordinate and combat trafficking.

PROSECUTION

The government maintained law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 criminalized sex trafficking and labor trafficking and prescribed punishments of up to 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 for sex trafficking offenses were not commensurate with those for other serious crimes, such as rape. The government investigated four suspected cases of trafficking, compared with seven cases in 2017 and three cases each year in 2014, 2015, and 2016. Of the four cases, none resulted in arrest or prosecution due to lack of evidence. The government did not report an update on several 2017 cases of sex traffickers purchasing sex from minors. The government was collaborating with The Bahamian government on a possible trafficking case. The police conducted several spot investigations at ports of entry, marinas, bars, and nightclubs throughout the country to surveil for trafficking. Authorities indicated the police needed additional personnel and resources to more effectively investigate cases of trafficking. The government did not report whether there was trafficking in pending child abuse court cases. There were no prosecutions during the reporting period (the last prosecution was in 2015) and the government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government's Anti-Trafficking Unit (ATIPU) funded and conducted trafficking training for 41 new police recruits at the Police Training School and a member of the ATIPU participated in anti-trafficking training in Trinidad and Tobago, The Bahamas, and Belgium.

PROTECTION

The government maintained victim protection efforts. Authorities identified four potential labor trafficking victims from St. Vincent and the Grenadines in 2018, compared to four potential victims identified in 2017; NGOs did not identify any victims. Procedures existed to guide the ATIPU, immigration department, and labor department in identifying and referring potential victims; some observers noted the government's referral process requiring officers to identify indicators of trafficking and refer potential victims to higher ranking officers did not always work. The government operated a crisis center that provided medical, psychological, housing, and financial services jointly with NGOs for victims of domestic violence and trafficking, although victims could not leave the shelter at will. There were no shelter facilities for male victims. Outside observers noted that facilities for victims were not well maintained. Provisions in the trafficking act 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; victim 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.

PREVENTION

The government maintained efforts to prevent trafficking. The national task force, led by the prime minister, coordinated the anti-trafficking efforts of various government agencies. The government extended its 2016-2018 national action plan to 2020, added strategic inputs, and reported on outcomes. The government passed the Advance Passenger Information Act, which enabled authorities to pre-screen arriving and outbound passengers for known or suspected traffickers and pass relevant information to warn law enforcement in other countries as well. Government agencies cited a lack of financial resources for anti-trafficking efforts. The government routinely conducted labor inspections of hotels, farms, stores, bars, industries, security workplaces, and domestic work locations, although their stated lack of personnel and funding may have prevented coverage of work sites with the most vulnerable workers. The ATIPU displayed posters and brochures to raise awareness at crime prevention exhibitions in June and December 2018 and at all police stations to urge citizens to alert the authorities of potential cases. The government conducted a summer outreach program for youths from different churches and youth groups and awareness training for teachers and students at primary and secondary schools. In addition, the government held three days of anti-trafficking activities in recognition of UN World Day against Trafficking in Persons in July and distributed more than 1,000 informational brochures to the public. The government operated 24-hour hotlines but the government reported that no calls were received. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

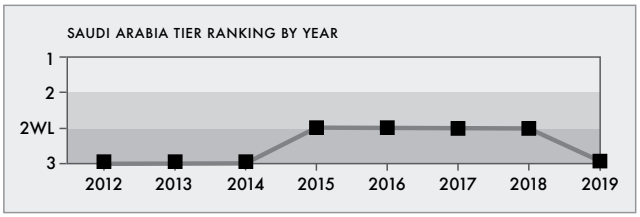
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in St. Vincent and the Grenadines, and traffickers exploit victims from St. Vincent and the Grenadines abroad. Foreign women engaged in prostitution in the country may have been subjected to sex trafficking, and foreign workers from South America, the Caribbean, and Asia may have been subjected to 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. 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, is a problem in the country.

SAUDI ARABIA: TIER 3

The Government of Saudi Arabia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Saudi Arabia was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by establishing 107 trafficking-specific investigative sub-units within the prosecutorial sector to help identify trafficking cases among existing criminal cases. It launched a new anti-trafficking awareness campaign and continued to employ its Wage Protection System (WPS) to better safeguard domestic workers' contracts and train relevant officials on the system. However, the government prosecuted and convicted fewer traffickers, did not report efforts to address forced labor despite

the significant scale of such crimes in the country, and did not pursue criminal investigations against officials purportedly complicit in trafficking crimes despite allegations throughout the reporting period. It continued to fine, jail, or deport migrant workers for prostitution or immigration violations, some of whom were likely unidentified trafficking victims. In addition, the government identified few trafficking victims and regularly treated trafficking crimes (including non-payment of wages and passport withholding) as administrative labor law violations rather than as criminal offenses. Officials did not undertake significant efforts to mitigate the inherent vulnerabilities in its sponsorship-based employment system that exacerbated trafficking risks among the large migrant worker population.



PRIORITIZED RECOMMENDATIONS:

Substantially increase the number of trafficking investigations, especially by investigating as potential crimes (not just as administrative issues) indicators of trafficking such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Undertake serious efforts to prevent penalization of trafficking victims by proactively screening for trafficking among those arrested for immigration violations, prostitution, or those who flee abusive employers and face counter-charges and deportation. • Increase efforts to prosecute, convict, and sentence trafficking offenders to significant prison terms under the anti-trafficking law. • Reform the sponsorship system, including by removing employers' control over exit permits. • Pursue criminal investigations against officials allegedly complicit in trafficking crimes. • Develop, train officials on, and regularly use proactive identification and referral mechanisms to ensure victims among vulnerable populations, including domestic workers, illegal foreign workers, deportees, male victims, and persons in prostitution, receive proper care and are not wrongfully penalized. • Expand usage of the specialized Public Prosecutor's Office (PPO) sub-units to detect potential trafficking cases across the country. • Institute regular trainings for government officials on identifying cases of both labor and sex trafficking and how to differentiate between forced labor and labor-related crimes. • Expand country-wide public awareness campaigns on all forms of trafficking.

PROSECUTION

The government did not report increased law enforcement efforts. The 2009 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed punishments of up to 15 years' imprisonment, a fine of up to one million Saudi Arabian riyal (SAR) ($266,670), or both; penalties 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 79 potential trafficking cases and prosecuting 42 of these cases, which involved 43 defendants and 113 victims; this marked a decrease from its combined investigation and prosecution of 177 cases during the previous reporting period. Of these, it convicted 14 defendants under the anti-trafficking law, compared to 20 traffickers the previous year; the government did not report the status of the remaining 29 verdicts. Officials did not disaggregate law enforcement data by the type of trafficking, which resulted in an imprecise determination of how many crimes involved forced labor or sex trafficking versus related criminal offenses. The government reported it sentenced convicted traffickers to terms of imprisonment ranging from one month to two years; in prior reporting periods, it did not report specific penalties or how many traffickers received prison sentences. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. However, during the reporting period, the Government of Senegal's anti-trafficking task force alleged some Saudi diplomats stationed in Senegal played a principal role in fraudulently recruiting Senegalese women for employment for Saudi families in the Kingdom; the Senegalese task force reported that some of these Senegalese women faced conditions of involuntary domestic servitude once employed in the Kingdom.

Government officials often handled trafficking cases as administrative immigration or labor law violations, without routinely undertaking criminal investigations or prosecutions against traffickers. During the reporting period, the PPO established 107 trafficking-specific investigative sub-units within PPO branch offices throughout the country to identify possible trafficking cases among existing criminal cases; the government did not report whether the staff within these PPO sub-units worked to detect potential trafficking cases during the reporting period. In November 2018, the Human Rights Commission (HRC) sponsored and facilitated a training on victims' rights in trafficking cases for 40 participants from relevant government entities; the program covered victim identification and protection, and the role of law enforcement in these areas. The HRC also led a similarly focused training course in January 2019 for an additional 40 officials.

PROTECTION

The government maintained limited efforts to protect trafficking victims. It published information pertaining to trafficking indicators on relevant government websites, and distributed leaflets with similar material to all official stakeholders, but it did not have a standardized mechanism to identify victims and refer them to care. During the reporting period, officials identified and referred to government-run shelters 113 trafficking victims. This is compared to 121 trafficking victims—including 20 victims of forced labor—the government identified during the previous year. Of these, there were 34 child trafficking victims during the reporting period, one of whom was a Saudi national; the remainder were Yemeni. Victim nationalities included Saudi Arabia, Indonesia, Ethiopia, Somalia, the Philippines, Ghana, Yemen, Bangladesh, Rwanda, and Sri Lanka. In March 2019, officials pledged $2.2 million to an international organization in order to systemically strengthen protection and assistance to vulnerable migrants, to include trafficking victims. In contrast to the previous reporting period, the government did not provide information pertaining to its financial allocation to the Ministry of Labor and Social Development (MOLSD) for victim protection and assistance of trafficking victims specifically. MOLSD remained responsible for the operation of shelters across the country for vulnerable populations and abuse

victims, some of whom were likely trafficking victims. These included shelters for child beggars in Mecca, Jeddah, Dammam, Medina, Qassim, and Abha, in addition to welfare centers for female domestic workers in at least 10 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. All 113 government-identified victims received these services from the government during the 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.

Among migrant workers there were persistent complaints of unpaid wages, passport retention, physical or sexual abuse, or substandard working conditions, all of which were trafficking indicators. During this reporting period, officials detained and deported more than one million foreign nationals—including more than 300,000 Ethiopian nationals—for violating work, residence, and entry rules; some of these may have been trafficking victims. The HRC reported law enforcement agencies were trained in screening vulnerable populations for trafficking indicators. Labor-sending diplomats reported the government punished trafficking victims for unlawful acts traffickers compelled them to commit. Furthermore, since the government did not routinely screen for potential trafficking victimization among vulnerable populations, and police frequently arrested and/or deported undocumented migrant workers, authorities likely arrested and deported many unidentified victims during the year.

The government extended to 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 alternatively an immediate exit visa; these benefits did not require a successful prosecution or cooperation with law enforcement personnel. Officials reported granting more than 880,000 laborers the right to transfer their work permits to alternate employers but did not specify how many trafficking victims were included in this figure. 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; as in previous years, it did not report how many victims accessed these provisions during the reporting year. Officials permitted victims to obtain restitution from the government and file civil suits against trafficking offenders; however, such settlements generally occurred outside of civil court proceedings, through government-supported mediation efforts, and did not entail criminal prosecution or, in most cases penalties or interest on the amounts of unpaid wages in dispute. The government reportedly often informally reimbursed workers for back wages and/or assisted in their repatriation to speedily resolve cases of labor violations, including those likely involving trafficking concerns.

PREVENTION

The government demonstrated sustained efforts to prevent trafficking. It demonstrated mixed progress on 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. During the reporting period, the Ministry of Interior's (MOI) General Directorate for Public Security conducted a workshop for 40 members of their criminal investigative staff on the goals within the government's national action plan. In November 2018, the government signed a bilateral memorandum of understanding (MOU) with a foreign government on technical cooperation on anti-trafficking initiatives and began to implement elements of that agreement. The government reportedly allocated a perennial budget of 36 million SAR ($9.6 million) for its interagency anti-trafficking secretariat, although the increased dollar amount could not be corroborated during the reporting period. Officials distributed leaflets on trafficking indicators, the anti-trafficking law, and the rights and responsibilities of workers and employers at public cultural events across the Kingdom, such as the Jeddah Book Fair, throughout the year. Additionally, the government launched the "Work with Awareness" campaign in September 2018, which was comprised of videos and radio commercials on various labor and trafficking topics. Officials operated a 24-hour call center that received calls in nine major labor-sending country languages including Arabic, English, Urdu, Hindi, Bengali, Tagalog, Indonesian, Malay, and Amharic. The government did not report how many victims it identified as a result of the calls, or if it initiated any investigations of trafficking crimes resulting from the calls 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 during the previous year. Some workers reported technical difficulties getting through to representatives using this phone line. The government also continued to operate and utilize its online domestic labor portal known as *Musaned*, meaning "support" in Arabic, which consisted of a website and smartphone application that allowed newly arrived domestic employees and individual employers to verify the license of a recruitment agency, review materials on employee and employer rights and responsibilities (in Arabic and English only), complete and sign electronic contracts, and request a visa. This system intended to eliminate unregulated brokers, increase transparency and accountability, and reduce the risk of trafficking. It also included a complaints resolution mechanism and associated resources.

During the reporting period, the government continued implementation of its WPS, which required employers to pay foreign workers by electronic transfer via a Saudi bank, thereby permitting the government 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. The government did not report how many Saudi companies were in compliance with the system requirements and what penalties it prescribed to those in noncompliance. The government did not report investigating or referring for criminal prosecution any passport retention crimes; during the previous reporting period, however, authorities conducted investigations of 17 cases of passport retention and imposed a fine upon each defendant per passport withheld without consent, and the prosecutor general investigated four Saudi business owners who retained their workers' passports

without their employees' consent and referred all four to the judiciary for sentencing of fines in accordance with the ministerial decree.

The government did not report efforts to reduce the demand for commercial sex acts but modestly did so for forced labor. The government sought to eliminate vulnerabilities in labor recruitment through its deployment of labor inspectors—400 of whom specialized in trafficking crimes—and HRC representatives who conducted an unknown number of field visits to monitor the application of employment and recruitment laws; during the prior year, relevant authorities ordered the closure of 14 recruitment offices and the suspension of operations of 40 others that contravened Saudi Arabia's labor laws, in addition to the imposition of fines on 227 work places that violated the government's mid-day work ban during the summer months. However, the government did not report referral of any such cases for criminal investigation and prosecution for potential trafficking crimes. Furthermore, during the current reporting period, diplomatic representatives from multiple countries reported a lack of Saudi government oversight over labor recruitment and proper implementation of labor contracts contributed to an unreported number of potential trafficking cases. In 2018, the government negotiated bilateral labor agreements with Indonesia and Ethiopia, which set minimum wage standards and regulated protections and benefits for laborers such as work hours, mandatory time off, and overarching work conditions. Some diplomatic representatives reported implementation of existing labor agreements improved the ability of embassies to monitor the labor conditions of their nationals and to identify and address trafficking and other labor-related issues. The government did not report prosecuting or convicting Saudis for sex tourism outside the Kingdom. The government did not report providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Saudi Arabia. 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; many of these workers are vulnerable to forced labor. Some traffickers or nefarious brokers illegally recruit migrants to work in Saudi Arabia and subsequently force them into domestic servitude or debt bondage. The Kingdom's migrant laborer population continued to be the largest group at risk to human traffickers, particularly female domestic workers due to their isolation inside private residences and subjection to employer abuse. According to a regional news source, there are approximately 9.4 million foreign workers—roughly 29 percent of the total population—in Saudi Arabia, and the largest populations during the reporting period hailed from India, Pakistan, Ethiopia, Yemen, Bangladesh, Egypt, the Philippines, Indonesia, and Sudan. In previous years, the government prosecuted some foreign citizens who may have been subjected to trafficking and sentenced them to death in cases involving murder. Non-payment or late payment of wages remain a recurring complaint from foreign workers in the Kingdom, while employers withholding workers' passports also remains a significant problem. Trafficking perpetrators include businesses of all sizes, private families, recruitment companies in both Saudi Arabia and labor-sending countries, and organized criminal elements.

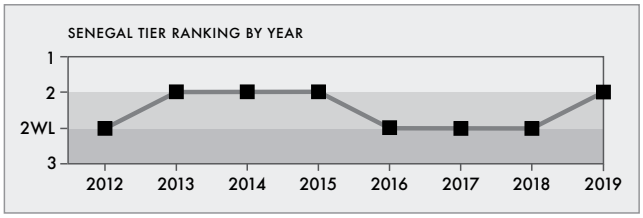
Due to Saudi Arabia's requirement, under its sponsorship system, for foreign workers to obtain permission for an exit visa from their employers to be able to legally depart the country, some laborers are forced to work beyond their contract term because their Saudi employers use state-sanctioned tools as part of a coercive scheme. Although most migrant workers sign contracts delineating their rights, some report work conditions substantially differ from those outlined in their contracts, while others never see work contracts at all, rendering them vulnerable to forced labor and debt-based coercion. 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 and debt-based coercion 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.

In Saudi Arabia, begging by women and children remains a problem and a significant vulnerability to forced labor, with reported upticks during the holy month of Ramadan and the Muslim pilgrimages of Hajj and Umrah. The child beggar population is comprised primarily of unaccompanied migrant children, most heavily from Yemen and Ethiopia, but approximately five percent are Saudi national children of unknown parents. Traffickers compel some of these women and children to work as part of organized begging rings. As the leader of a multi-nation coalition that commenced military operations against Houthi rebel forces in Yemen in 2015, Saudi Arabia paid, materially supported, trained, and commanded Sudan's Rapid Support Force. Media reported Sudanese officers associated with Sudan's Rapid Support Force took bribes from families to permit minors to serve as combatants in Yemen during the reporting year. Saudi Arabian officers allegedly trained and commanded some Sudanese combatants. There are reports that Saudi Arabia also may have funded Yemeni militias that in some cases may have hired minors in combatant roles. An international organization reported all parties to the conflict used both boys and girls as uniformed soldiers in combat and to guard checkpoints and military facilities during the reporting period. A second media report claimed the Saudi Arabian government provided salaries, uniforms, and weapons, as well as two to four weeks of weapons training, to Sudanese combatants which included children aged 14-17 years old, who may have been used in direct hostilities in Yemen.

SENEGAL: TIER 2

The Government of Senegal does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts to meet the minimum standards compared to the previous reporting period; therefore Senegal was upgraded to Tier 2. The government demonstrated overall increasing efforts by convicting six individuals involved in trafficking, including three traffickers posing as Quranic teachers who exploited children in forced begging under the 2005 anti-trafficking law; only three individuals had been convicted for forced begging since 2005. The government sentenced two of the three traffickers convicted for forced child begging to significant prison terms. The government identified and provided care to more child trafficking victims and increased its engagement with religious communities and the general public to raise awareness of human trafficking. However, the government did not meet the minimum standards in several key areas. Officials rarely used the 2005 anti-trafficking law to prosecute traffickers

and all but two sentences imposed during the reporting period were below the minimum penalties prescribed in the law. The government applied administrative penalties to most individuals exploiting children in forced begging rather than criminally investigating and prosecuting offenders. Coordination between government agencies continued to be weak.



PRIORITIZED RECOMMENDATIONS:

Explicitly direct law enforcement and judicial officials to significantly increase efforts to investigate and criminally prosecute trafficking offenses following due process, including those who exploit children in forced begging, and punish convicted traffickers with significant prison terms consistent with the 2005 anti-trafficking law. • Approve draft legislation to regulate *daaras* (Quranic schools) and allocate adequate inspectors to enforce its implementation. • Allocate sufficient resources and funding to the anti-trafficking task force (CNLTP) and strengthen its ability to coordinate anti-trafficking activities among agencies conducting anti-trafficking work. • Continue implementing the 2018-2020 anti-trafficking national action plan. • Facilitate training of 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. • Develop and establish a framework to regulate overseas labor recruitment to prevent exploitation of Senegalese workers abroad. • Expand workplace regulations to include labor inspections in the informal sector where forced labor occurs. • Develop and implement pre-departure trainings for labor migrants, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and Senegal to prevent exploitation abroad. • In partnership with NGOs, expand access to protective services for trafficking victims outside of Dakar. • Continue the *daara* mapping project. • Broaden efforts to raise public awareness of trafficking.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims criminalized sex trafficking and labor 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. While the 2005 anti-trafficking law criminalized forced begging, provisions in the penal code that allowed seeking of alms under certain conditions may have hampered law enforcement officials' ability to distinguish traditional alms-seeking and exploitation through forced begging. During the reporting period, the government continued revising the 2005 anti-trafficking law to establish separate laws for human trafficking and migrant smuggling in an effort to prevent conflation of the two crimes.

In data collected from six of Senegal's 14 regions, the government reported investigating at least 12 trafficking cases, prosecuting 12 suspects and convicting six traffickers, compared to 20 investigations, 10 prosecutions, and five convictions the previous reporting period, with data from five regions. Three of the six convicted traffickers had posed as Quranic teachers to exploit children in forced begging and were convicted under the 2005 anti-trafficking law in addition to abuse and child endangerment charges. The three convicted traffickers received sentences of two years suspended sentence, two years' imprisonment, and three years' imprisonment, respectively; two of these sentences were in compliance with the penalties prescribed in the 2015 anti-trafficking law. Judges sentenced the other three convicted traffickers to two years' imprisonment which was below the minimum penalties prescribed in the law. In the previous reporting period, all sentences imposed were below the minimum penalties prescribed in the law. Officials did not consistently use the 2005 anti-trafficking law to prosecute alleged traffickers. When officials identified a potential forced begging case, they often issued administrative penalties to the alleged perpetrators instead of criminally investigating and prosecuting the case; during the reporting period, 136 alleged child forced begging cases were handled administratively. By not criminally investigating or prosecuting these forced begging cases, the government did not adequately hold traffickers accountable. The government created a new Air and Border Police unit at the close of the previous reporting period with responsibility for transnational criminal investigations; the new unit investigated an unspecified number of sex trafficking and forced child begging cases. 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. The CNLTP continued to lead meetings of a West African sub-regional network, including officials from neighboring countries of bodies focused on combating trafficking, and hosted three meetings in Dakar to share best practices.

As in past years, the CNLTP co-financed and led five trainings with international organizations and NGOs on identifying, investigating, and prosecuting human trafficking. These trainings reached more than 159 judges, prosecutors, and police officers, as compared to reaching 200 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 victim identification and assistance procedures at the Judicial Training Center as well as at the national police and gendarmerie schools. The CNLTP hosted a workshop on human trafficking and migrant smuggling for 50 judicial, law enforcement, and related ministry officials, as well as civil society and religious leaders. The Ministry of Good Governance and Child Protection (MGGCP) partnered with international donors and an NGO to lead a train the trainers session for juvenile justice practitioners on child protection, especially victims or witnesses of violence, trafficking, or exploitation. In November 2018, the MGGCP also trained 40 community leaders and government officials on identification of trafficking. 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 continued to roll out a national trafficking database in key regions of the country initiated during previous reporting periods, the government did not fully complete this process or use it during the reporting period.

PROTECTION

The government increased 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. The government, at times in collaboration with NGOs, identified and referred to services at least nine adult trafficking victims and approximately 1,559 potential child trafficking victims during the reporting period—including a significant number of child forced begging victims. This was compared to identifying and providing services to 1,381 potential child trafficking victims during the previous reporting period. The MGGCP partnered with NGOs to repatriate at least 296 child trafficking victims to their home countries. A second NGO in Saint-Louis identified and cared for an additional 340 child trafficking victims without government support.

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. In addition to its broader work of caring for child victims of trafficking or other abuse, the Ginddi Center cared for at least 541 child trafficking victims identified during the second phase of the campaign to remove vulnerable children from the streets of Dakar during the reporting period. Nearly all victims identified were child forced begging victims from Senegal, Guinea, Guinea-Bissau, The Gambia, Liberia, and Burkina Faso. There were no reports authorities returned child forced begging victims to alleged perpetrators posing as Quranic teachers and all child forced begging victims received psycho-social care before being reunited with their families—an improvement from previous years' approaches. There were no reports identified children were exploited again in forced begging nor were any alleged perpetrators reported to be repeat offenders. The government provided 90.6 million West African CFA francs (FCFA) ($159,320) to the Ginddi Center in 2018, the same amount it allocated to the center in the previous year. The center provided meals, shelter, psycho-social care, clothing, medical care, and limited vocational training. 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, the MGGCP sent some trafficking victims identified during the second phase of the anti-forced begging campaign to the center for immediate services, and then to NGOs or 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. The Ministry of Justice operated three shelters (CPAs) for child victims of crime, witnesses, and children in emergency situations, which trafficking victims could access. The government allocated 20 million FCFA ($35,170) 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 how many victims received this relief during the reporting period. The 2005 anti-trafficking law has provisions for victim protection during prosecution including allowing video-taped testimony; the government did not report implementing these provisions during the reporting period. Victims could legally obtain restitution and file civil suits against their traffickers; the government reported seeking restitution in all cases prosecuted during the reporting period.

PREVENTION

The government increased efforts to prevent human trafficking. The government continued implementing the 2018-2020 anti-trafficking national action plan, and it committed to funding the CNLTP for implementation of the plan. The government allocated 80 million FCFA ($140,680) to the CNLTP in 2018 and committed an additional 80 million FCFA ($140,680) in 2019, the same amount allocated in 2017. Funding for the CNLTP remained insufficient, and it had to seek additional donor funds to support many of its activities. The Ginddi Center continued to run a hotline for child trafficking in three languages. The hotline received 921 calls during the reporting period, leading to the identification of an unknown number of vulnerable children, many of whom were trafficking victims; three criminal investigations were initiated as a result of the calls. 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 collaboration with NGOs, the CNLTP continued awareness-raising programs on child forced begging and sex trafficking, including public forums, televised debates, newspaper articles, and television programs. With a coalition of children's rights organizations, the MGGCP conducted roundtables on forced child begging in Tambacounda, Kolda, and Ziguinchor. The MGGCP also held a public photo exhibition to highlight the vulnerability of child beggars in June 2018. In November 2018, MGGCP held a workshop for reporters on issues related to child protection, including child sex and labor trafficking.

In 2016, the then-Ministry of Women, Families, and Childhood implemented the first phase of the president's campaign to remove vulnerable children from the streets of Dakar, including child trafficking victims. In March 2018, 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. The MGGCP also actively engaged with religious leaders from all of Senegal's major religious brotherhoods and the national federation of Quranic teachers to secure their commitment in the campaign. However, most implicated individuals, including men posing as Quranic teacher, received administrative penalties rather than being criminally investigated or prosecuted. During the second phase, the government removed 541 children from the streets

and referred them to the Ginddi Center for care.

In June 2018, the CNLTP held a workshop to share results of a study it commissioned with an international organization on trafficking of women in domestic servitude. The study noted the challenges to identifying domestic servitude victims and found some Senegalese women were exploited in domestic servitude abroad, particularly in Saudi Arabia, and often with the complicity of Saudi diplomats in Senegal; the government did not report any investigations into these allegations. The government regulated labor recruiters and brokers but did not report any investigations into fraudulent recruitment during the reporting period. Four local governments continued partnering 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, provide food, hygiene, and medical services to children in *daaras*, and decrease the incidence of forced begging; two of the local governments reported a drastic decrease in the incidence of forced begging in their communities, as well as a drastic decrease in local tolerance of the practice, 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, and mapped all *daaras* in Dakar. In June 2018, the Council of Ministers approved 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. Furthermore, the draft law and the draft presidential decree that would operationalize the law specified standards that *daaras* would need to maintain; for the first time, the government would have the oversight and authority to approve or deny the opening of new *daaras*, and to close *daaras* that do not meet requirements. The bill and operational decree was pending National Assembly approval at the end of the reporting period. While reliable statistics are lacking, Senegal's informal sector—where the majority of forced child labor occurred—likely accounted for between 60 and 90 percent of economic activity in the country. Although the government implemented some measures to encourage participants in the informal sector to formalize their businesses and respect labor regulations, progress was minimal and the government did not provide adequate protections for workers. The government did not make efforts to reduce the demand for commercial sex or forced labor. 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 tourism.

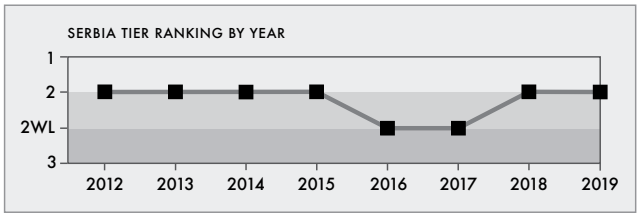
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Senegal, and traffickers exploit victims from Senegal abroad. Forced begging is the most prevalent form of trafficking; some Quranic teachers and men who claim to be Quranic teachers force children to beg in Dakar and other major cities in Senegal. A *daara* mapping study conducted during the reporting period by the MGGCP with the support of a foreign NGO indicated that nearly 30,000 children are forced 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. During the reporting period, authorities identified Ukrainian and Chinese women exploited in sex trafficking in bars and nightclubs. 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, a government and international organization report found some Senegalese women are exploited in domestic servitude in Saudi Arabia, often with the alleged complicity of Saudi diplomats in Senegal. During the previous 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Serbia remained on Tier 2. These efforts included convicting more traffickers, creating a trafficking task force, and consolidating the investigative jurisdiction of trafficking cases under the Criminal Police Directorate (CPD). The government identified more victims and opened the urgent reception center after a delay of five years. 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 was less effective due to a lack of clear roles and responsibilities for various government agencies. The government did not consistently apply non-penalization principles for trafficking victims, and judges did not protect victims' rights during court proceedings. The lack of official criteria and standards for NGOs seeking approval to provide victim services created obstacles for NGOs to obtain licenses and for victims to access care.



PRIORITIZED RECOMMENDATIONS:

Formalize victim identification procedures and ensure their implementation. • Update the national referral mechanism to provide victims all necessary support services by formalizing cooperation with NGOs and delegating specific roles and responsibilities to government agencies. • Vigorously investigate, prosecute, and convict traffickers and sentence them to adequate

penalties. • Update the national referral mechanism with specific identification and referral procedures for children. • Implement victim-centered approaches and victim-witness protection measures for victims testifying in court 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 crimes committed as a direct result of being subjected to trafficking and amend the law to mandate non-penalization of victims. • Allocate sufficient resources to enable the Center for the Protection of Trafficking Victims to implement victim protection efforts. • Establish transparent standards and procedures for NGOs to obtain licenses for providing support services. • Improve training for government personnel on victim assistance and referral. • Increase efforts to identify victims, including among migrants, refugees and asylum seekers, and unaccompanied children engaged in street begging. • Provide labor inspectors and market inspectors the resources and training necessary to regulate recruitment agencies and investigate cases of fraudulent recruitment.

PROSECUTION

The government increased law enforcement efforts. Article 388 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from two to 12 years' imprisonment for offenses involving an adult victim, and three to 12 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Law enforcement investigated 22 suspects (13 in 2017). The government prosecuted 20 defendants (24 in 2017). Courts convicted 19 traffickers (13 in 2017). Seventeen traffickers received imprisonment and two received suspended sentences, but the government did not collect or report information on the length of sentences. The CPD maintained an Anti-Trafficking Unit within the Directorate to Combat Organized Crime. The government finished consolidating the jurisdiction to investigate trafficking under the CPD; in previous years, the border police and Foreigners Office split this responsibility, which hindered investigations because of unclear jurisdiction and the implication that trafficking required a transnational element. The government established and trained trafficking units in 27 regional police administrations, with at least two officers exclusively investigating trafficking. The government formed a trafficking task force that coordinated efforts to proactively investigate trafficking and maintained a separate human smuggling and trafficking task force that also investigated trafficking.

The Public Prosecutor's Office (PPO) maintained specialized prosecutors for trafficking cases, who acted as single points of contact for investigators and care providers and provided operational guidance; however, the government did not have a system to consistently refer trafficking cases to these prosecutors or to judges trained and experienced on trafficking issues. Experts reported strengthened cooperation with the PPO but noted prosecutors faced difficulties in distinguishing between labor rights violations and forced labor. Additionally, prosecutors often plead down sex trafficking cases to mediating prostitution. The government trained police and prosecutors on anti-trafficking issues and worked with the Slovenian police to provide trainings for financial investigations in trafficking cases. Law enforcement charged a police officer involved in sex trafficking.

PROTECTION

The government increased efforts in victim protection. The government identified 76 victims (40 in 2017). Of these, 34 were victims of sex trafficking, 18 of forced labor, two for forced begging, one for forced criminality, and 21 for multiple types of exploitation (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 in 2017). Thirty-two victims were children (18 in 2017) and 57 were female and 19 were male (36 females and four males in 2017). First responders referred 193 potential victims (142 in 2017) to the government's Center for Protection of Trafficking Victims (CPTV); law enforcement referred 89 (44 in 2017), social welfare organizations referred 45 (57 in 2017), other government entities referred 21, and 38 were referred by civil society or other means (41 in 2017).

The government continued to lack formal victim identification procedures, including standardized indicators to screen vulnerable populations. Local centers for social work (LCSW) often did not intervene in cases of potential forced begging, and forced labor involving Roma. The government also 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. CPTV had two units, the protection agency and the urgent reception center (URC). The government updated standard operating procedures for CPTV, but experts continued to report the lack of control and transparency over the official victim assessment. Additionally, 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. 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. CPTV trained 45 professionals from different sectors on trafficking within migrant flows, 98 social workers on victim identification, and 40 volunteers and professionals on trafficking issues; however, CPTV continued to report many relevant ministries did not consider victim protection as a part of their responsibility.

The government could not provide information on funds allocated for victim protection in 2017 and 2018 and did not provide funding to NGOs despite relying on their victim support and reintegration services. Although the government required that victims be referred only to licensed service providers, only two types of services had official licensing criteria and standards established; of the two major NGOs that work on trafficking issues, one was licensed to provide comprehensive residential and life skills support, and the other was licensed to administer an SOS hotline. Experts continued to report CPTV referred fewer victims to NGOs for support and assistance. The government and NGOs provided psycho-social, legal, educational, medical, financial, and reintegration support. The government opened the URC in February 2019, designed to provide safe shelter and services, after five years of delays; the URC had the capacity to accommodate six victims. Before the URC's opening, an NGO operated the only specialized shelter for female trafficking victims. 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. The government maintained a drop-in shelter for street children and when authorities identified victims, they returned them to their families, referred them to foster care, or placed them in one of the two Centers for Children without Parental Care. The government did not provide specialized accommodation 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 maintained a protocol with the National Employment Service (NES) to assist victims in finding employment; CPTV referred 37 victims to NES for assistance (36 in 2017). The government provided foreign victims temporary residence permits renewable up to one year and passed a law allowing potential victims to stay in Serbia for three months; one victim received a residence permit (two in 2017) and two victims had their residence permits extended. Two additional victims identified in the migrant population were granted asylum.

The government penalized victims for crimes committed as a direct result of being subjected to trafficking, particularly forced criminality. CPTV and civil society organizations intervened to suspend known prosecutions of trafficking victims but were not always successful. Victims' ability to access support services and assistance was not contingent on cooperating with law enforcement investigations, but 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. Judges did not always grant witness protection to trafficking victims or adequately protect victims' rights during lengthy court proceedings. Although the government passed a law designating officially recognized victims as a "particularly vulnerable group" eligible for special assistance and procedural consideration, judges did not consistently assign the status of "especially vulnerable witness" to trafficking victims, including children; this status allowed witnesses to testify without the defendant present and allowed testimony via video link. Victims frequently appeared in front of their traffickers and did not receive notification when authorities released their traffickers from custody. Observers reported CPTV continued to consistently appoint lawyers to represent victims, but the length of trials and assistance provided to victims depended on the individual prosecutor or judge. 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. Civil suits were lengthy, expensive, and required the victim to face the abuser numerous times; only two victims received compensation to date.

PREVENTION

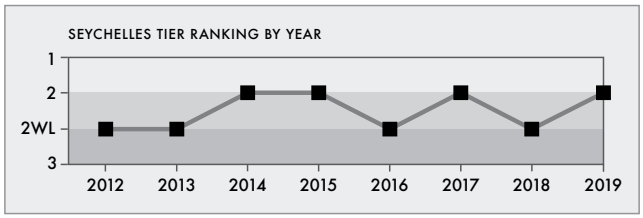
The government maintained prevention efforts. The government implemented the anti-trafficking strategy for 2017-2022 and adopted a national action plan for 2019-2020. The government allocated 8.02 million *dinars* ($77,580) to implement the strategy for the first two years. Government agencies signed a memorandum of cooperation defining roles and responsibilities for anti-trafficking efforts. The Council to Combat Trafficking did not meet in 2018 (once in 2017). Seventeen municipal governments maintained multidisciplinary anti-trafficking teams; however, observers reported most teams did not meet and had minimal activities in 2018. The government financed a television show and a media project on trafficking issues and organized educational and outreach activities, but efforts were on an ad hoc basis. The government operated a hotline to collect trafficking-related tips and publicly released information on anti-trafficking efforts, including prosecution data and protection efforts. The government incorporated trafficking issues into grade school curriculums. Police continued to enforce laws against purchasing commercial sex, but 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.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Serbia, and traffickers exploit victims from Serbia abroad. Traffickers exploit Serbian women in sex trafficking in Serbia, in neighboring countries, and throughout Europe, particularly Austria, Germany, Italy, and Turkey. Traffickers exploit Serbian nationals, primarily men, in forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Austria, Belgium, Croatia, France, Germany, Italy, Montenegro, and Russia) and the United Arab Emirates. Traffickers exploit Serbian children, particularly Roma, within the country in sex trafficking, forced labor, forced begging, and petty crime. Foreign victims identified in Serbia were from Albania, Cameroon, Denmark, Nigeria, and Pakistan. Thousands of migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries transiting through or left 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

The Government of Seychelles does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period; therefore Seychelles was upgraded to Tier 2. The government demonstrated overall increasing efforts by investigating and prosecuting more cases, as well as convicting its first trafficker under the Prohibition of Trafficking in Persons Act of 2014; investigating a senior government official; identifying and providing assistance to more victims; and allocating some funds to assist victims this year. For the first time, the government awarded victims restitution from their traffickers, and the government also established a special task force to inspect migrant worker labor conditions, including inspections in the Seychelles International Trade Zone (SITZ) during the reporting period. However, the government did not meet the minimum standards in several key areas. The government did not have any comprehensive shelters or care facilities available for trafficking victims, and it did not implement its standard operating procedures for victim identification and referral or its victim assistance mechanism. The government did not provide adequate anti-trafficking training for its personnel, nor did it utilize its national centralized anti-trafficking data collection and reporting tool. The government did not provide sufficient resources for victim assistance and did not adopt a National Action Plan (NAP) to address trafficking. Government officials denied the existence of and made negligible efforts to address sex trafficking in Seychelles.



PRIORITIZED RECOMMENDATIONS:

Implement standard operating procedures to systematically identify and refer trafficking victims. • Establish a shelter for victims. • 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, including for victims of sex trafficking. • Using the anti-trafficking law, continue to increase efforts to investigate, prosecute, and convict traffickers, and sentence convicted traffickers to adequate penalties. • Allocate adequate funding and resources for victim services and front-line officials. • Draft a national action plan to drive national efforts to combat all forms of trafficking. • Implement the requirements of the 2014 anti-trafficking act, including establishing a secretariat to support the National Coordinating Committee and a Victim Assistance Fund. • Adopt a law prohibiting the retention of passports by employers of migrant workers. • Remove the required fee for a migrant worker to file a complaint with the Labor Tribunal and screen and refer potential labor trafficking cases for criminal prosecution. • 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. • Utilize the national centralized anti-trafficking data collection and reporting tool. • Continue to implement labor laws, including strong oversight and inspection authority, in all of Seychelles, including the international trade zone, the residences that employ domestic workers, and migrant workers' work sites.

PROSECUTION

The government increased law enforcement efforts to combat trafficking during the reporting period. The Prohibition of Trafficking in Persons Act of 2014 criminalized sex trafficking and labor trafficking of adults and children. The law prescribed penalties of up to 14 years' imprisonment and a fine up to 500,000 Seychelles rupee ($36,900), and, in cases involving children, a maximum of 25 years' imprisonment and a fine up to 800,000 Seychelles rupee ($59,040); these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Provisions in the penal code criminalized elements of human trafficking. Although the anti-trafficking law criminalized child sex trafficking, 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). In the prior reporting period, the government, in collaboration with an international organization, began development of implementing regulations for the 2014 anti-trafficking law to address protective measures for trafficking victims; however, the government did not report progress on these regulations.

During the reporting period, the government investigated 45 suspected forced labor cases and, of these, initiated prosecution of three cases and closed 39 due to insufficient evidence. Investigations in the other three cases are ongoing. This compared to zero reported investigations and prosecutions initiated in the prior reporting period. The government convicted its first trafficker under the 2014 anti-trafficking law and prescribed a penalty of three years' imprisonment and a fine of 400,000 Seychelles rupee ($29,520) on four counts of trafficking. The court ruled that each of the four victims would receive 50,000 Seychelles rupee ($3,690) in restitution. The government reported initiating an investigation into a senior government official in the Department of Foreign Affairs (DFA), who formerly worked for the Ministry of Employment, Immigration and Civil Status (MOE), for fraudulently issuing work permits to migrant workers for the purpose of exploiting migrant workers in forced labor. In the previous reporting period, immigration officers reported 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; however, the government did not report investigating these allegations. In partnership with foreign officials from the United Kingdom, the Department of Immigration reported facilitating training for 25 border control officials. The government also reported that evidence collection remained a challenge and front-line officials required additional training. With support from an international organization, the government has had access to a national centralized anti-trafficking data collection and reporting tool since 2015, but it has never utilized this tool, despite receiving training.

PROTECTION

The government increased efforts to identify and assist trafficking victims; however, efforts to identify victims of sex trafficking were inadequate. The government identified nine adult male forced labor victims during the reporting period, an increase from zero during the prior reporting period. However, the government did not systematically implement its victim identification and referral tool, which continued to hamper protection efforts. The government did not assist in or facilitate the repatriation of any trafficking victims during the reporting period. There were no shelters for trafficking victims or comprehensive care facilities in the country; however, as in prior years, the Social Affairs Department of the Ministry of Health and Social Affairs provided the nine victims with accommodation in private guesthouses, homeless shelters, or a facility previously used to hold suspected criminals, where they had freedom of movement. The government also provided per diem to the victims to cover daily living expenses, as well as medical and psychological care to one victim. The Coordinating Committee reported spending approximately 275,000 Seychelles rupee ($20,300) for victim care in 2018. Without financial assistance from the government, a local NGO identified three victims and provided them with shelter; psychological counseling was provided on an ad hoc basis. The government did not report providing the victims with new work permits, unlike the previous reporting period. The government reported providing training to an unknown number of social workers on implementing the victim identification and referral tool during the reporting period; however, there were continued reports that front-line officials failed to utilize the tool. Migrant workers remained highly vulnerable to trafficking and the government did not report efforts to identify or assist victims of sex trafficking.

The 2014 anti-trafficking law allowed the government to place witnesses under protection and, if the court found it necessary, to hold trafficking trials in private for the sake of the victim or

witness' confidentiality and privacy. The government reported providing alternative accommodations and some police protection for 12 victims under witness protection, but did not report holding any trafficking trials in private for victim confidentiality. The anti-trafficking law also ensured victims could testify through closed circuit television and that courtroom accommodations could be made for the psychological comfort of the victim; however, the government did not report utilizing these provisions during the 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. However, the government did not report issuing any temporary residency permits or gainful occupation permits during the reporting period. Migrant workers with labor-related complaints were often referred to unions where they had access to union representation and help obtaining legal assistance. The anti-trafficking law allowed the government to provide restitution to victims from the fine imposed on the accused or from the Trafficking in Persons Fund; however, the government has never allotted resources to the Trafficking in Persons Fund. For the first time, the government awarded four victims restitution under the anti-trafficking law, while an additional three victims filed civil suits for compensation of salary from their employer. The law protected trafficking victims from detention or prosecution for illegal entry into Seychelles, but it did not protect the victim from prosecution for other unlawful acts traffickers compelled them to commit. There were no reports that the government inappropriately detained or penalized trafficking victims for crimes traffickers compelled them to commit; however, because officials did not use standard victim identification procedures, victims may have remained unidentified in the law enforcement system.

PREVENTION

The government maintained minimal national-level prevention efforts, while working to better address vulnerabilities among migrant workers. The National Coordinating Committee on Trafficking in Persons, established to direct anti-trafficking efforts across government agencies and drive national policy, began meeting again after being largely inactive during the last reporting period. The Coordinating Committee began work on a new anti-trafficking national action plan but did not report officially adopting it, and its efforts to drive national anti-trafficking efforts remained limited overall. The government provided the Coordinating Committee with a specific budget to combat trafficking in persons, including for accommodations for identified victims. However, the government did not establish a secretariat to support the Coordinating Committee due to lack of office accommodations. The government did not conduct national public awareness campaigns; but it held sensitization fairs regarding proper labor conditions, including information on forced labor situations, and labor inspectors distributed material on workers' rights during site visits. In the prior reporting period, MOE reported that, in partnership with the Government of the Philippines, it had developed new brochures and leaflets detailing migrant worker rights but still had not disseminated the brochures to any workers. The government maintained two hotlines, one with the police and one with the Department of Immigration, for reporting crimes, including trafficking; however, the government did not report how many calls it received.

The MOE established a new inter-ministerial Special Task Force to address the living and working conditions of migrant workers; the task force comprised representatives from the MOE; the Ministry of Environment; the Ministry of Health; the Seychelles Police Force, the Seychelles Licensing Authority; Seychelles Fire and Rescue Services; and the Industrial Estate Agency. The task force reported inspecting 35 work sites and the MOE inspected 266 sites for indications of trafficking, but it did not report how many inspections resulted in the identification of potential forced labor victims or law enforcement actions. In accordance with the Employment Act, the MOE reviewed all contracts for migrant workers to ensure compliance with its provisions, including acceptable accommodations; however, the government did not have effective policies or laws regulating or providing oversight for 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 remained legal under Seychellois law, unless proved it was specifically for the purpose of further trafficking a person. The MOE employed labor inspectors responsible for inspecting 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 ex-territorial and managed by the Financial Services Authority (FSA). However, during the reporting period, the task force coordinated with the FSA to conduct two joint inspections in the SITZ; but the MOE's lack of jurisdiction continued to limit its ability to protect migrant workers. The government did not report whether any of these inspections resulted in identification of potential forced labor victims or law enforcement actions.

The MOE required prior approval by the employer before an inspector could enter private homes to monitor employers of domestic workers; four such inspections took place during the reporting period. However, requiring prior employer approval continued to limit 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 potential trafficking crimes or labor violations. The government continued to utilize the Labor Tribunal for labor-related complaints and continued to require a fee for migrant workers to file a complaint. The government provided all citizens and foreign workers with national identity cards. Due to concerns that historically the majority of identified trafficking victims in Seychelles have been Bangladeshi, the government suspended issuance of work permits to Bangladeshi nationals for 12 months, while it negotiated a bilateral labor agreement with the Government of Bangladesh. In general, such suspensions of work permits have the potential to increase migrant workers' vulnerability to trafficking, since they eliminate the legal means for intending workers to travel to countries for work. The government did not provide anti-trafficking training to diplomats. The government did not make efforts to decrease the demand for commercial sex during the reporting period, despite the prevalence.

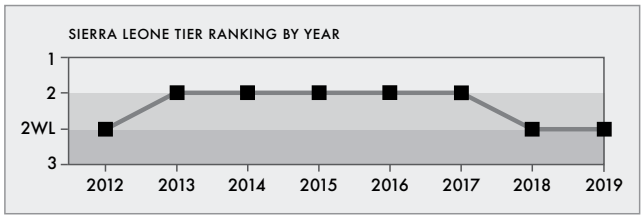
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Seychelles. Traffickers exploit some Seychellois girls and, according to some sources, boys in child sex trafficking, particularly on the main island of Mahe; peers, family members, and pimps exploit them in bars, guest houses, hotels, brothels, private homes, and on

the street. Young drug addicts are vulnerable to sex trafficking, and sex traffickers have exploited Eastern European women in hotels. In 2017, there were reports of 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. Traffickers may subject Malagasy women who transit the Seychelles to forced labor in the Middle East. However, the government still does not acknowledge the occurrence of sex trafficking in Seychelles. Migrant workers—including from Bangladesh, India, China, Kenya, Madagascar, and countries in South Asia—make up 20 percent (21,000) of the working population in Seychelles and are primarily employed in fishing, farming, and construction; credible reports indicate traffickers subject migrant workers to forced labor in these sectors. NGOs report migrant workers also 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 nonpayment of wages and physical abuse. Labor recruitment agents based in Seychelles will exploit migrant workers in labor trafficking, oftentimes with the assistance of a local Seychellois accomplice. Migrant workers often sign their employment contracts upon arrival in the Seychelles and frequently cannot read 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, increasing their vulnerability to forced labor.

SIERRA LEONE: TIER 2 WATCH LIST

The Government of Sierra Leone does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by finalizing and beginning to implement the Labor Migration Policy to improve the government's response to migrants' vulnerability to trafficking in Sierra Leone and abroad, raising awareness of trafficking through radio and television campaigns, continuing regular meetings of the anti-trafficking task force, and allocating a budget of 132 million leones ($15,310) to fund anti-trafficking activities in 2019. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Corruption in the judicial process continued to impede prosecution efforts. The government did not convict a trafficker for the eighth consecutive year, and NGOs alleged law enforcement sexually assaulted potential trafficking victims. Government policies to minimize fraudulent labor recruitment inadvertently drove labor migration to informal channels, increasing Sierra Leonean labor migrants' vulnerability to trafficking. The anti-trafficking task force continued to lack enough resources to adequately implement the 2015-2020 anti-trafficking national action plan, and government officials continued to have limited understanding of the trafficking. Therefore, Sierra Leone remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, following due process, and sentence convicted traffickers with significant prison terms in accordance with the law. • Implement existing 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. • Address procedural delays, including by allowing regional courts to try trafficking cases, and judicial corruption so victims can safely and voluntarily 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. • Continue to fully implement the new Labor Migration Policy and end policies that encourage labor migration to occur through informal channels, potentially increasing migrants' vulnerability to trafficking. • Increase financial or in-kind support to NGOs that support trafficking victims. • Sufficiently fund anti-trafficking activities in the national budget and allocate funds to the anti-trafficking task force. • Amend the 2005 anti-trafficking law to remove sentencing provisions that allow for a fine in lieu of imprisonment for sex trafficking offenses. • Improve data collection on anti-trafficking law enforcement and victim assistance efforts.

PROSECUTION

The government maintained inadequate anti-trafficking law enforcement efforts. The 2005 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment, a fine, or both. These penalties were sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, the penalties for sex trafficking were not commensurate with the penalties for other grave crimes, such as rape and kidnapping. The Sexual Offences Act criminalized sex trafficking under its "forced prostitution" and "child prostitution" provisions and prescribed penalties of up to 15 years' imprisonment; these penalties were sufficiently stringent and commensurate with penalties for other grave crimes such as rape and kidnapping. During the reporting period, the government, in collaboration with NGOs, reviewed the 2015 anti-trafficking law to make recommendations for its revision.

The government reported 13 investigations, three prosecutions, and no convictions, compared to 33 investigations, seven prosecutions, and no convictions in the previous reporting period. No investigations or prosecutions were continued from the previous reporting period. In some cases, traffickers reportedly bribed prosecutors not to prosecute cases, and bribed judges to dismiss cases. Due to lengthy investigations required for trafficking cases, prosecutors sometimes pursued trafficking cases under the Domestic and Gender Abuse Act or the Child Rights Act because of lower evidentiary standards and higher likelihood of 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.

In February 2019, the president of Sierra Leone declared sexual violence a national emergency and decreed sex with minors would be punishable with life imprisonment; the government did not report whether this would be applied to sex trafficking cases beyond child sex trafficking. Despite past reports of Sierra Leonean women fraudulently recruited to Kuwait for domestic work and sex trafficking, the Transnational Organized Crime Unit (TOCU) and Ministry of Labor and Social Services (MLSS) did not report investigating alleged fraudulent recruitment networks for suspected trafficking. Judicial inefficiencies, general corruption, and procedural delays prevented courts from holding traffickers 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. The government began investigating how to expedite trafficking cases by referring trafficking prosecutions directly to the High Court, bypassing the preliminary investigation stage which sometimes was a three year process, during the reporting period; however, the new policy was not finalized or implemented during the reporting period. In an effort to better prosecute trafficking crimes, the judiciary designated Freetown Court Number Two as the dedicated court to hear all human trafficking cases during the previous reporting period although the impact of this designation on improving prosecution of trafficking cases was unclear.

Despite low understanding of trafficking and inadequate training of law enforcement and judges, the government did not provide adequate anti-trafficking training to law enforcement officials. In December 2018, the Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA) trained 25 social workers on identifying and referring victims to care. An NGO trained an unknown number of government officials 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. An NGO alleged police officers raped potential child trafficking victims and, in some cases, transported victims to police stations where they were sexually abused. The government continued regular border security meetings with the Governments of Guinea and Liberia, which included trafficking, but reported its failure to ratify the ECOWAS Convention on Mutual Assistance in the Fight against Trafficking compounded difficulties in cross-border investigations.

PROTECTION

The government increased efforts to identify victims but efforts to protect victims remained inadequate. In collaboration with an international organization, the government identified 481 potential trafficking victims during the reporting period, a significant increase from 46 victims identified in the previous reporting period. Of the 481 identified victims, 458 male forced labor victims were identified among returning migrants from Libya, Algeria, Niger, and Mali. The government referred at least 33 victims to services. NGOs reported identifying and assisting an additional 47 trafficking victims. The government relied on NGOs to care for trafficking victims; however, most NGOs were not able to provide shelter for male victims. MSWGCA operated a temporary shelter for victims of gender-based violence that trafficking victims could access; it did not refer any trafficking victims to the shelter during the reporting period. It was unclear how much funding the shelter received. In 2016, the government had committed to devoting approximately 119 million Leones ($13,810) 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 previous reporting period, and did not provide any other financial support to this or other NGOs that delivered nearly all victim care. 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 some cases, victims slept at police stations 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. No shelters were available to men and, as a result, TOCU housed a Chinese forced labor victim at their headquarters while an NGO provided food and counseling. The Sierra Leonean embassy in Kuwait requested assistance from an international organization to repatriate 33 potential trafficking victims; the embassy provided travel documents for all 33 potential victims. 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. 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 traffickers compelled them to commit, but inadequate screening for trafficking may have resulted in some victims remaining unidentified in the law enforcement system.

PREVENTION

The government maintained uneven 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. MSWGCA participated in several radio and television programs to raise awareness of

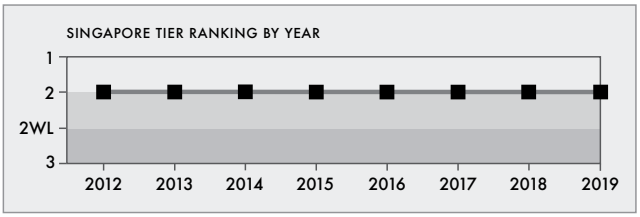
human rights, including the dangers of human trafficking. While MLSS had strict licensing procedures for new recruitment agencies to prevent exploitation of intending migrant workers, it continued to issue business registration certificates before TOCU had finished vetting the prospective agencies. In February 2019, the government implemented a moratorium on recruitment of Sierra Leoneans for employment abroad; as a result, TOCU suspended its vetting process and issuance of certificates to recruitment agencies. The government's past and current efforts to prevent exploitation of labor migrants by restricting Sierra Leoneans' access to safe and legal migration routes potentially drove Sierra Leoneans to migrate through informal channels inadvertently increasing their vulnerability to trafficking. In July 2018, the MLSS finalized a Labor Migration Policy to improve protections for migrant workers in Sierra Leone and Sierra Leoneans working abroad; the policy implementation action plans required the creation of a technical working group including the anti-trafficking task force. The strategies included in the policy include increasing capacity of Sierra Leonean missions to provide protection services to workers abroad, increasing awareness of labor rights prior to workers' departure through mass communication outlets such as radio, television, and billboards, improving recruitment agency licensing procedures, and developing bilateral labor migration agreements with destination countries on complaint mechanisms and migrants' rights. 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, human traffickers exploit domestic and foreign victims in Sierra Leone, and traffickers exploit victims from Sierra Leone abroad. 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. During the reporting period, an NGO reported Chinese-owned companies helped to fuel child sex trafficking in Freetown, citing specifically workers on Chinese-owned fishing vessels who bring girls to their boats at night for commercial sexual exploitation. During the reporting period, a Chinese man was exploited in forced labor as a domestic worker. 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 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 traffickers forced some into forced labor and sex trafficking. Sierra Leonean-Kuwaiti trafficking networks increasingly fraudulently recruit Sierra Leoneans 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. Since 2017, an international organization repatriated at least 1,500 Sierra Leoneans from Libya and other Middle Eastern countries, some of whom were victims of slavery and sex trafficking. In previous reporting periods, an international organization reported 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Singapore remained on Tier 2. These efforts included implementing a new work permit condition by which employers of foreign domestic workers agree not to retain any money belonging to the domestic worker. It also altered the work permit system to allow employers or recruitment agents to open a fee-free bank account on behalf of the employee for electronic salary payment, which resulted in more than 60,000 accounts opened. The government identified more trafficking victims in 2018 compared with 2017 and the government permitted five victims who were material witnesses in court cases against their former employers to return to their home countries, at the government's expense, pending trial procedures. However, the government did not meet the minimum standards in several key areas. The government had yet to secure a labor trafficking conviction since the passage of the 2015 law, as authorities frequently prosecuted and convicted cases with indicators of forced labor under other laws with lower penalties. NGOs continued to express concern that authorities did not fully understand the impact of indebtedness and psychological coercion on a trafficking victim, and that as a result some potential victims who went unidentified as such would have been subject to punishment or deportation.



PRIORITIZED RECOMMENDATIONS:

Using the 2015 anti-trafficking law, increase investigations and prosecutions, particularly of labor trafficking, including cases involving domestic workers, debt-manipulation, or psychological coercion, and convict and sentence convicted traffickers to penalties proportionate to the seriousness of the crime. • Increase resources for investigative and prosecutorial

training on trafficking for Ministry of Manpower (MOM) officials who handle labor violations. • Strengthen efforts to proactively 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. • Provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. • Continue to implement reforms to the work permit sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers. • Take steps to eliminate recruitment fees charged to workers by Singaporean labor recruiters and ensure any recruitment fees are paid by employers. • Strengthen the legal framework to enhance protection for victims from punishment for unlawful acts the trafficker compelled the victim to commit. • Develop formal policies to provide all victims the right to robust protective services. • Strengthen cooperation and dialogue with NGOs for developing and implementing anti-trafficking policies and assisting victims.

PROSECUTION

The government's anti-trafficking law enforcement efforts decreased during the reporting period. The 2015 Prevention of Human Trafficking Act (PHTA) criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment and fines up to 100,000 Singapore dollars (SGD) ($73,480), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In addition, Article 140 of the Women's Charter criminalized forced prostitution involving detention or physical force and Article 141 criminalized the movement of women and girls for "trafficking" but did not define this term. Penalties prescribed for these offenses included a maximum of five years' imprisonment, which were lower than the penalties available under the anti-trafficking law. The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA), or the Employment Act, which carried lower penalties than the anti-trafficking law.

In 2018, authorities investigated 16 trafficking cases, a decrease compared with 34 in 2017. Of these, 10 were cases of suspected sex trafficking, compared with 22 cases in 2017. MOM investigated six suspected labor trafficking cases, a decrease compared with 12 cases in 2017. MOM determined that none of the cases in 2018 violated the PHTA and prosecuted the majority of these cases under the EFMA for failure to pay fixed monthly salaries, collection of kickbacks, and illegal employment. The government prosecuted three alleged sex traffickers under the PHTA in 2018, the same number as in 2017 when three alleged labor traffickers were prosecuted. The government reported the prosecution of four sex trafficking cases and five labor trafficking cases, initiated in an earlier reporting period, were ongoing due to their complexity.

The government had yet to prosecute any cases of domestic servitude or obtain a labor trafficking conviction under the 2015 trafficking law. The government did not convict any traffickers under the PHTA in 2018, compared with one trafficker convicted under the PHTA in 2017. The government reported one individual was convicted under the Women's Charter and sentenced to six months' imprisonment and a fine of 16,000 SGD ($11,760). The government also convicted and imprisoned several employers of foreign domestic workers under non-trafficking laws for cases involving physical assault, non-payment of wages, not providing a day off, and/or adequate food. Some NGOs believed authorities set unreasonable standards for what qualified as the crime of trafficking and lacked an understanding of trafficking indicators such as indebtedness, psychological coercion, and deception, which hampered PHTA enforcement.

The government reported police, immigration, and MOM officials were continuously trained on anti-trafficking measures; during 2018, more than 400 such officials received training on the identification of potential trafficking victims. The government continued to partner with and participate in international trainings with foreign governments and to work closely with international counterparts on several cross-border investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. However, the government did convict an immigration official in December 2018 for warning three Chinese women about impending law enforcement raids for prostitution-related crimes and for receiving sexual services as bribes from the women in exchange for extending their immigration passes; the court sentenced the official to three years' imprisonment.

PROTECTION

The government increased protection efforts. 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. The government reported identifying 32 potential trafficking victims (nine sex and 23 labor trafficking victims), an increase compared with 20 potential victims (eight sex trafficking victims and 12 labor trafficking victims) in 2017. All police officers received basic training on victim identification; however, several NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving psychological coercion or debt bondage, and among migrant workers. NGOs also voiced concern that police did not consistently screen for trafficking indicators when police raided unlicensed brothels; as a result, the government may have prosecuted or punished unidentified sex trafficking victims for immigration violations or public solicitation. NGOs reported they provided services to several thousand migrant workers who experienced varying degrees of labor law violations or exploitation in 2018. Several of these NGOs believed a significant number of the cases they encountered were of forced labor.

The government guaranteed food, shelter, psycho-social services, and other basic assistance to trafficking victims under the PHTA and used administrative discretion to provide additional support measures, customized according to victims' needs, 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 the effect of psychological coercion on a person, some victims likely did not receive all services necessary for rehabilitation.

The government allocated 2.8 million SGD ($2.06 million) in 2018 in its annual budget, a decrease compared with 3.2 million SGD ($2.35 million) in 2017, for anti-trafficking activities, including shelter and protection services. The

government fully funded shelters for the cost of caring for trafficking victims. The Ministry of Social and Family Development funded four NGO-run shelters for women, one of which specifically served as a shelter for up to 48 female trafficking victims and exploited foreign domestic workers. MOM funded two shelters, with a total capacity of 68 individuals, for male foreign workers, one of which is designated for use by male trafficking victims. The government provided partial funding and oversight to 22 homes serving vulnerable children. Authorities permitted freedom of movement outside of the shelter for most shelter residents but restricted movement for any residents deemed to be under physical threat. Several other NGOs and two foreign government embassies also provided shelter to trafficking victims and others who had experienced labor exploitation.

The government allocated funding for an NGO to provide victims with trauma recovery and safe resettlement services including counseling and medical care, skill development, legal support, employment, and assistance with resettlement in the victim's home country. In 2018, the NGO continued to support 11 foreign labor trafficking victims referred by the government in an earlier reporting period and provided trauma recovery services for 106 foreign domestic workers who were victims of abusive labor conditions but not identified by the government as trafficking victims. In 2018, the government permitted five victims who were material witnesses in court cases against their former employers to return to their home country, at the government's expense, pending trial procedures, compared with four victims in 2017. The government granted seven victims short-term work permits, available for the duration of their legal processes, the same number as in 2017.

In October 2018, the Chief Justice, in collaboration with an NGO, state courts, and legal organizations, launched a toolkit to help children and other vulnerable witnesses understand court proceedings. In March 2018, the High Court stipulated that in criminal cases of abuse of foreign domestic workers, courts should consider compensation for pain and suffering as well as restitution for wages. NGOs reported they offered victims of trafficking pro bono legal assistance to pursue civil court claims for restitution; all victims declined this offer in 2018. 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, co-chaired by the Ministry of Home Affairs and MOM, coordinated anti-trafficking efforts through its "National Approach against Trafficking in Persons, 2016-2026." The task force held its annual stakeholder consultation with 60 participants from NGOs, business, and academia in July 2018 to review the implementation of the national approach; some NGOs continued to express a desire for more dialogue with the task force. The government continued to budget 80,000 SGD ($58,780) to provide grants to civil society for awareness-raising campaigns; in August 2018, a local songwriter held a concert and launched a song about the importance of addressing trafficking.

Singapore's Employment Agencies Act (EAA) mandated licensing and regulation of recruitment agents. The EAA rules capped the maximum recruitment fee an employee may pay an agent at one month's salary for each year of a valid work permit or the period of the employment contract, whichever was shorter, and subject to an overall maximum of two months' salary. The majority of migrant workers in Singapore paid fees to agents in Singapore as well as to recruitment agents in their home country, which contributed to the workers' vulnerability to debt bondage. During 2018, MOM prosecuted 10 recruitment agencies for not being licensed, prosecuted two agencies for recruiting foreign domestic workers under the age of 23, and took administrative action against an additional 80 agencies for failing to ensure the minimum age requirement for foreign domestic workers; this is compared with the prosecution of 25 unlicensed agents in 2017.

MOM managed the work permit process for foreign workers. Singaporean employers applied to MOM to sponsor skilled and semi-skilled workers whose employment and legal immigration status was tied to that specific employer. NGOs stated this restriction on job mobility coupled with the ability of employers to terminate a worker's employment at any time without the need to show cause created a form of "structural coercion" which prevented some foreign migrant workers from resisting and contesting exploitation. Under certain circumstances, MOM permitted foreign workers to transfer their immigration status to a new employer without their previous employer's consent; however, the majority of such workers were reportedly unable to find new employment. Singapore law did not prescribe a minimum wage. Under the Employment Act, wages were negotiated and outlined in individual contracts of service. Requirements were less detailed for foreign domestic workers and fishing crews employed locally, who were covered under the EFMA, and for whom employers were legally required to provide a document containing employment terms such as monthly salary, number of rest days, and agency fees. In 2018, MOM began to implement a policy stating that if employers reduced a migrant worker's salary from what was stated on the application for the employee's work permit, they must notify MOM after both the employer and employee had agreed to the change in writing. An NGO noted this policy did not address the unequal power dynamic between employer and employee given the vulnerability of those who paid recruitment costs to be coerced to sign a new salary agreement through the threat of immediate termination and repatriation.

During the reporting period, MOM prosecuted 22 employers who made false declarations of higher salaries in order to obtain employee work permits; in one example, authorities fined the company 94,500 SGD ($69,430). As of January 1, 2019, MOM implemented a new work permit condition requiring employers of foreign domestic workers to not retain any wages or money belonging to the domestic worker. In 2018, two NGOs and a local bank introduced fee-free bank accounts for all foreign domestic workers and low-wage migrant workers, into which their salaries can be electronically paid. MOM altered its work permit system to allow employers or recruitment agents to open one of these bank accounts on behalf of the employee as part of the recruitment process; in eight months in 2018, more than 60,000 bank accounts were opened for low-wage migrant workers with an additional smaller number opened for foreign domestic workers.

In October 2018, the government made the 2017 "settling in program" mandatory for all foreign migrant workers in the construction industry. Migrant workers must attend the one-day orientation class, entirely delivered by an NGO, within 14 days of arriving in Singapore; one of the five modules covers employment rights and information on how to get help if necessary. The government continued to screen a pre-

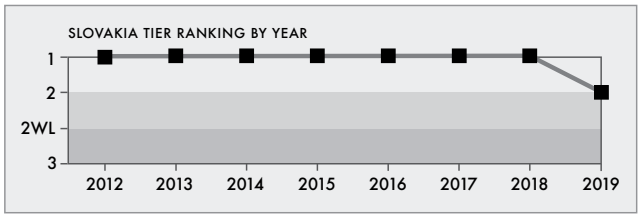
departure video at overseas testing centers for construction workers to explain foreign workers' employment rights in Singapore. MOM continued to publicize its phone number and a mobile phone app as well as three NGO-operated 24-hour hotlines for migrant workers who experience problems. MOM conducted ongoing campaigns to inform employers of the consequences for withholding passports or salaries. The government provided anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Singapore. Some of the 966,000 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. In order to migrate, many workers assume large debts to recruitment agents in their home countries and sometimes in Singapore, making them vulnerable to debt bondage. Traffickers compel victims into sex trafficking or forced labor through threats of forced repatriation without pay, restrictions on movement, physical and sexual abuse, and withholding wages and travel documents, such as passports. 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 being deported, 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, including traffickers, 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. Some fishing vessel captains engage in forced labor by using physical abuse to force men to perform labor on long-haul boats that transit or dock at Singaporean ports. A small number of Singapore residents facilitate and engage in child sex tourism abroad, including in nearby Batam, Indonesia.

SLOVAKIA: TIER 2

The Government of the Slovak Republic, or Slovakia, does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included implementing a new victim protection law, approving a new national program to fight trafficking, granting full medical treatment to all trafficking victims, and issuing a brochure on trafficking for temporary workers. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. Convictions decreased and Slovak courts suspended every convicted traffickers' sentence, resulting in none of them spending time in prison. The government identified fewer victims, and authorities did not adequately identify foreign or domestic trafficking victims within the country or adequately sensitize the growing foreign worker population to trafficking risks, its rights, and available victim assistance; the government did not utilize witness protection programs for trafficking victims; and the government rarely awarded compensation to victims. Therefore Slovakia was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to significant prison terms. • Increase training and capacity for investigators, prosecutors, and judges on a victim-centered, trauma-informed approach to law enforcement efforts and trial. • Protect victims from potential retaliation and intimidation in the course of law enforcement and judicial proceedings, including by employing trauma-informed approaches to interviewing victims and implementing the new exemption from direct confrontation. • Improve sentencing norms by sensitizing judges to the severity of trafficking crimes and the full range of penalties available in the law. • Improve identification of and enhance coordination of service provision for child victims. • Issue revised formal written procedures for victim referral that outline roles for all officials and stakeholders in order to improve victims' access to and the quality of assistance, and train all relevant officials on the revised procedures. • Improve efforts to proactively identify domestic and foreign victims within the country, including by updating victim identification protocols and training government officials, particularly border police, labor inspectors, and municipal law enforcement, on proactive victim identification among vulnerable groups. • Amend the law on the non-punishment of victims to ensure that trafficking victims are not inappropriately penalized for unlawful acts traffickers compelled them to commit, including administrative offenses. • Increase efforts to inform foreign worker groups of worker rights and responsibilities and victim assistance resources in native languages, including at foreign registration centers. • Streamline definitions and methodologies for gathering law enforcement and victim data.

PROSECUTION

The government decreased law enforcement efforts. Section 179 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties 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. Section 246 of the old criminal code was also utilized during the reporting period to prosecute offenses which occurred before the new code went into effect; it prescribed penalties of three to 10 years' imprisonment for offenses involving a victim over 15 years of age, and five to 12 years' imprisonment for those involving a victim under the age of 15.

Government officials initiated 27 investigations (37 in 2017 and 25 in 2016). Prosecutors indicted 21 alleged traffickers—17 under Section 179 of the criminal code (25 in 2017, 10 in 2016, and 22 in 2015) and four under Section 246 of the old

criminal code. Prosecutors obtained convictions of eight Slovak citizens under Section 179 (14 in 2017, four in 2016, and 21 in 2015); seven received 36-month suspended sentences with probation, one received a 36-month suspended sentence without probation, so no convicted traffickers spent any time in prison. Over the past five years, approximately 73 percent of trafficking convictions resulted in fully suspended sentences; the absence of effective sentences in Slovakia contributed to impunity for traffickers. Slovak authorities said the high percentage of suspended sentences and plea bargains was due to a weak body of evidence, unreliable victim testimony, and many perpetrators being low-level recruiters and not the actual organizers of the trafficking operation. National police cooperated with United Kingdom (UK) police on three international investigation teams, identifying 18 Slovak victims, as well as other police authorities abroad, EUROPOL, and INTERPOL. The government extradited one alleged trafficker to the UK. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

There was no dedicated trafficking unit within the prosecution service, but the government routinely assigned cases to those with experience prosecuting trafficking. The government assigned trafficking cases without organized crime elements to district prosecutors in the regular court system, while the Office of the Special Prosecutor prosecuted cases with a nexus to organized crime in the specialized criminal court. An electronic system randomly assigned cases to judges. The national police provided training for and cooperated with the financial intelligence unit of the national criminal agency to uncover suspicious transactions indicative of trafficking, but did not uncover any trafficking cases as a result of the cooperation. The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. While the Ministry of Interior (MOI) and police enhanced coordination and cooperation on gathering law enforcement and victim identification statistics, differences in how various institutions gathered law enforcement statistics continued to hinder the effective comparison and monitoring of trafficking-related efforts. The MOI and BBAP prepared a new manual for interviewing trafficking victims and distributed it to all law enforcement working in BBAP's Irregular Migration Unit. The government provided anti-trafficking training for 105 members of the specialized national police unit and more than 300 additional officers, and the police academy trained approximately 2,000 police investigators on the protection of victims of crime. The law enforcement vocational school in Bratislava delivered a specialized trafficking curriculum for 300 students. The judicial academy provided in-kind support for a workshop on a victim-centered, trauma-informed approach for 47 prosecutors, police, and judicial personnel.

PROTECTION

The government maintained efforts to protect victims. The government identified 46 victims (75 in 2017 and 32 in 2016). NGOs identified an additional 10. Of the 56 total victims identified, 34 were female (including two foreign nationals and 12 children) and 22 were male. Forced begging was the most common form of trafficking, with 24 cases reported by police, followed by sex trafficking (17 victims, including seven children), forced labor (seven victims), forced marriage and domestic servitude (six victims, including five children), forced marriage for the purposes of exploitation, and sex trafficking (two child victims); some cases included multiple forms of exploitation. The national police reported 38 of the 46 victims identified by law enforcement involved Slovak victims exploited in other countries. As previously reported by GRETA, the identification of foreign national, unaccompanied minor, and Slovak 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. While the government made some effort to increase identification of foreigners, experts reported there were still persistent weaknesses. The government did not adequately identify foreign trafficking victims, and NGOs warned the situation could further deteriorate with the growing number of foreign workers arriving in Slovakia. Experts criticized government screening, outreach, and prevention efforts among foreign workers as insufficient. Experts suspected border police did not always proactively screen migrants for indicators of trafficking, despite having received victim identification trainings. Experts criticized BBAP, which registered all foreigners in the country, for not providing information to foreigners about trafficking risks and victim assistance contacts. Experts alleged the government deported unidentified foreign victims arrested for illegal employment, including a large group of Serbian nationals. An NGO administering the victim care program conducted 12 visits to asylum-seeker facilities and irregular migrant detention facilities to screen 32 individuals; the NGO did not identify any victims on these visits. Slovak embassies abroad separately reported identifying 26 victims and assisted six, including two children, with voluntary returns to Slovakia; these victims were not included in Slovak statistics because they often chose not to return to Slovakia. The government offered repatriation services for foreign victims, but it did not repatriate any victims in the reporting period. Experts said efforts to identify domestic victims could be increased by improving training of police officers and civic patrols working in marginalized Romani settlements and municipal police patrolling areas with populations of homeless people.

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. Although the government had not denied a suspected victim entry into the program since 2015, some NGOs continued to criticize the government's victim assistance program for allowing too much discretion by law enforcement to decide whether a potential victim could enroll in the program, which could impede access to services. 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 continued updating the national reference framework to include procedures for these professionals, but did not finalize them. Of the 56 victims, 16 (nine men and seven women) entered the government-funded victim care program in 2018 (19 of 88 in 2017 and 21 of 45 in 2016); police referred six and civil society referred 10. The program continued to assist an additional 25 victims enrolled from previous years. In 2018, the government provided €275,000 ($315,370) to one NGO that provided the victim assistance program, voluntary return, and the national trafficking hotline, equal to the amount in 2017.

The government-funded, NGO-run assistance program provided Slovak and foreign victims shelter, financial support, repatriation to Slovakia, health care, psycho-social support, legal assistance, interpretation services, and job training. Foreign victims, including both EU nationals and third country nationals, had access to the same scope and quality of victim care and support. The victim care program accommodated victims in domestic violence shelters, with men and women housed separately,

or homeless shelters. There were limited accommodations for victims with families. The government did not fund a specialized victim care provider dedicated to child victims. Authorities placed unaccompanied child trafficking victims in the care of child protective services in government-run children's homes or an NGO-run crisis home for children; no children entered the care program in 2018 (none in 2017 and six in 2016). Experts said government ministries' lack of clarity on their roles and responsibilities hampered service provision to children, particularly if a legal guardian was not involved. The government amended the public health insurance law so all victims enrolled in the care program received full medical treatment despite outstanding payments for health insurance.

All potential victims were eligible for at least 30 days of crisis care; victims enrolled in the assistance program were eligible for up to 180 days of care without having to participate in an investigation, including temporary residence and the right to work for foreign victims. The law authorized permanent residency to foreign victims who would face hardship or retribution if returned to their country of origin; authorities issued no such residence permits. All 46 victims identified by police cooperated with police and prosecutors. The pre-trial and trial process was lengthy and not always adapted, nor law enforcement, prosecutors, or judges sufficiently trained, to avoid re-traumatization of victims. The 2018 crime victims protection act provided psychological assistance to victims in pre-trial proceedings, banned direct cross-examination of victims, and allowed recorded testimony as official trial evidence, among other protections. NGOs reported the government implemented and applied the new law inconsistently, and police did not have proper interviewing equipment or training to implement the law. Officials expressed concern the new law's limit of one victim interview would hinder opportunities to build rapport with traumatized victims, who are unlikely to provide reliable testimony in a single interview session. Judges were generally willing to accommodate requests to provide a separate waiting area for victims and remove the suspected trafficker from the courtroom during victim testimony. Witness protection programs existed but had not been used to protect trafficking victims. The 2018 law also provided for victim restitution directly by the state after the trafficker was convicted and sentenced without possibility of further appeal. NGOs said progress was slow in providing restitution to victims under the new act and criticized the maximum amount of restitution authorized by the state, €5,200 ($5,960). Under the new law, victims who sought compensation from their traffickers through a civil suit could not request restitution from the state through criminal proceedings. 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 awarded compensation to one trafficking victim. 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. The government approved a new national program to fight trafficking in November 2018, covering 2019-2023, which included specific tasks for ministries, acknowledged the need for various ministries to improve their anti-trafficking capacity, and emphasized protection of child victims. The Expert Working Group (EWG), which included representatives from the relevant ministries, the prosecution service, police, and NGOs, provided input for the program. Some EWG participants criticized the level of preparedness and commitment of some of the government ministries in the group. The MOI's crime prevention office and information center coordinated the government's anti-trafficking activities, served as the secretariat of the EWG, administered the victim care program, and functioned as the national rapporteur. The center also collected and published data on victims but faced challenges reconciling the data from different institutions. The MOI allocated €39,700 ($45,530), compared to €90,000 ($103,210) in 2017, in grants for prevention activities and awareness-raising on a variety of crimes, including trafficking. The MOI and a local government opened a second regional information center in the far east of Slovakia dedicated to trafficking prevention, including of persons departing for work abroad. Additionally, the MOI appointed eight officials in Slovakia's regional centers to offer information and assistance on trafficking prevention, victim identification, and assistance, in addition to other crimes; these officials participated in more than 3,000 meetings, lectures, and seminars during the reporting period.

The government launched extensive trafficking prevention and public awareness campaigns to engage the general public, students, employers, and at-risk children in orphanages. The MOI prepared a leaflet on self-identification in six languages and distributed it to employees and clients of asylum facilities, migration detention centers, and border police stations. The labor ministry issued a brochure for temporary workers on trafficking indicators, the labor code, and the rights and obligations of foreign employees in Moldovan, Serbian, Ukrainian, and Vietnamese, and distributed it to Serbian labor offices, relevant Slovak embassies, and in areas with a sizeable community of foreign workers in Slovakia through local employers and municipalities. Foreign workers employed by agencies registered in another EU member state and seconded to work in Slovakia, which made up a significant portion of the migrant labor force, did not have access to the information because they did not pass through Slovak embassies in their home countries. Experts said government-run integration programs for foreigners, except for asylum seekers, did not exist, and this contributed to their vulnerability to traffickers. NGOs said there were inadequate government efforts in other languages to inform foreign worker populations of their rights, and lack of awareness of availability of services and the language barrier prevented some foreign victims from seeking help from authorities. The labor inspectorate and BBAP conducted 330 joint inspections (340 in 2017) of worksites, screening approximately 3,000 individuals (3,200 in 2017), including approximately 1,200 foreign workers, and did not uncover any victims. A publicly supported anti-trafficking hotline operated by an NGO for 12 hours per day received approximately 690 calls related to trafficking; seven victims were identified through the hotline. The government ran a nationwide public awareness campaign for three months to promote the hotline. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

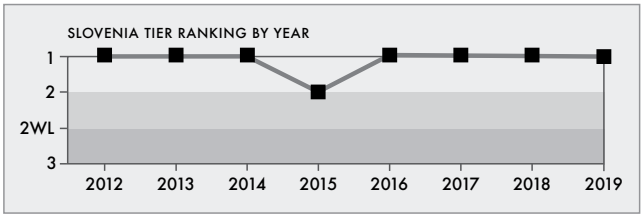
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Slovakia, and traffickers exploit victims from Slovakia abroad. Traffickers exploit Slovak men and women in forced labor in agriculture and construction in Western Europe, primarily the UK. Traffickers exploit Slovak

women in sex trafficking in Austria, Denmark, Germany, Switzerland, the UK, and other European countries, as well as the United States. NGOs report Bulgarian, Filipino, Moldovan, Romanian, Serbian, Thai, Ukrainian, and Vietnamese men and women are vulnerable to forced labor in Slovakia and may be unable or afraid to seek assistance from authorities. Some temporary workers from Moldova, Serbia, and Ukraine, recruited for the manufacturing and construction industries, are subjected to conditions indicative of forced labor, including non-payment of wages. Filipina and Thai women are vulnerable to sex trafficking and forced labor in domestic service, restaurants, massage parlors, or spas. Eastern European women are reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. 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 through forced marriage in Slovakia and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent and Slovaks with physical and mental disabilities are forced to beg 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. These efforts included adopting the 2019-2020 national action plan, training a broad range of government personnel with an increased emphasis on labor trafficking, funding an NGO project to support reintegration of survivors of trafficking, and investigating and prosecuting large-scale trafficking crimes. Although the government meets the minimum standards, it did not consistently provide proper facilities and support to assist child victims of trafficking. Authorities did not report ordering restitution for or helping victims receive compensation and did not impose on all convicted traffickers adequate penalties that included significant prison terms.



PRIORITIZED RECOMMENDATIONS:

Establish a process to ensure systematic provision of care and designated facilities for child victims of trafficking, including enhanced training of caregivers and foster care parents. • Vigorously prosecute sex and labor trafficking offenses, and impose on all convicted traffickers adequate penalties that include significant prison terms. • Establish and maintain a comprehensive and publicly available statistical system on measures taken to protect and promote the rights of victims, including data on investigations, prosecutions, and judicial determinations. • Amend the definition of trafficking under Slovenian law to align more closely with the definition in the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and children. • Increase efforts to order restitution for both EU and non-EU citizen victims, as well as access to the state fund for crime victims. • Expand prevention outreach that targets vulnerable populations, such as Roma. • Increase efforts to provide potential victims with information about rights and access to services in languages they understand.

PROSECUTION

The government increased law enforcement efforts. Article 113 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from one to 10 years' imprisonment for offenses involving an adult victim and three to 15 years' imprisonment for those involving a child victim or other aggravating factors. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, Article 113 established the use of force, fraud, or coercion as an aggravating factor rather than an essential element of the crime. Police conducted three trafficking investigations involving 26 suspected traffickers, compared to five investigations involving 15 suspects in 2017. Authorities initiated prosecution of all 26 suspected traffickers, compared to 19 in 2017. The government convicted five traffickers, compared with 10 in 2017. Courts sentenced all five to prison terms ranging from 2.5 to eight years, a similar range of sentences as imposed in 2017. In July, the government indicted two Slovenian and four Chinese citizens for human trafficking stemming from the January 2018 investigation of a fraudulent phone bank facility that identified 32 trafficking victims from Taiwan who traffickers forced to call private individuals in China under false pretenses to gain access to personal bank account information. Slovenian and Croatian police collaborated to disrupt a similar operation in Croatia. In another noteworthy case in January 2019, law enforcement arrested eight suspects for allegedly trafficking up to 300 individuals since 2014. Police identified 47 potential victims, mostly Romanian women, during the initial action. Most declined assistance from NGO representatives who were present and ready to assist. 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 specializing in trafficking investigations, together operating as a de facto nation-wide coordination network. Two prosecutors specializing in serious criminal cases also had dedicated expertise on trafficking prosecutions.

PROTECTION

The government maintained victim protection efforts. The government allocated €85,000 ($97,480) for housing victims in 2018, the same level as in the previous three years. During the reporting period, the government identified 70 victims—68 adult sex trafficking victims and two victims of forced begging, compared to 98 victims of sex trafficking and the 32 Taiwan victims of labor trafficking in 2017. The government continued its annual trainings for officials of the International Protection Division of the Ministry of Interior, particularly in screening for trafficking indicators among applicants for asylum, and provided arriving migrants with information on risks of trafficking. Relevant government officials also received the Manual for Identification of Victims of Trafficking in Persons, first adopted

in 2016. The 2019-2020 national action plan, approved by the government in January 2019, included providing health insurance for victims, increasing the focus on trafficking within the Roma community, and ensuring the legal status of non-EU and non-Slovenian victims was not dependent on cooperation in police criminal investigations.

The Ministries of Interior (MOI) and Labor funded two NGOs that provided crisis and safe housing for victims, supplemented by private donations and support from the Catholic Church. Both NGOs were among a wider range of organizations providing such assistance as counseling, psycho-social support, legal representation during investigations and court proceedings, and filing of documentation for residency status. Victims could receive crisis shelter for an initial 30 days and up to an additional 90 days of safe housing. Child victims of trafficking continued to lack adequate assistance, and there were no designated facilities for unaccompanied child trafficking victims, who instead stayed in shelters together with unaccompanied migrant minors. They received care through the Center for Social Work. GRETA highlighted a concern over unaccompanied child victims disappearing from public care, urging development of more suitable accommodations for children with fully trained staff or foster parents. NGOs reported virtually all minor victims, mostly males between ages 14 and 18, left their accommodation without notice.

Non-EU foreign victims had a 90-day reflection period to remain in Slovenia while recovering and considering whether to participate in an investigation, with accommodations based on their temporary residence permit, although they were not authorized for employment during this period. Those victims cooperating in criminal proceedings could extend their stay by 180 days, longer if needed for the trial of their trafficker. When participating in pre-trial and criminal proceedings, victims also had a right to interpretation services and a protective escort. The 2018 GRETA report urged improving the process of providing comprehensive information to victims in a language they could understand in order to assess their options, including participation in programs to resist re-victimization. In response to the GRETA recommendation, the MOI provided €54,600 ($62,610) to fund a 2019-2020 NGO project to support reintegration of survivors. The government also funded two NGO hotlines offering assistance to both domestic violence and trafficking victims, although the hotlines did not track the number of calls received or how many callers' situations had trafficking indicators. One NGO providing shelter and reintegration support for victims reported an increased percentage of Slovenian citizens among female potential victims of trafficking seeking assistance. Only citizens of EU countries were eligible to apply for compensation from the state fund for crime victims, although all victims could seek compensation through the courts. NGOs also noted there were insufficient professional interpreters fully trained in translating the details of rights of potential trafficking victims for asylum intake proceedings. Some victims were reluctant to speak with transparency with social workers and counselors about their situation, when the same interpreters assisted in the different contexts of law enforcement investigations and court proceedings on their case.

PREVENTION

The government increased prevention efforts. The government elevated the position of the national coordinator for countering trafficking in persons to the level of state secretary within the MOI. As leader of the interdepartmental working group (IWG), the coordinator oversaw establishment of the Anti-Trafficking Service Office within the MOI, with dedicated staff, implementing a key recommendation of the 2018 GRETA Report, to provide comprehensive support for investigators and providers of services to victims. The IWG included NGO representatives and met every two months to organize and coordinate awareness efforts that included producing an annual monitoring report. Slovenia did not have an independent national anti-trafficking rapporteur, also a key GRETA recommendation. The government communications office allocated €25,000 ($28,670), compared to €20,000 ($22,940) in 2017 and 2016, for five NGO-funded awareness projects for the general public and particularly vulnerable populations, including youth, migrant workers, refugees, and Roma communities. A government website in both English and Slovenian 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. The website received 8,500 visits in 2018 and included the government's Manual for Companies and Employers addressing labor trafficking, as well as a portal for anonymous reporting of potential trafficking cases and victims. Even with these efforts, the government communications office remained underfunded on trafficking in persons-specific outreach, particularly in light of new trends in trafficking methods and the need to expand public awareness.

The Labor Inspectorate regularly trained inspectors and emphasized regulation of the recruitment process. NGOs, however, noted labor trafficking received insufficient attention and resources for conduct of investigations. Slovenian officials provided anti-trafficking training to Serbian police and prosecutors. The government did not make efforts to reduce the demand for commercial sex.

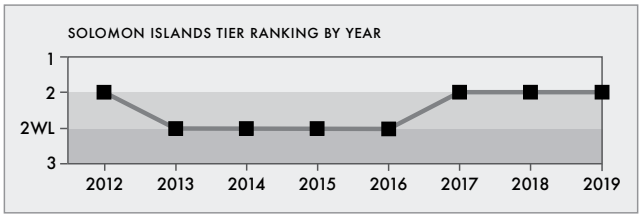
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Slovenia, and, to a lesser extent, traffickers exploit victims from Slovenia abroad. Foreign workers and undocumented migrants from countries such as Bosnia and Herzegovina, Romania, Serbia, Slovakia, and Ukraine are among the most vulnerable to labor trafficking, exploited in the construction sector, forced begging, or domestic servitude. Sometimes these persons are in transit to Western Europe, particularly Italy, Austria, or Germany, where they experience forced labor. Women and children from Slovenia, Eastern European, the Western Balkans, and Latin American countries are subjected to sex trafficking within Slovenia, and many also transit to Western Europe, primarily Italy and Germany, where they are at risk of 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore the Solomon Islands remained on Tier 2. These efforts included investigating more alleged incidents of trafficking, identifying more victims than in prior years, and advancing its first trafficking prosecution initiated in the previous reporting period. However, the government did

not meet the minimum standards in several key areas. General lack of awareness of the crime and applicable legislation among front-line officers, coupled with under-resourced protection services and widespread observance of informal justice models, exacerbated the government's slow response to trafficking cases. Reports of official complicity in trafficking continued, and authorities identified few cases of internal sex trafficking despite its prevalence throughout the country. Although officials jointly conducted and participated in some awareness-raising activities with assistance from international organizations, the government did not initiate or conduct any anti-trafficking training for law enforcement.



PRIORITIZED RECOMMENDATIONS:

Investigate and prosecute both sex trafficking and labor trafficking offenses and convict and punish traffickers, including complicit officials, with dissuasive prison sentences. • Amend the Immigration Act to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses occurring outside Solomon Islands. • Increase efforts to identify Solomon Islander and foreign victims of sex trafficking and labor trafficking within the country, including in agriculture, the fishing, logging, and mining industries, and in relation to illicit commercial activities. • Provide training on 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 protection, including through the allocation of funding to trafficking-specific shelter services benefiting both male and female victims. • Increase efforts to collect data on trafficking trends in the Solomon Islands and disseminate among interagency anti-trafficking stakeholders. • Institute a campaign to raise public awareness of trafficking. • Increase funding to relevant ministries to implement the national action plan for combating trafficking in persons. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The penal code, together with the Immigration Act, criminalized sex trafficking and labor trafficking. Article 143 of the penal code criminalized child sex trafficking under its "child commercial sexual exploitation" provision 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 trafficking and labor trafficking when the offense occurred within the country. Article 145(2) applied to trafficking offenses involving an element of force, fraud, or coercion; it prescribed penalties of up to 20 years' imprisonment for offenses involving adult victims and up to 25 years' imprisonment for offenses involving child victims. Article 145(3) prescribed penalties of up to 15 years' imprisonment for offenses that did not involve an element of force, fraud, or coercion. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. 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 Islands dollars ($5,800), 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 Islands dollars ($11,610), or both for the trafficking of children. These penalties were sufficiently stringent, but with respect to sex trafficking, by allowing for a fine in lieu of imprisonment, they were not commensurate with penalties prescribed for other serious offenses. With technical assistance from an international organization, the government completed a review of the Immigration Act in an effort to identify gaps in the trafficking-specific provisions, among others, but it had taken no further action by the end of the reporting period.

The government reported investigating six potential trafficking cases involving at least six suspects during the reporting period, up from two investigations in 2017. Two cases involving four suspects remained under investigation at the end of the reporting period. Authorities also reported ongoing investigations into three forced labor cases involving an unspecified number of alleged traffickers. Authorities continued prosecutions initiated in 2017 against two foreign nationals for allegedly subjecting Solomon Islands children to sex trafficking in logging camps; these ongoing proceedings, filed under Section 77 of the Immigration Act, represented the country's first trafficking prosecutions. One of the alleged perpetrators appeared for a preliminary hearing in January 2019 and was referred to the Honiara Central Magistrate for further hearing. The other case was awaiting a court date at the end of the reporting period. Both cases featured tandem investigations into the victims' parents for allegedly engaging in and benefiting from their exploitation, but authorities did not report the status of those inquiries.

In partnership with two international organizations, the Solomon Islands Immigration Division conducted a joint training for an unspecified number of law enforcement and other anti-trafficking stakeholders on definitions, investigations, and psycho-social care for victims. Insufficient funding of enforcement agencies, lack of technical expertise, and pervasive lack of awareness of the crime and of the relevant legislation among front-line officers continued to exacerbate the government's slow response to trafficking cases. Traditional justice practices referred to as "customary rule," often involving retribution or informal restitution arrangements between victims' families and their traffickers, continued to supplant formal law enforcement efforts and further complicated victims' access to justice. Despite reports of systemic corruption that may have been permissive of trafficking, especially in relation to irregular migration and the fishing and logging industries, authorities did not investigate, prosecute, or convict any government officials for complicity in trafficking offenses.

PROTECTION

The government increased efforts to protect trafficking victims. The system through which it identifies and refers victims was developed in a prior reporting period under the Ministry of Health and Medical Services (MHMS) and remained in place during the reporting period. The Immigration Division maintained separate standard operating procedures for victim identification and protection. According to statistics available at the end of the reporting period, the government identified at least 39 victims of trafficking, including 35 Indonesian male labor trafficking victims in the logging industry; three female

sex trafficking victims under the age of 18; and one unspecified male victim under the age of 18 (compared with two victims in 2017). Due to the tendency for some officials to conflate human trafficking with smuggling and other abuses, these numbers may include cases that did not involve forced labor or commercial sexual exploitation.

No trafficking-specific services existed in the country; however, the Royal Solomon Islands Police operated a shelter in Honiara for domestic violence victims that could provide services to adult women and children subjected to sex trafficking. Police referred two boys to shelter and psycho-social services through an international religious organization, but the government did not report if these were victims of trafficking or other forms of abuse. The Ministry of Justice and Legal Affairs allocated an unspecified amount of funding to support court witnesses, including one child trafficking victim. The government provided a total of 308,000 Solomon Islands dollars ($39,730) to fund investigations, public awareness, and victim protection and assistance from the Immigration Division's budget, compared with 200,000 Solomon Islands Dollars ($25,800) for shelter services and victim care in 2017. The Ministry of Women, Youth, Children and Family Affairs also provided 500,000 Solomon Islands Dollars ($64,500) primarily for victims of gender-based violence, but this funding was available to trafficking victims as well. A lack of long-term protective services left victims vulnerable to re-trafficking after authorities returned them to their home communities. No specialized shelter services existed for victims of labor trafficking or male victims.

The Immigration Act granted the government authority to provide temporary residence permits for foreign victims to assist police with investigations, and it insulated victims against prosecution for immigration-related crimes traffickers compelled them to commit. However, the government did not report providing these or other services to foreign victims identified during the reporting period, nor did it report providing services to foreign victims identified in previous years. The government did not report if it would extend these protections to victims whose cases were investigated under the penal code. Authorities reported returning all 35 labor trafficking victims identified to Indonesia with the assistance of an international organization. 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, it was likely some unidentified foreign victims opted to return to their home countries. The government reported trafficking victims were able to seek compensation from their employers through civil suits, although no victims had filed such suits during the reporting period.

PREVENTION

The government increased 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 Solomon Islands' 2015-2020 national action plan, including by conducting awareness raising activities for more than 1,000 students, village residents, Provincial Assembly members, and laborers. The Labor Division reported conducting monitoring and inspection activities at two logging operations sites; unlike in prior years, it did not report conducting such oversight in the fishing or mining sectors. The government did not report taking action to reduce the demand for commercial sex acts, but it began collaborating with a local chamber of commerce to establish a policy for discouraging abuses in labor-intensive industries, including a component aiming to prevent labor exploitation.

During the reporting period, the MHMS and the Ministry of Home Affairs jointly introduced a civil birth registration program to improve statistical recordkeeping on local populations—a step international organizations had previously recommended as a way to better understand and address trafficking vulnerabilities throughout the 900 islands within the country's diffuse maritime territory. 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; however, with the assistance of an international organization, the AHTAC established a working group to prepare the government to accede to and ratify the United Nations Convention against Transnational Organized Crime and its supplementary protocols.

TRAFFICKING PROFILE

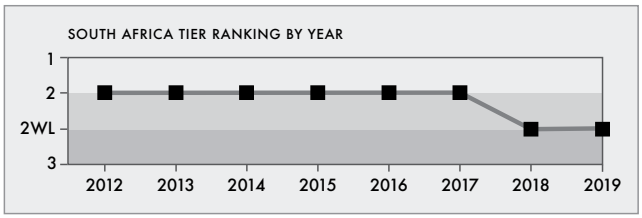
As reported over the past five years, human traffickers subject domestic and foreign individuals to trafficking in the Solomon Islands, and they subject Solomon Islander individuals to trafficking abroad. Local, South Asian, and Southeast Asian men and women are subjected to forced labor and forced prostitution in the Solomon Islands, and local children are subjected to sex trafficking and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines often pay large recruitment fees for jobs in the Solomon Islands and upon arrival are forced into prostitution. Men from Indonesia and Malaysia are subjected to forced labor in the logging, fishing, and mining industries. 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 Islander 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, casinos, nightclubs, and other entertainment establishments. Some official corruption—especially in relation to facilitating irregular migration and involvement in the fishing and forestry sectors—may be permissive of trafficking. Some boys, girls, and young women are recruited for domestic work and subsequently exploited in prostitution at logging camps. Under informal justice practices referred to as "customary rules," parents frequently receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies, where many of them are exploited in domestic servitude or sex trafficking. Often these payments are rendered after the victims escape or are returned home as informal restitution brokered by local leadership. In this way, local community leaders may also be benefiting financially from these arrangements. Mining and logging camp leadership reportedly force boys to serve as *solairs*—illicit brokers procuring girls for sexual and domestic servitude in worker lodging facilities—and logging camp personnel force young males to work as domestic servants and cooks. Following the government's decision to cease issuance of new logging licenses, a decline in the industry has contributed to an increase in internal economic migration of communities located in former logging areas; these displaced communities may be

at higher risk of sex trafficking and forced labor. Elsewhere, Solomon Islander children may be subjected to forced labor in the agricultural sector, forced harvesting of seafood, and forced criminality in the manufacturing and transportation of drugs and in pickpocketing. To pay off debts, some parents reportedly sell their children to other families via "informal adoption" that often involves forced labor or sexual servitude. Traffickers also use the Solomon Islands as a transit point to subject foreign individuals to trafficking in other countries.

SOUTH AFRICA: TIER 2 WATCH LIST

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included prosecuting more traffickers and, in coordination with international organizations, training front-line responders on trafficking. The government provided stipends to NGOs providing care; approved a National Policy Framework, which included a national action plan; and conducted numerous public awareness-raising activities throughout the country. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government investigated and convicted fewer traffickers. The government made little progress in prosecution of traffickers connected to international syndicates, which facilitated sex and labor trafficking with impunity throughout the country. The government did little to address reports of official complicity in trafficking crimes and efforts by officials to stymie law enforcement action as a result of corruption, which created a culture of impunity for offenders, raised concerns over victim protection, and inhibited the government's prosecution, protection, and prevention efforts. Poor understanding of trafficking and the lack of consistent training hindered the government's overall anti-trafficking efforts and sometimes resulted in arrests and detentions of trafficking victims. The government identified fewer victims, referred fewer than half of the identified victims to protective care, and sometimes denied foreign nationals protective services, especially if they chose not to participate in an investigation. The implementing regulations for the Prevention and Combating of Trafficking in Person's (PACOTIP) immigration provisions have not been promulgated since the enactment of the Trafficking in Persons act in 2013 and the government's insufficient funding of anti-trafficking efforts prevented front-line responders from fully implementing the anti-trafficking law. Therefore South Africa remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Investigate and prosecute officials suspected of complicity in trafficking crimes. • Increase efforts to investigate, prosecute, and convict traffickers involved in organized crime syndicates that facilitate trafficking. • Promulgate the immigration provisions in Sections 15, 16, and 31(2)(b)(ii) of PACOTIP and cease efforts to deny trafficking victims access to immigration relief, including through the asylum process. • Fully implement PACOTIP and pass Department of Home Affairs implementing regulations. • Increase resources and training to identify trafficking victims, including by screening for trafficking indicators among vulnerable populations, such as women in prostitution and migrants. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking crimes. • Increase efforts to investigate, prosecute, and convict traffickers, including employers who use forced labor. • Ensure victims are issued 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. • Provide translators to assist foreign trafficking victims in seeking justice. • 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. • Accredit or establish additional trafficking-specific shelters for male and female victims. • Fully implement the Southern African Development Community (SADC) regional data collection tool. • Dedicate sufficient resources to the National Human Trafficking Resource Line, the official anti-trafficking hotline in South Africa.

PROSECUTION

The government maintained prosecution efforts. It did little to address reports of official complicity in trafficking crimes and efforts by officials to stymie law enforcement action as a result of corruption, which created a culture of impunity for offenders. PACOTIP criminalized sex trafficking and labor trafficking and prescribed penalties of up to life imprisonment, a fine of up to 100 million South African rand ($6.97 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, therefore critical sections of the act remained inactive. The Criminal Law (Sexual Offenses and related matters) Amendment Act of 2007 (CLAA) also criminalized the sex trafficking of children and adults and prescribed penalties of up to life in prison; 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 CLAA, which added additional charges—such as money laundering, racketeering, or criminal gang activity—and increased penalties of convicted defendants.

The Directorate of Priority Crime Investigation (the Hawks) reported that it investigated 36 potential trafficking cases, including both sex and labor trafficking cases, compared to 82 potential cases during the previous reporting period, and it collaborated closely with the National Prosecuting

Authority (NPA) to compile evidence and build cases. The government initiated prosecutions of 27 cases, involving 77 alleged traffickers, compared to 23 cases in the previous year. The government convicted nine traffickers in seven cases, compared to eight traffickers convicted in 2017. The government sentenced five traffickers to life imprisonment; two traffickers to 12 and 18 years, respectively; and one trafficker, in one case, awaited sentencing at the close of the reporting period. In one case, the government received 45,000 rand ($3,140) restitution for the victim through a plea deal, although the deal resulted in no jail time for the trafficker. NGOs reported that the South Africa Police Service (SAPS) officers were sometimes slow to respond to requests for investigations of potential trafficking cases if they responded at all and that they sometimes failed to identify victims. In some cases, disregard toward foreign nationals from other parts of Africa may have impacted police willingness to investigate potential trafficking cases. Observers reported that the Hawks also often ignored cases referred by NGOs or directly refused to assign an investigator to a potential trafficking case. 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 primary enforcement mechanism and rarely referred cases for criminal investigation. One NGO criticized the NPA's common approach to prosecute trafficking cases as domestic violence or rape cases and, in another instance, a prosecutor dismissed a case of forced labor due to the victim being an irregular migrant with fraudulent documents. The government made little progress in prosecution of traffickers connected to international syndicates that dominated the commercial sex industry in several South African cities and operated with impunity. NGOs reported that police and border control officers received bribes from these syndicates; some police did not pursue traffickers out of fear of reprisals.

Despite serious concerns, the government did not prosecute or convict any complicit officials or address efforts by officials to stymie law enforcement action. For the second consecutive year, the government did not sufficiently fund agencies responsible for implementing the PACOTIP, leading to uneven enforcement of the law, including insufficient investigations into reports of official complicity. NGOs alleged widespread official complicity, including but not limited to officials requesting sex acts or bribes in exchange for visas or residence permits, in order to not prosecute sex trafficking crimes, and to facilitate deportation of migrants so farm or factory managers would not have to pay their workers. When NGOs lodged complaints of alleged complicity, the government did little to investigate and sometimes transferred the suspected official to another position. This increased the risks for whistleblowers to report alleged complicity, as the government afforded them little protection and took no substantive action to address the concerns. One NGO reported transfers of trusted law enforcement stakeholders away from the anti-trafficking portfolio after investigating potential trafficking cases too thoroughly. In one case involving a sex trafficking victim identified during a brothel raid, the victim reported that police called the trafficker shortly before the raid to alert him so he could escape.

The government did not have a systematic mechanism for training front-line officials across all agencies, which hindered the government's anti-trafficking efforts as a whole and sometimes resulted in unlawful arrests and detentions of trafficking victims. Nonetheless, the government conducted many trainings during the reporting period. In collaboration with an international organization, the government trained labor inspectors, Department of Home Affairs (DHA) officials, social workers, and traditional leaders on trafficking. In coordination with international organizations and NGOs, the government trained prosecutors and a range of front-line officials like nurses, doctors, social workers—including those with substance abuse expertise, and community leaders. The training topics included push and pull factors for trafficking in persons, identification and protection of victims, victim-centered interview techniques, investigation of trafficking cases, and legislation. The government also trained immigration officers, border officials staffing at least two border posts, and law enforcement officers, and held a joint training of border officials from Zimbabwe and South Africa. An international organization partnered with the government to train task teams in several provinces.

PROTECTION

The government decreased the number of victims it identified, but it continued to provide protective services to victims. The government and non-government entities identified 260 victims, compared to 399 victims in 2017. Of the 260 victims identified, 201 were men, 21 were women, 34 were boys, three were girls, and one was of an unknown gender; this included 244 foreign nationals, including children from the Democratic Republic of Congo, Zimbabwe, and Mozambique and adults from Nigeria, Uganda, Rwanda, Ghana, and Thailand; 14 South Africans; and two victims of unknown nationalities. Traffickers exploited 238 victims in forced labor, 20 in sex trafficking, and two in an unknown type of trafficking. The government referred 118 victims to shelters across seven provinces; 17 victims voluntarily returned to their countries or communities; an international organization assisted in repatriating victims. Thirty-two victims absconded from care facilities, at times because the government failed to take law enforcement action against their traffickers.

SAPS, the Department of Social Development (DSD), NPA, and the Department of Justice (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, particularly with vulnerable groups, including trafficking victims. Some officials had difficulty identifying labor trafficking victims and differentiating between trafficking and smuggling crimes. NGOs criticized SAPS for not identifying victims; some SAPS officers failed to follow referral guidelines. Furthermore, the government sometimes denied undocumented foreign nationals protective services, especially if they chose not to participate in investigations. The DHA had no formal, written procedures to guide the handling of trafficking cases. Although a range of government and non-government entities identified victims, DSD was responsible for designating and certifying trafficking victim status and authorizing the provision of protective services. In addition, DSD was responsible for monitoring the provision of protective services, preparing victim-witnesses for court, and accompanying them through trial and repatriation, if applicable. 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. NGOs reported that SAPS sometimes left victims at shelters without first contacting DSD, left limited contact details for the case officers, or failed to follow-up on cases. Observers reported there was an insufficient number of shelters; some DSD shelters occasionally refused

to accept trafficking victims due to security, drug addiction, or cultural concerns. Police indicated they often struggled to find interpreters to acquire victim-witness statements within the two-day window during which charges had to be filed, even if interpreters existed in the province.

The government continued oversight and partial funding of 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, in which trafficking victims were provided care during the reporting period. The government provided a stipend on a per-person, per-night basis to the safe houses. However, NGOs reported they could not always access available funds with the urgency required after identifying victims. Only one shelter provided care exclusively for trafficking victims. Only one shelter provided care for male trafficking victims; no shelters provided care exclusively for male victims. Shelters accessible to persons with disabilities provided limited services; however, it is unclear if any victims received these services during the reporting period. Traffickers were reportedly able to occasionally locate and collect victims from some shelters. The overall quality of victim care varied dramatically by province, gender, and circumstance. Gauteng, KZN, and Western Cape provinces generally offered adequate standards of care in urban areas; trafficking victims in these provinces, even if identified in a rural area, were generally able to access care. Victim care in other provinces was sometimes inadequate. DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims; however, the government did not report how many victims participated in the rehabilitation program during the reporting period. DSD paid for victims to receive residential treatment at drug rehabilitation centers to overcome addiction, though not all provinces had such centers. 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. Not all TCCs screened patients for trafficking indicators. Per DSD policy, staff generally prevented both adults and children from leaving shelters unaccompanied. NGOs reported that government shelter staff sometimes failed to keep victims informed about their case status, or provide dependency counseling and adequate security. Victims could not seek employment while receiving initial assistance, but South African citizens, South African residents, and registered refugees could seek employment while a court case was pending; other foreign victims could not seek employment, even if they cooperated with law enforcement and their trials extended several years.

The government did not regularly screen foreign men, leaving male labor trafficking victims largely unidentified and resulting in their detention, deportation, or penalization. The government acknowledged that police sometimes arrested trafficking victims during raids along with perpetrators, due to a lack of training on victim identification. 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 transgender persons, were especially vulnerable to trafficking due to social stigmatization; there was one shelter dedicated solely for victims from the LGBTI community, in the Western Cape.

Officials encouraged victims to participate in the investigation and prosecution of traffickers; during the reporting period, 108 victims assisted law enforcement officials in ongoing investigations of 19 trafficking cases; however, fear of reprisal from traffickers and lengthy cases served as a disincentive for victims to testify. One victim received witness protection 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 allowed for trafficking victims to receive relief from deportation; however, regulations to implement this provision were not promulgated. As a result, if undocumented foreign national victims did not participate in law enforcement investigations, the government sometimes deported them. DHA required foreign nationals to renew their immigration paperwork every two weeks, which placed an unnecessary financial and logistical burden on them and the NGOs providing their care. NGOs reported that in some cases DHA doubted trafficking victimization or provided a rationale of preventing trafficking as justification to deny access to immigration documentation and the asylum process. In instances in which DHA denied such access, DHA did not always coordinate with the appropriate front-line responders to identify potential trafficking victims. During the reporting period, the DHA issued standard operating procedures (SOPs) for Section 3(c) of the Refugees Act regarding procedures for petitioning for family members to join in refugee and asylum cases that further created barriers to issuing dependents, including children, asylum status with their parents. Although the SOPs addressed some gaps in the 3(c) family joining process, it limited the government's ability to address trafficking, as it left dependents applying to join a family member's refugee file without documentation. Furthermore, the SOPs did not require officials to provide any rationale to those who were not able to have their dependents join. In cases of children who were denied status, the SOPs did not outline further action and resulted in children who were forcibly undocumented and increased their vulnerability to trafficking.

PREVENTION

The government increased efforts to prevent trafficking. The government approved its National Policy Framework, a strategic plan including a national action plan intended to improve capacity and coordination to combat trafficking among government agencies. The NPA and DOJ oversaw the National Intersectoral Committee on Trafficking in Persons (NICTIP) and six provincial task teams, which met quarterly to coordinate counter-trafficking efforts and worked to address challenges. Both the NICTIP and the provincial task teams often exhibited poor coordination and communication. Some of the provincial task teams ceased meeting or functioning. There was no accountability to require these groups to function; officials in positions of authority with the ability to facilitate change rarely attended meetings. The government continued to work towards implementation of the SADC regional data collection tool. The DOJ included, for the first time, an indicator on trafficking in its annual performance plan, the department's strategic plan through which Parliament held it accountable.

The government conducted national awareness-raising activities during the reporting period. The NPA, DOJ, SAPS, and the Department of Education conducted six awareness-raising activities for students throughout the country. The DSD hosted an awareness-raising talk on best practices in responding to child trafficking, which was attended by 200 delegates from across the country and supported by NPA and several provincial task teams. The NPA, Department of Health, local government, NGOs, the fire department, and religious leaders raised

awareness of community members and distributed leaflets and brochures on the role of TCCs as related to trafficking. The government spoke about trafficking on live radio broadcasts. The Western Cape Department of Education partnered with an NGO to incorporate content from the NGO's curriculum called "Bodies Are Not Commodities" into the province's life orientation classes in grades nine and 10. The Western Cape provincial government also developed an outreach program taking social services from NGOs and government agencies to rural communities and vulnerable groups. At a transport hub in Johannesburg, various government departments partnered with a national anti-trafficking network to raise awareness amongst commuters.

The Labor Relations Act provided protection to all workers in South Africa, without regard to citizenship, immigration status, or the possession of a valid work visa. The act limited temporary employment to three months, after which employees were considered permanent and entitled to full labor protections and benefits. This provision was intended to protect vulnerable temporary workers, but many of the most vulnerable workers were in the informal sector, which falls beyond protections under the Labor Relations Act. In July 2018, South Africa's Constitutional Court clarified the act, holding that temporary workers were deemed to be employees of the clients of the labor brokers and entitled to working conditions no less favorable than those under which regular employees of the company worked. NGOs raised concerns about draft amendments to the birth registration process DHA proposed during the reporting period. DHA operated a hotline that could receive reports of potential trafficking cases; however, it is unknown how many calls the hotline received or whether any victims were identified as a result of calls to the hotline. An NGO operated a National Human Trafficking Resource Line, which received 2,543 calls that led to the identification of 22 victims from South Africa, Eswatini, Ghana, and Malawi. The hotline often received calls from community members who were unable to get help from police stations on trafficking cases, as front-line officials did not know how to assist. Moreover, the hotline received calls from victims who were turned away from police stations when asking for assistance. The government did not make efforts to reduce demand for commercial sex or forced labor. 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.

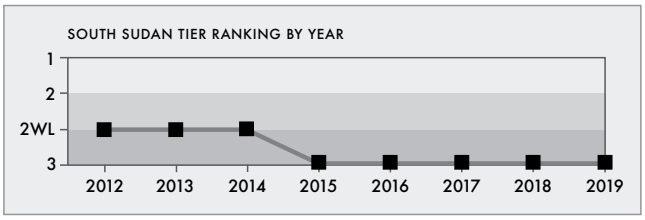
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in South Africa, and traffickers exploit victims from South Africa abroad. Traffickers recruit victims from poor countries and poor and/or rural areas within South Africa to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where traffickers force victims into sex trafficking, domestic servitude, criminal activities, and agriculture. Syndicates—often dominated by Nigerians—facilitate trafficking in the commercial sex industry. To a lesser extent, syndicates recruit South African women to Europe and Asia, where traffickers force some into prostitution, domestic servitude, or drug smuggling. Traffickers sometimes employ forced drug use to coerce sex trafficking victims. Traffickers increasingly hail from Nigeria, the Democratic Republic of the Congo, and Cameroon. Mozambican crime syndicates facilitate trafficking from the eastern border of the Kruger National Park, using the same route to facilitate other illicit crimes.

Traffickers increasingly force women from Lesotho into sex trafficking in South Africa. Traffickers coerce victims through traditional spiritual practices. Traffickers force foreign and South African LGBTI persons to engage in sex. Traffickers exploit foreign male victims aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10 to 15 victims of labor trafficking disembark each month in Cape Town. Traffickers exploit young men from neighboring countries who migrate to South Africa for farm work; some were subsequently arrested and deported as illegal immigrants. Forced labor is reportedly used in some fruit and vegetable farms across South Africa. Traffickers subject Pakistanis and Bangladeshis to bonded labor in businesses owned by their co-nationals. Official complicity—especially by police—in trafficking crimes remains a serious concern. Some well-known brothels previously identified as locations of sex trafficking continue 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 efforts, 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 955 child soldiers, as well as signing the 2018 Civil Registry Act into a law aimed to increase registration of children with birth certificates. However, the government continued to recruit and use child soldiers unlawfully, at times by force; did not fully implement its existing action plan to demobilize child soldiers; and did not hold any members of the South Sudan People's Defense Forces (SSPDF)—formerly 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 for the seventh consecutive year, and did not train officials on the existing laws that prohibit human trafficking. The government made negligible efforts to proactively identify and 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.



PRIORITIZED RECOMMENDATIONS:

Cease all recruitment and use of children by the SSPDF and its associated militias. • Pursuant to article 2.1.10 of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), immediately release child soldiers under the

command or influence of the SSPDF and affiliated militias and, in partnership with international organizations, transfer them to appropriate civilian rehabilitation and reintegration programs. • Investigate and prosecute suspected trafficking offenses under existing anti-trafficking laws, and convict and punish traffickers, including complicit government officials. • Train law enforcement officials, prosecutors, and judges on the 2008 Child Act, 2008 Penal Code, and 2017 Labor Act so officials can more effectively investigate, prosecute, and convict traffickers, including military officials complicit in the unlawful recruitment, use, and sexual exploitation of children. • Provide financial or in-kind support to the SSPDF's Directorate of Child Protection to facilitate efforts to identify perpetrators and refer cases to civilian courts. • Establish and implement screening and referral procedures to prevent penalization of trafficking victims for crimes committed as a direct result of being subjected to trafficking. • Train law enforcement and social workers 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. • Incorporate anti-trafficking training into the National Aliens Committee's programming and increase coordination with government ministries, law enforcement, NGOs, and civil society actors. • Amend the 2008 Penal Code to criminalize adult sex trafficking and increase the penalty so it is commensurate with penalties for other grave crimes, such as rape. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. The 2008 penal code, 2008 Child Act, and the 2017 Labor Act criminalized some forms of sex trafficking and labor trafficking. Article 277 of the penal code prohibited forced labor and prescribed penalties of up to two years' imprisonment, or a fine, or both; these penalties were not sufficiently stringent. 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. The 2018 Labor Act 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 for the seventh consecutive year. Despite the ongoing unlawful recruitment and use of child soldiers by the SSPDF and its allied militias, the government has never held an offender criminally or administratively accountable for such crimes. Lack of capacity and corruption 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 severely limited. The government did not report efforts to train officials on trafficking crimes and existing legal provisions either directly or in partnership with relevant experts. 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 maintained protection efforts; while it demobilized and assisted some child soldiers, it demonstrated negligible efforts to protect victims of other forms of forced labor and sex trafficking. The government cooperated with the NDDRC and an international organization to release 955 child soldiers (690 boys and 265 girls), an increase from 311 during the previous reporting period; however, government forces continued to recruit and use child soldiers. Security forces continued to lack a formal mechanism to identify potential victims, resulting in officials indiscriminately arresting individuals in prostitution without screening, including known child sex trafficking victims. The Ministry of Women, Child, and Social Welfare ran a transition center in Yambio with support from an international organization, which provided interim care and support to children and mothers formerly associated with violent extremist organizations, including potential trafficking victims. The government did not provide specialized services for trafficking victims.

Social stigma and fear of punitive law enforcement actions discouraged victims—particularly those subjected to sex trafficking—from reporting crimes to law enforcement authorities. There were no laws or policies to protect victims from prosecution for unlawful acts traffickers compelled them to commit. 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 offer legal assistance or other mechanisms to encourage victims to assist in the investigation and prosecution of trafficking crimes.

PREVENTION

The government maintained negligible efforts to prevent trafficking. The National Aliens Committee—tasked in 2015 to address migration and trafficking issues—met during the reporting period, but did not undertake any significant anti-trafficking efforts, instead focusing on labor issues unrelated to trafficking. 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 SSPDF representatives acknowledged the military's recruitment of children into its ranks, forces actively continued to recruit child soldiers, at times by force, and did not implement its existing action plan to demobilize identified child soldiers currently within the forces. While formal enlistment procedures required an age assessment, many South Sudanese lack birth certificates. In addition, implementation was lacking due to poor command and control among SSPDF units and ongoing conflict throughout the country. In November 2018, the government signed the 2018 Civil Registry Act into law, aimed to increase

registration of children with birth certificates, decreasing their vulnerability to trafficking. 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 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. South Sudan is not a party to the 2000 UN TIP Protocol. In September 2018, the government signed the UN Convention on the Rights of the Child Optional Protocol on the prohibition of the Recruitment and Use of Children in Armed Conflict, although the government continued to recruit and use child soldiers.

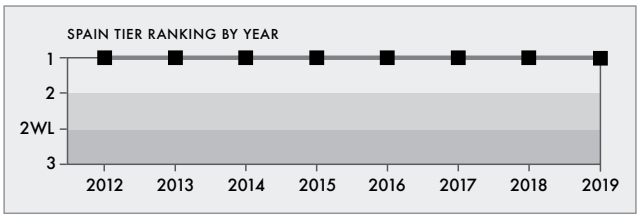
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in South Sudan, and traffickers exploit victims from South Sudan abroad. South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude throughout the country. Male occupants of the household sexually abuse some of these women and girls or traffickers force them to engage in commercial sex acts. South Sudanese and foreign businesspeople subject South Sudanese girls 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. Families force girls into marriages, at times as compensation for inter-ethnic killings or as a way to survive severe food insecurity; traffickers may then subject some of these girls 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, and force them to work for little or no pay or subject them to sex trafficking. Some traffickers operate in organized networks within the country and across borders. East African migrants transiting through South Sudan to North Africa are vulnerable to forced labor and sex trafficking.

Violent conflict continued throughout the year, increasing the number of internally displaced persons from 1.9 to two million and creating approximately 2.28 million refugees as of February 2019. These groups, including orphaned children, are at increased risk of trafficking and other forms of exploitation within South Sudan and neighboring countries. 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 recruited more than 19,000 child soldiers since the start of the conflict in 2013, and armed groups continued to recruit and use children during the reporting period. Government forces use children to fight and perpetrate violence against other children and civilians; to serve as scouts, escorts, cooks, and cleaners; or to carry heavy loads while on the move. According to the Revitalised Agreement on the Resolution of the Conflict in South Sudan signed in September 2018, the parties committed to refrain from the recruitment or use of child soldiers by armed forces or militias in contravention of international conventions. Both groups continued to retain, recruit, and use child soldiers during the reporting period, including on the front-line, and evidence persists of the widespread re-recruitment of children. Experts note more children fight on behalf of locally organized armed groups rather than formally organized groups with centralized command and control structures. International observers reported opposition groups recruiting and using child soldiers in the country's legacy states, including Unity and Western Equatoria.

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. These efforts included increasing resources for victim assistance, prosecuting and convicting more traffickers, issuing significant prison terms and fines for convicted traffickers, and requiring anti-trafficking training for all new judges. Although the government meets the minimum standards, it identified fewer victims compared to the previous year, and lacked a comprehensive national strategy on labor trafficking.



PRIORITIZED RECOMMENDATIONS:

Increase investigations, prosecutions, and convictions of trafficking offenses, particularly for forced labor. • Increase training on proactive victim identification, in particular among irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation. • Draft and implement a new national action plan that adequately addresses all forms of trafficking. • Protect migrant unaccompanied minors from traffickers operating in immigration detention centers. • Expand victim service centers to all regions and autonomous cities. • Standardize protocols for child victim identification and care. • Increase witness protection resources available to victims and expert witnesses. • Increase resources to victim service centers. • Increase resources to the office of the national rapporteur. • Increase efforts to reduce demand for forced labor. • Train all prosecutors and judges on a victim-centered approach to law enforcement. • Provide victims with access to state compensation and assets seized from traffickers.

PROSECUTION

The government increased law enforcement efforts. Article 177 of the criminal code criminalized sex trafficking 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 rapporteur, NGOs, and GRETA reported the penal code did not clearly define forced labor, which made prosecutions difficult. The government is developing a stand-alone trafficking law that addresses this issue. According to provisional data, the Office of the Prosecutor initiated 137 new investigations, compared to 135 in 2017 and 272 in 2016. Law enforcement conducted targeted operations against 48 criminal organizations involved in trafficking in 2018 (37 sex trafficking, 11 labor trafficking). For example, in November 2018, the national police arrested 37 suspects of a Vietnamese transnational criminal organization for the labor exploitation of Vietnamese women in nail salons across Catalonia. The judiciary initiated prosecutions of 71 defendants (63 for sex trafficking, five for labor trafficking, and three for forced criminality), compared with 67 in 2017 (60 for sex trafficking and seven for labor trafficking). Courts convicted 61 traffickers (46 for sex trafficking and 15 for forced begging), compared with 28 convictions in 2017 (26 for sex trafficking and two for labor trafficking). The government reported several cases in which convicted traffickers received significant penalties. In June 2018, the Madrid provincial court sentenced four traffickers to 32 to 37 years in prison and ordered them to pay each of their three victims €75,000 ($86,010). In March 2018, a Barcelona court sentenced a Nigerian woman to seven years in prison and ordered her to pay €10,000 ($11,470) in victim compensation for forcing a woman into prostitution using voodoo threats. In January 2019, an Oviedo court sentenced four Romanians to 20 to 55 years in prison for forcing 12 Romanian women into prostitution. In 2018, 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 imposed separate sentences on multiple criminal offenses.

The Interior Ministry coordinated law enforcement efforts to combat trafficking. Authorities collaborated with Colombian, Portuguese, Romanian, and Spanish law enforcement on transnational investigations. Law enforcement officials trained South American officials on best practices at two seminars held in Guatemala and Uruguay. The government provided anti-trafficking training for new police officers, labor inspectors, consular and immigration officials, and judges. In 2018, the civil guard held 11 sessions that trained almost 400 police. The government included NGO input to evaluate proposed changes to police training. Specialized trafficking prosecutors maintained liaisons with the police and attended an annual training conference. The judiciary does not have courts that specialize in trafficking. In November 2018, the government, after consultation with the NGO community, published a comprehensive interagency legal guide on combating trafficking for the entire law enforcement community. The government incorporated the guide into the training curriculum of all new judges. 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 200 victims (115 of sex trafficking and 85 of labor trafficking), compared with 213 victims (155 of sex trafficking and 58 of labor trafficking) in 2017. Since the police could only identify victims who cooperated in criminal investigations and the government predominantly focused on sex trafficking, GRETA believed official victim statistics were underreported. Since 2013, the government has used a victim identification protocol developed with NGO input. Formal victim identification usually took place in the presence of an NGO that assumed care for the victim. The Intelligence Center against Terrorism and Organized Crime provided victim identification training to national police and civil guard personnel working at ports of entry. In 2018, the government implemented victim identification protocols at the Madrid airport.

The government allocated €4 million ($4.59 million), compared to €2 million ($2.29 million) in 2017, plus an unspecified amount from regional governments, for NGOs providing victims with temporary shelter and access to legal, medical, and psychological services. Additionally, these NGOs received €2.3 million ($2.64 million) in funding from tax revenues. The government, through 26 victim service offices, referred victims to NGO care providers and directly provided free healthcare, legal assistance, social welfare benefits, and funds for repatriation to victims. There were specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—to assist child victims. GRETA cited NGO reports that unaccompanied migrant children in Ceuta and Melilla were vulnerable to trafficking in immigration detention centers, with reported cases of children disappearing from these centers. Two multipurpose NGO-run shelters were available for adult male victims. The government, collaborating with NGOs, continued to bi-annually update and use a victim resource guide, available in 12 languages, which listed by region 44 centers providing in-house services and 143 centers that provided services without lodging, including social, psychological, medical, legal, training, housing, and job search tools. GRETA reported victim services were available in all regions except Castilla La Mancha, La Rioja, and the autonomous cities of Ceuta and Melilla.

The government continued to utilize 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 2018, the 54 social interlocutors received training from law enforcement officials, NGOs, unions, and business associations. In February 2019, a government academic institution and an NGO implemented a distance-learning course on mediation for victim service providers.

Prosecutors are required to seek victim compensation from defendants through civil action during all criminal proceedings unless the victim expressly waived that right. The crime victims statute provided victims with the right to state compensation, but authorities had not reported any cases of state compensation to date. Assets seized from convicted defendants supported a fund used to fight trafficking and assist victims. NGOs continued to report inconsistent application of victim protections by judges and called for legal reform to protect witnesses better, including permitting video testimony in all cases and increasing measures to protect the identity of expert witnesses from NGOs, whose testimony cannot be anonymous under current law. Foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement and could apply for permanent residency after that five-year period. Victims could also receive assistance to return to their country of origin. The government allowed non-EU victims to apply for reflection periods of 90 days, during which they could recover while deciding whether to assist law enforcement. A number of victims received this benefit during the reporting period. In both of its evaluations, GRETA expressed concern that reflection periods for non-EU citizens were contingent

upon an application to the immigration police. 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 rapporteur was responsible for analysis and assessment of efforts across the government and held frequent coordination meetings with representatives from government, NGOs, law enforcement, and international partners. NGOs lauded the rapporteur for continued efforts to include them in proceedings. Despite the large scope of work, the rapporteur's office had a staff of only three personnel. GRETA criticized the office of the rapporteur's ability to evaluate government efforts due to its prominent inter-ministerial coordination function and asked the government to consider creating a fully independent evaluation body. The government continued to publish data on its law enforcement efforts and victims identified. The government's Delegation Against Gender-based Violence played a central role in coordinating efforts against sex trafficking and coordinated meetings for the Social Forum made up of central and regional government officials and NGO representatives. The government's new national action plan was under development; the existing plan on sexual exploitation of women and girls covering 2015-2018 was still in effect at the close of the reporting period, and other active strategic plans had anti-trafficking objectives. GRETA reported the government lacked a national strategy for labor trafficking, despite the growing number of forced labor victims identified. Several regional governments also had anti-trafficking protocols to reinforce national laws and promote awareness. In 2018, lawmakers approved the release of the €200 million ($229.36 million) allocated for the State Pact against Gender Violence, which included programming to combat sex trafficking at the regional level.

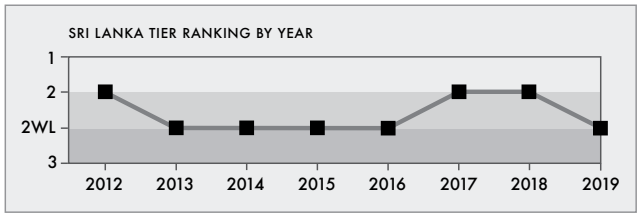
The government continued to conduct public awareness campaigns, including a new campaign on forced labor and sex trafficking as well as a two-week media initiative aimed at reducing the demand for prostitution. The government and NGOs operated 24/7 hotlines for reporting suspected trafficking cases. In 2017, the most recent year complete data was available, the Spanish authorities conducted 2,228 inspections in places where prostitution occurred and 5,102 in centers of labor activity, which resulted in the identification of many potential victims.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Spain and, to a lesser extent, Spanish victims abroad. Sex traffickers exploit women from Eastern Europe (particularly Romania and Bulgaria), South America (particularly Paraguay, Brazil, Colombia, and Ecuador), Central America (particularly Honduras, El Salvador, and Nicaragua), China, and Nigeria. Authorities report Nigerian women now make up the largest demographic of sex trafficking victims. Sex traffickers exploit Venezuelan women fleeing the collapsing social and economic conditions at home. Labor traffickers exploit men and women from Bulgaria, Romania, and South and East Asia, particularly China and Vietnam, in the textile, agricultural, construction, industrial, beauty, and service sectors. Spanish law does not permit nor prohibit prostitution, and NGOs believe a large percentage of individuals in prostitution in Spain are trafficking victims. Sex traffickers are increasingly using online apartment rental platforms to make their illicit operations difficult to track. An increasing number of victims arrived in southern Spain by sea via Morocco. 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 WATCH LIST

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. These efforts included convicting more traffickers than previous years, including the first conviction under the trafficking statute in five years; identifying more potential trafficking victims; and continuing to conduct numerous anti-trafficking trainings and awareness-raising events for government officials and civil society. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. While it convicted more traffickers, it issued suspended sentences to some of those convicted and initiated significantly fewer prosecutions. Despite numerous trainings, officials did not make adequate efforts to screen individuals arrested or charged for prostitution, vagrancy, or immigration offenses for indicators of human trafficking; the government detained child sex trafficking victims and did not provide appropriate care. Complicity remained a serious problem and the government did not initiate any new investigations into allegedly complicit officials, despite multiple reports of official complicity in trafficking. Therefore Sri Lanka was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Respecting due process, improve efforts to vigorously investigate and prosecute suspected traffickers, and convict and sentence convicted traffickers to adequate penalties involving significant prison terms. • Hold government officials criminally accountable for complicity in trafficking or trafficking-related offenses—including fraudulent recruitment, sex trafficking, and accepting bribes to ignore sex trafficking. • Increase efforts to proactively identify trafficking victims, including screening among vulnerable populations, and conduct targeted training for officials to ensure victims are not penalized for unlawful acts traffickers compelled them to commit. • Improve victim services, including their quality and accessibility, to ensure all identified victims, including men and victims exploited abroad, receive shelter and specialized services. • Increase regular monitoring of licensed recruitment agencies and, as necessary, assess penalties and refer allegations of criminal violations to law enforcement. • Vigorously improve efforts to address child sex tourism, including proactive identification of victims, engagement with hotels and tourism operators to prevent the crime, and investigation of hotels, tourism companies, and intermediaries who allegedly facilitate the crime. • Take steps

to eliminate all recruitment fees charged by labor recruiters to workers. • Expand the foreign employment bureau's mandate to include the regulation of sub-agents. • Promote safe and legal migration, ensure migration regulations do not discriminate based on gender, and increase awareness among prospective migrant workers of the steps necessary for safe migration and resources available while abroad. • Improve protection measures for victims who participate in trials against their traffickers, including the cost of lodging and travel expenses during trials. • Through the anti-trafficking task force, continue to institutionalize sustained government coordination efforts.

PROSECUTION

The government maintained mixed law enforcement efforts to address human trafficking—while it convicted more traffickers, it issued suspended sentences to some of those convicted, initiated significantly fewer prosecutions, and did not take sufficient action to investigate allegations of official complicity in trafficking. Section 360(C) of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of two to 20 years' imprisonment and a fine, 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 prosecutors often brought these cases before magistrate judges who generally only had the authority to issue sentences of up to two years' imprisonment.

During the reporting period, the Criminal Investigation Department's (CID) anti-trafficking unit and police initiated 14 trafficking investigations—three for sex trafficking and 11 for forced labor—similar to 15 investigations in the previous reporting period. All investigations remained ongoing at the close of the reporting period. The government initiated 10 prosecutions, including seven under the procurement statute, Section 360(A), and three under the trafficking statute, Section 360(C). This is a decrease from 28 prosecutions initiated in the previous reporting period and 35 initiated in 2016. Fifteen cases under Section 360(C) initiated in previous reporting periods remained pending in the high courts; an additional 38 cases under Sections 360(A) and 360 (C) initiated in previous reporting periods remained pending trial. For the first time in five years, the government secured a conviction under Section 360(C). However, the judge suspended the sentences of imprisonment for all three convicted traffickers. He also ordered the defendants to pay 50,000 Sri Lankan Rupees (LKR) ($274) in compensation to the victim and ordered one of the defendants to pay a 10,000 LKR ($55) fine. Courts convicted five persons under the procurement statute, compared with three persons convicted under the procurement statute in the previous reporting period. The court sentenced three persons to three years' imprisonment and a fine of 10,000 LKR ($55) each, and sentenced the other two persons to 10 years' imprisonment and a fine of LKR 20,000 LKR ($110) each. In addition, the court ordered 500,000 LKR ($2,740) in compensation to the victim. This was a positive change from the previous reporting period, when courts suspended two of the three sentences of imprisonment for persons convicted under Section 360(A). Lack of thorough human trafficking investigations for elements of force, fraud, or coercion, difficulty securing evidence from victims, and judges' lack of understanding of the severity of the crime contributed to both the government's general reliance on procurement charges and the lenient sentences applied under Section 360(C). 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. Of the 14 trafficking investigations initiated during the reporting period, the anti-trafficking unit of the Sri Lanka Bureau of Foreign Employment (SLBFE) referred seven of the cases and MFA referred one—all transnational forced labor cases—to CID's anti-trafficking unit, a decrease from 12 referrals from SLBFE and 19 referrals from MFA in the previous reporting period. Civil society organizations reported referring cases of suspected trafficking to SLBFE, including cases of nonpayment of wages and contract fraud; SLBFE reportedly mediated some of these cases in lieu of criminal investigation. Sri Lankan diplomatic missions did not refer any witness and victim affidavits from abroad to CID for investigation, compared to referring 29 affidavits in the previous reporting period. The government allocated 5.7 million LKR ($31,220) to the SLBFE's anti-trafficking unit; it had not previously reported the unit's budget. With donor funding and technical assistance, many government entities continued to conduct anti-trafficking training. For example, police trained more than 260 officers on the identification and interviewing of trafficking victims, and the police college provided the same training to 90 newly recruited immigration and emigration officers. The Department of Probation and Child Care Services further trained 126 police officers from the women and children's units on trafficking trends, applicable legal provisions, and the role of police in trafficking cases. With an international organization, the Attorney General's Office finalized a handbook on prosecution of trafficking cases and began training state prosecutors.

The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption and alleged official complicity in trafficking remained significant concerns, inhibiting law enforcement action during the year. Some local government and security sector officials forced women who asked for information about their missing husbands, or widows who attempted to claim government benefits from their deceased husbands' military service, to perform commercial sex acts in exchange for information and/or government benefits. The government did not report efforts to investigate these allegations. The former head of the government's National Child Protection Agency (NCPA) uncovered allegations that one state-run orphanage, in collaboration with tuk-tuk drivers, used children from the orphanage in a child sex trafficking ring. NCPA opened an investigation, but local police and prosecutors closed the investigation without explanation, and the government did not extend the tenure of the NCPA director who made the allegations. The government did not report any efforts to further investigate the allegations, the orphanage staff, or close the orphanage. Media reported some "massage parlors" that function as brothels used children in sex trafficking and bribed police officers to avoid raids. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. In 2016, the Ministry of Foreign Employment (MFE) referred to the police six cases of officials allegedly creating fraudulent documents. One case ended in conviction the previous reporting period, and both criminal and administrative investigations were ongoing in the remaining five cases at the close of the reporting period.

PROTECTION

The government maintained mixed efforts to identify and protect trafficking victims; while authorities identified more potential trafficking victims, they did not provide adequate services to victims. The government identified 66 potential trafficking victims in 14 cases, an increase from 46 potential victims identified the previous reporting period and 23 in 2016. Among the 66 potential trafficking victims, authorities reported 56 males and 10 females, including three girls. Officials identified 11 cases of forced labor and three cases of sex trafficking but did not report the total number of victims exploited in each type of trafficking; all identified victims were Sri Lankan nationals, and all identified forced labor victims were male. The government had standard operating procedures (SOPs) for the identification and referral of potential victims to services, but they did not implement them uniformly; both the government and members of civil society stated the capacity of local officials to identify trafficking victims remained low, especially among women in prostitution. Aside from SLBFE, the government did not issue circulars or directives to other relevant agencies to guide staff to follow the SOPs. Some front-line officials within the Ministry of Women and Child Affairs Women's Bureau and the Department of Immigration and Emigration, who routinely worked with vulnerable groups such as female victims of violence and migrant workers, reported their offices did not screen for trafficking.

The Ministry of Women and Child Affairs continued to fund and operate a shelter for female victims of violence, including trafficking victims, although the shelter did not serve any trafficking victims during the reporting period. The government shelter could not accommodate male victims, including the 56 male victims identified. The government reported all seven potential adult female trafficking victims opted to live independently in lieu of the women's shelter. Under the supervision of the National Anti-Human Trafficking Task Force (NAHTTF), various government ministries could provide legal, medical, and psycho-social support to trafficking victims; the government reported none of the 66 victims sought these services during the reporting period. Media and NGOs reported Sri Lankan authorities jailed and charged individuals, possibly including children, for prostitution, vagrancy, or immigration offenses without adequate efforts to screen for trafficking. An NGO reported that some children who were not identified as victims and arrested for prostitution crimes were held in government detention centers; the government acknowledged the possible arrest and detention of potential child sex trafficking victims. When properly identified, the government did not penalize trafficking victims for unlawful acts traffickers compelled them to commit. Law enforcement reported many victims were reluctant to pursue cases against their alleged traffickers due to the social stigma attached with being a trafficking victim and the inadequate support during the law enforcement process, including a lack of financial assistance to travel to courts to participate.

When authorities officially identified foreign victims of trafficking, they had access to the same rehabilitation services as domestic victims. Foreign victims who cooperated in prosecutions could receive a visa extension until the end of the trial; however, Sri Lankan law 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 in the prosecution of traffickers. The government did not identify any foreign victims in Sri Lanka during the reporting period.

SLBFE continued to operate 11 short-term shelters at Sri Lankan diplomatic missions in nine countries for female migrant workers in distress. The shelters served 1,806 workers during the reporting period, a large decrease from serving 2,392 migrant workers in the previous reporting period. NGOs continued to identify large numbers of Sri Lankan female labor trafficking victims in Gulf countries, so while SLBFE reported screening this population for trafficking, the efficacy of such screening was unclear. SLBFE reported 1,140 migrant workers from its 11 shelters returned to Sri Lanka in 2018; it did not report if the government assisted with repatriation. SLBFE trained staff at four of its embassies on guidelines to identify and protect trafficking victims, including non-penalization of victims and data collection. In addition, it issued official circulars on implementation of the guidelines. Despite these circulars, some officials at SLBFE reported that, contrary to the SOPs, SBLFE officials only referred trafficking victims to services after initiating a police investigation. With technical assistance, the Ministry of Foreign Affairs launched an electronic training course on trafficking victim identification, protection, and referral for officials assigned to overseas diplomatic missions and began training officials to use the database. SLBFE continued to operate a transit shelter near the Colombo airport for returned migrant workers who suffered abuse abroad. SLBFE reportedly did not identify any trafficking victims among the migrant workers assisted at this shelter during the reporting period; however, as NGOs continued to identify large numbers of Sri Lankan labor trafficking victims among returned migrant workers, the efficacy of such screening was unclear. In 2017, SLBFE had assisted 3,238 migrant workers at the transit center, some of whom might have been trafficking victims. Sri Lankan diplomatic missions provided logistical support to an international organization that repatriated 16 Sri Lankans from situations of trafficking abroad. The government did not report if it assisted with the repatriation of any of the 20 Sri Lankan labor trafficking victims in Taiwan that returned home. In UAE, the Sri Lankan embassy provided documentation to two forced labor victims to allow them to return home, but volunteers funded the workers' travel expenses.

PREVENTION

The government maintained efforts to prevent trafficking. NAHTTF met 14 times during the reporting period, compared to seven meetings of both NAHTTF and its steering sub-committee on prevention activities the previous reporting period. The Minister of Foreign Affairs and Minister of Justice chaired NAHTTF meetings. The government continued to implement the 2016-2021 anti-trafficking national action plan. In partnership with an international organization, it maintained a public awareness campaign on television that featured a hotline run by an international organization; the organization referred 14 cases of Sri Lankans exploited abroad to law enforcement for investigation. The government continued additional campaigns on trafficking in persons, including, distributing leaflets, posters, and brochures to local officials, NGOs, and the public.

SLBFE maintained its ban on migration of male and female domestic workers younger than 21, female domestic workers younger than 25 to Saudi Arabia, and female domestic workers younger than 23 to other parts of the Middle East. SLBFE also required all female migrant workers younger than 45 to submit a "family background report" to ensure the woman did not have children younger than age five and that she had obtained either her husband or a guardian's consent to work abroad; authorities did not require spousal or guardian consent for male migrant workers. Observers reported any

ban on migration increased the likelihood of migrating illegally and therefore heightened vulnerability to human trafficking. The Department of Immigration and Emigration issued directives to all ports of entry to screen for trafficking among vulnerable populations upon arrival and to screen Sri Lankans departing to Middle Eastern countries on visit visas who they suspected might be traveling for work without proper documentation. In January 2019, the Sri Lankan diplomatic mission in Singapore held an event for migrant workers to, among other objectives, familiarize workers with the mission's labor welfare and consular services, provide information on skills training for domestic workers available through partner organizations, and register any unregistered migrant workers. With an international organization, SLBFE trained 380 licensed foreign employment agents to increase their capacity to adhere to ethical recruitment practices and be compliant with the government's labor recruitment code of conduct, including preventing forced labor and fraudulent recruitment. In March 2018, SLBFE issued a circular to inspectors that they could use reports or complaints of human trafficking to deny an agency annual renewal of its operating license. SLBFE did not report if it used this method to deny any license renewals during the reporting period. During the reporting period, SLBFE suspended 59 foreign recruitment agencies and four local employment agencies for illegal practices. It did not report if it initiated criminal investigations into these agencies. SLBFE raided 159 illegal recruitment agencies during the reporting period and subsequently filed 109 cases against licensed and unlicensed recruiters for illegal practices, compared to 157 cases filed in 2017 and 315 in 2016. Authorities reported all 109 cases from this reporting period resulted in convictions under the SLBFE Act, including some for practices that increased workers' vulnerability to trafficking. SLBFE did not have the legal authority to regulate sub-agents, which officials recognized contributed to trafficking. The government continued to draft an amendment to the Foreign Employment Act to address the oversight of sub-agents and the investigative authority of MFE officials, including SBLFE. The government made efforts to reduce the demand for commercial sex. NCPA continued awareness campaigns on child abuse, including child sex tourism in Sri Lanka's Coastal Belt. In addition, NCPA ran a trilingual hotline to report child abuse, including child sex tourism; the hotline did not receive any reports of child sex tourism during the reporting period. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers.

TRAFFICKING PROFILE

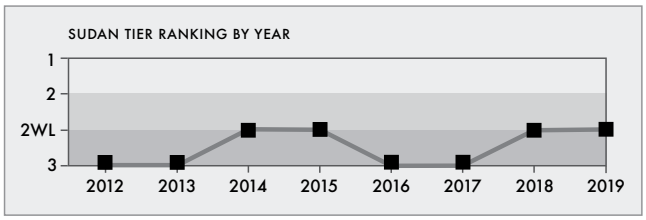
As reported over the past five years, human traffickers exploit domestic and foreign victims in Sri Lanka, and traffickers exploit victims from Sri Lanka abroad. Sources estimate there are approximately 1.5 million Sri Lankans working in the Middle East, predominately in construction and domestic work. In 2018, the majority of Sri Lankan female migrant workers sought employment in Saudi Arabia, Kuwait, Qatar, Japan, and South Korea. Some Sri Lankan men, women, and children who migrate to the Middle East, Asia—including Southeast Asia and Afghanistan—Europe, and the United States to work in the construction, garment, and domestic service sectors are victims of forced labor. Before leaving Sri Lanka, many migrant workers accumulate 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. An international organization interviewed 51 Sri Lankan migrant workers after returning from employment abroad, and 49 reported that traffickers had retained their identity documents, including passports and work permits, which restricts freedom of movement and is a common means of coercion for labor and sex trafficking. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the worker's arrival. Some recruitment agencies lure workers with promises of work abroad but send them with fraudulent or incorrect documents—including tourist visas instead of work visas—so victims are subject to penalization, including jail time and deportation, if they seek assistance abroad. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad. According to media, at least six government-licensed recruitment agencies in Sri Lanka admitted that, if prospective Middle Eastern employers request, they force female migrant workers to take contraceptives before departure to provide a "three-month guarantee" maids will not become pregnant after arrival. Sources allege this is also used to cover up sexual exploitation by recruitment agents and employers, including sex trafficking. Traffickers force Sri Lankan women to engage in commercial sex acts in Cyprus, Malaysia, Maldives, Singapore, Thailand, and elsewhere. Sri Lanka is a transit point for Nepali women subjected to forced labor in the Middle East.

Within the country, traffickers exploit women and children in sex trafficking. Traffickers exploit boys and girls in commercial sex in coastal areas for child sex tourism, including in hotels, on beaches, and during annual festivals. Reports allege some hotels allow clients to book "services" with children for child sex tourism, and some hotels use intermediaries to provide their guests with males and females—including those younger than 18—for commercial sex. In addition to foreign tourists—including from Germany, Russia, India, and China—researchers report significant local demand for child sex tourism. In recent years, traffickers have subjected women from other Asian countries to sex trafficking in Sri Lanka. Some police reportedly accept bribes to permit brothels to operate, some of which exploit adults and children in sex trafficking. Government officials acknowledged reports that local government and security sector officials forced women who asked for information about their missing husbands, or widows who attempted to claim government benefits from their deceased husbands' military service, to perform commercial sex acts in exchange for information and/or government benefits. NCPA alleged a state-run orphanage, in collaboration with tuk-tuk drivers, exploited children from the orphanage in child sex trafficking. Traffickers force children, individuals with physical deformities, and those from socially vulnerable groups 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. Traffickers subject children to forced labor in small boutiques and informal markets. During the reporting period, an international charity organization found that wage slips from 17 workers at nine "fair trade" tea estates showed deductions often exceeding 75 percent of daily earnings for fees and repayment of debts. The government does not grant asylum or refugee status, nor does it allow refugees or asylum-seekers to work or attend school. This renders such persons, including Rohingya, vulnerable to trafficking.

SUDAN: TIER 2 WATCH LIST

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking but is making

significant efforts to do so. The government demonstrated significant efforts during the reporting period by convicting more traffickers; identifying more potential trafficking victims and referring them to services; developing standard operating procedures in partnership with international organizations to identify trafficking victims within vulnerable populations; and training more officials to effectively identify trafficking in persons. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Government military officials forcibly recruited a minor to serve in a combat role and reportedly recruited and provided forged documents for minors to serve as combatants in Yemen. The government did not demonstrate efforts to address sex trafficking or identify any sex trafficking victims, and failed to amend its 2014 anti-trafficking law. Therefore Sudan remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Cease all recruitment and use of child soldiers in all of Sudan's military services and increase efforts to investigate, prosecute, and convict officials complicit in child soldier recruitment and use. • Ensure authorities do not punish victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as women compelled to engage in commercial sex acts. • Implement the anti-trafficking law to facilitate increased efforts to prosecute and convict traffickers and complicit officials, including recognizing and distinguishing those allegedly responsible for sex trafficking as distinct from migrant smuggling or kidnapping crimes. • Amend the 2014 anti-trafficking law to criminalize sex trafficking of children in the absence of coercion and define exploitation. • Clearly define the roles and responsibilities of the National Committee to Combat Trafficking (NCCT) and the Higher Committee to Combat Human Trafficking (HCCHT) to increase the effectiveness of the government's anti-trafficking response. • Increase training for security officials in Darfur on distinguishing trafficking from other crimes such as smuggling, and ensure recipients use this guidance to train additional government officials. • Establish procedures for authorities to identify and provide services for adult sex and labor trafficking victims. • Implement and dedicate adequate resources to the 2018-2019 national anti-trafficking action plan. • Develop a data collection and information management system in collaboration with international organizations to more effectively organize law enforcement data.

PROSECUTION

The government increased law enforcement efforts. The 2014 anti-trafficking law criminalized some forms of sex trafficking and some forms of labor trafficking, but failed to define what constituted exploitation. Additionally, inconsistent with international law, Sudan's anti-trafficking legal framework 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.

The Ministry of Interior (MOI) reported investigating 150 trafficking cases involving an unknown number of suspects in 2018. The government prosecuted 30 of those cases involving an unknown number of suspects and convicted 45 individual traffickers under the 2014 anti-trafficking law. Sentences for those convicted ranged from fines of 1,000 Sudanese pounds ($21) in lieu of imprisonment to more than three years' imprisonment. In 2017, the government reported investigating 99 cases, prosecuting 94 suspects, and convicting seven individual traffickers. As in past years, some of the government-reported cases may have been smuggling crimes due to a lack of trafficking knowledge among some officials and challenges in disaggregating trafficking in persons and smuggling crimes. The government's continued denial of sex trafficking occurring in Sudan coupled with authorities' inconsistent screening of vulnerable populations likely resulted in law enforcement officials arresting women whom traffickers forced into prostitution.

The UN reported the Kassala Anti-Trafficking Court heard 40 trafficking cases in 2018 involving 80 suspects charged under the 2014 anti-trafficking law. Kassala government officials convicted 54 traffickers in 24 cases, sentencing them to imprisonment ranging from two and 20 years. Thirty-one of those convicted were Eritreans, and 23 were Sudanese. In August 2018, the government's Criminal Investigation Department collaborated with INTERPOL to arrest 14 suspected traffickers (12 women and two men) in Khartoum. The government did not report the outcomes of those arrests.

Experts noted some government officials were complicit in—or otherwise profiting from—trafficking crimes, and the MOI reported investigating two cases involving complicit officials. In one of the cases, the government reported convicting an unknown number of police officers in Kassala state and sentencing them to three years' imprisonment. The accused officials are appealing the second case. In 2017, the government reported prosecuting and convicting two officials, sentencing one to 10 years' imprisonment.

The MOI reported organizing 30 trafficking-related trainings for 925 total law enforcement officials in 2018. In 2017, the government reported partnering with international organizations to provide anti-trafficking trainings for approximately 103 officials. The government's Commissioner of Refugee Affairs (COR) partnered with the UN to provide four anti-trafficking and refugee protection trainings for officers from the Police Investigation Department, prosecutors, and judges in eastern Sudan. The government-funded Judicial and Legal Sciences Institute collaborated with an international organization in Khartoum to train justice sector and law enforcement officials on data collection and reporting in April 2018.

PROTECTION

The government increased overall protection efforts. It increased

efforts to identify and refer trafficking victims to care but failed to identify victims of sex trafficking. Due to a lack of consistent screening, officials likely penalized some victims for unlawful acts traffickers compelled them to commit. In 2018, the MOI reported identifying approximately 1,400 potential trafficking victims, compared with 400 during the previous year. The UN reported the Criminal Investigation Department's anti-trafficking unit referred 142 victims to a shelter run by an international organization; the government did not report referring any victims to care or directly providing such support in 2017. The majority of these potential victims were Eritrean, Ethiopian, and Somalian whose fraudulent labor recruiters lured to Sudan. In close partnership with an international organization and a foreign government, the government-funded Judicial and Legal Sciences Institute developed and disseminated standard operating procedures (SOPs) in 2018 to assist law enforcement, prosecutors, and the judiciary to identify child victims of trafficking. The SOPs were intended to standardize victim identification procedures; however, the government did not report the extent of dissemination or implementation. Officials discontinued the practice of detaining witnesses to secure their cooperation in trials with the establishment of safe houses in partnership with the UN.

COR officials partnered with UNHCR in eastern Sudan to establish identification and referral SOPs to proactively identify victims of trafficking within asylum-seeking and refugee populations, defining roles and processes for law enforcement, security personnel, and international organizations. In Khartoum, the National Council for Child Welfare (NCCW), Ministry of Social Welfare, and NGOs coordinated to provide care for child victims of trafficking. The effectiveness of coordination and quality of service provision varied widely from region to region and across government agencies. This inconsistency resulted in one case of law enforcement officials temporarily detaining children, although NCCW staff intervened and ensured government officials provided the victims shelter, food, medical care, and psycho-social support.

During the reporting year, the NCCW and the Ministry for Social Welfare continued efforts to prevent the use of child soldiers within the Sudanese Armed Forces (SAF) and its auxiliaries through the implementation of the National Action Plan to Prevent the Recruitment and Use of Children in Armed Conflict. Unlike previous years, the government did not report identifying or reintegrating any child soldiers in 2018. Officials coordinated with the UN to conduct monitoring and verification visits, although observers reported security officials intermittently denied access to conflict areas in Darfur. In 2018, an international organization reported at least one case of child soldier recruitment and use by security forces in 2018. Media outlets reported government officials recruited children—particularly from Darfur—into combat roles in Yemen. In 2017, the government coordinated with international organizations to conduct monitoring and verification visits in eight conflict states, and officials from the NCCW facilitated the release of 21 child soldiers from non-governmental armed forces in the Darfur region.

The Secretariat of Sudanese Working Abroad coordinated with an international organization to provide medical services, shelter, counseling, reintegration support, and financial assistance for 730 Sudanese returning from Libya—many of whom were potential victims of trafficking. The Domestic Workers Act of 2008 provided a legal framework for employing and registering domestic workers with limited labor rights and protections; however, the government did not report registering or protecting any domestic workers under the law during the reporting period.

An international organization reported the government installed video and camera equipment in courthouses across the country allowing victims and witnesses to give testimony in separate rooms to prevent re-traumatization as a result of involvement in criminal proceedings. The government built a mock trial room with this technology at its Judicial and Legal Sciences Institute.

PREVENTION

The government decreased efforts to prevent trafficking. Although individual ministries and law enforcement personnel continued to implement anti-trafficking programming in 2018, unclear divisions of responsibility between the NCCT and HCCHT impeded the government's overall anti-trafficking coordination. Despite this shortcoming, the NCCT met at least three times in 2018, on par with the previous year. As in 2017, the government did not allocate a budget for its 2018-2019 national action plan. At the local level, the Kassala state government began drafting a state-level action plan designed to mirror the national action plan. The government did not report developing national awareness campaigns, nor did it make efforts to reduce the demand for commercial sex acts and forced labor, and it did not report providing anti-trafficking training for its diplomatic personnel. Due to the government's restrictions on foreigners' movement within Sudan, some individuals utilized smugglers for internal travel from eastern Sudan to Khartoum, increasing their risk of trafficking.

Ministry of Labor inspectors were responsible for providing oversight on recruitment agencies, but they did not report investigating or sanctioning fraudulent recruiters and claimed a lack of training and guidance from the ministry impeded their ability to enforce existing laws. The MOI reported two hotlines were available for reporting trafficking tips—one for child trafficking, and one for other trafficking cases—but did not disclose the numbers of calls it received.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sudan, and traffickers exploit victims from Sudan abroad. Traffickers subject homeless children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—to forced begging, forced labor in public transportation and large markets, and sex trafficking. 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 traffickers. Criminal groups exploit Sudanese women and girls—particularly internally displaced persons or those from rural areas—in domestic work and Sudanese girls to sex trafficking. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, an international organization reported SAF elements forcibly abducted a minor for the purpose of recruitment in 2018. Media reported complicit officials associated with Sudan's Rapid Support Force recruited children and provided forged documents for minors to serve as combatants in Yemen. Sudanese military forces denied observers' access to conflict areas in Darfur making verification of child soldier recruitment more challenging.

Because of regional instability and conflict, Sudan hosts

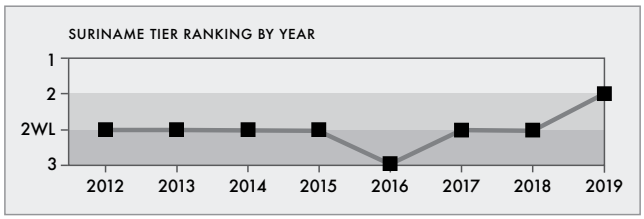
approximately 3.3 million people of concern, including over 1 million refugees (primarily South Sudanese), and asylum-seekers, and 1.9 million internally displaced persons. These individuals are vulnerable to trafficking due to their lack of economic stability and access to justice.

In 2018, a human rights organization reported approximately 30,000 Eritrean, Ethiopian, and other African asylum seekers—populations vulnerable to trafficking due to their economic fragility and lack of access to justice—were temporarily housed in Khartoum waiting to travel to Europe. During the reporting year, Eritreans represented the highest number of trafficking victims in Sudan—mainly in the east—due to traffickers targeting the consistent flow of refugees and asylum-seekers. Sudanese traffickers compel Ethiopian women to work in private homes in Khartoum and other urban centers. Increasingly well-organized and cross-border criminal syndicates force some Ethiopian women into prostitution in Khartoum by manipulating debts and other forms of coercion. Somalis represent a significant portion of smuggled individuals who become, or are at risk of becoming, victims of trafficking. Seeking to escape conflict and poverty, many East African victims of trafficking initially seek out the services of smugglers, who coerce the migrants into forced labor or sex trafficking. Due to the ongoing conflict in South Sudan, there was an increase in South Sudanese refugees across Sudan, many of whom remained vulnerable to forced labor and sex trafficking in Sudan. An international organization continued to document cases of traffickers exploiting West and Central African nationals—primarily from Chad, Mali, and Niger—arriving in Sudan via irregular migratory routes. Anecdotal evidence also suggests business owners subject Chinese women working for small-scale Chinese firms such as restaurants and hotels to forced labor or sex trafficking.

Darfur remained a favored route for Sudanese attempting to travel through Libya to Europe, as the porous border and sustained insecurity allow traffickers to operate with impunity across the region. Experts reported Libyan officials held 427 Sudanese in Libyan detention centers where they were vulnerable to forced labor and other forms of abuse. The government reported Darfuri armed groups increasingly exploit some migrants in forced labor or sex trafficking. In past years, criminals exploited in trafficking some Sudanese nationals en route to Europe via Egypt. Smugglers linked to the Rashaida and Tabo tribes abduct Eritrean nationals at border crossings, extort them for ransom, and subject them to abuse, including trafficking. Other cross-border tribes also force abductees to perform domestic or manual labor and subject them to other forms of abuse, including trafficking. Sudanese government officials allegedly facilitate trafficking in persons in eastern Sudan and allow victims to be transported across security checkpoints or international borders without intervention.

SURINAME: TIER 2

The Government of Suriname does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Suriname was upgraded to Tier 2. These efforts included approving a new action plan, developing a new formal victim referral process, convicting more traffickers and imposing significant prison terms, and launching a new trafficking hotline and campaign. However, the government did not meet the minimum standards in several key areas. Authorities investigated and prosecuted fewer cases and identified fewer victims amid inadequate efforts to screen vulnerable individuals, including detained migrants prior to deportation.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with significant prison terms. • Increase efforts to identify victims, particularly in the interior and in brothels. • Continue to prosecute child sex trafficking cases under the trafficking statute and protect children in those cases as victims. • Increase efforts to screen vulnerable populations for trafficking, particularly undocumented migrants. • Hold public officials found complicit in trafficking criminally accountable. • Conduct targeted labor inspections with an aim of identifying forced labor. • Provide additional training and resources 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.

PROSECUTION

The government decreased prosecution efforts. Article 334 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to nine years' imprisonment and a fine of 100,000 Surinamese dollars (SRD) ($13,300) for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment and a fine of 100,000 SRD ($13,300) for those involving a victim under the age of 16. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police reported three investigations (one for sex trafficking of a child, one for sex trafficking of an adult, one for labor trafficking of an adult), a decrease from 10 in 2017. The government launched trafficking investigations when discovering cases of children exploited in prostitution, including in cases where the parents were the traffickers. After evidence was burned in a fire, the government terminated the 2015 investigation of Alien Affairs Department staff who sold residence permits to criminal networks allegedly using the documents to exploit Chinese workers in forced labor. The prosecutor's office did not initiate any new prosecutions in 2018, compared with four new prosecutions for sex trafficking in 2017. The government convicted seven traffickers in two cases of sex trafficking, an increase from three traffickers in 2017, with prison sentences ranging from one to five years. The court ensured that convicted traffickers stayed in prison after pre-trial detention to serve their full terms of three and five year sentences. The government did not report the status of four prosecutions involving 12 suspected traffickers initiated in previous years. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The dedicated police anti-trafficking unit (ATU) responsible for investigating cases lost three of 15 staff as part of staff turnover,

which affected their ability to provide training and pursue cases. All incoming police recruits received basic trafficking training. One ATU member, one staff from the prosecutor's office, and two immigration officers participated in an international training on trafficking sponsored by another country. An international organization provided training to 34 officials from the police and prosecutor's office, promoting cooperation between units. The ATU provided training to 265 persons from within the police organization as well as members of the military and healthcare providers. The police attaché at the Brazilian embassy met with the government to plan bilateral cooperation against trafficking. Authorities extradited a Haitian to Brazil who was wanted on sex trafficking charges.

PROTECTION

The government maintained protection efforts. The government did not effectively identify victims among migrants in the interior and in brothels emerging in private homes. Police identified one child Surinamese victim of sex trafficking, compared with five victims identified in 2017. The female victim received counseling, medical assistance, specialized services as necessary, and the option to use the state-run female victim shelter. The victim opted to return home after counseling and assisting with the prosecution. Police determined a second case initially investigated as a child sex trafficking case was not trafficking and transferred it to the police youth affairs department. Police also screened 21 other potential trafficking victims in two other cases, which they later determined not to be trafficking. The government developed and funded a new formal referral process to refer all victims to the Bureau of Victim Services for shelter, medical assistance, counseling, and other care. Health care workers did not have a protocol for victim identification and assistance. The government worked with the Guyanese embassy and Haitian consulate to investigate the increasing numbers of vulnerable Haitians who entered the country through the border with Guyana. The government also worked with the Haitian consulate to reunite a vulnerable group of Haitian minors with their families after authorities found them transiting Suriname en route to Brazil or French Guiana.

The ATU continued to perform regular inspections of brothels and screen for trafficking victims, although authorities did not adequately screen other vulnerable populations, such as undocumented migrants applying to legalize their status with the government. The government increased its efforts to screen migrants in their languages with the assistance of foreign embassies, consulates, or with bilingual government staff. As part of the screening process, the government assessed whether foreign victims wanted to return home or stay in country and guided victims through the process of applying for residency for those who wanted to stay. Victims had the option of pursuing civil suits against their traffickers, but the government reported no such cases during the year. There was no witness protection program. 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, although this could hamper law enforcement in cases where victims did not have time to rehabilitate before providing testimony. The government did not report whether it screened migrants who overstayed their visas and may have deported unidentified trafficking victims.

PREVENTION

The government increased prevention efforts. The government renewed the mandate of the inter-ministerial Trafficking in Persons Working Group for three years, and approved a new national action plan in January 2019. For the first time, the plan included partnering with civil society, using metrics for specific goals, and receiving dedicated funding from the Ministry of Justice and the police budget. Police provided trafficking awareness training to 20 diplomats for the first time since 2016. The working group organized and funded a nationwide campaign that encouraged the public to report potential trafficking cases and held a conference training civil society, NGOs, faith-based organizations, and the media on how to identify and report trafficking jointly with a foreign embassy. The working group translated the campaign materials into the languages of vulnerable populations and placed them at points of entry into Suriname, as well as in high risk areas and schools. The government launched a new 24-hour trafficking hotline but did not report any calls during the reporting period. The police youth affairs department included trafficking information on the youth hotline in its outreach campaign to schools but reported that there were no investigations resulting from hotline calls. Suriname passed the 2014 Protocol to the Forced Labor Convention of 1930, which required governments to develop a plan of action to strengthen labor inspections and suppress forced labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

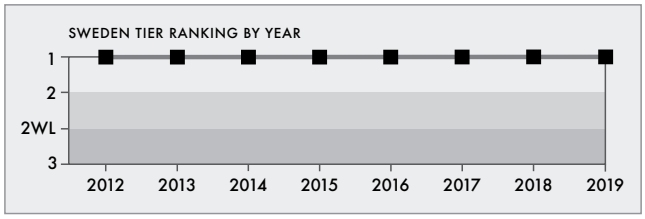
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Suriname, and traffickers exploit victims from Suriname abroad. 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. The increasing influx of migrants, particularly those from Haiti and Venezuela, as well as those from Brazil, Cuba, the Dominican Republic, and Guyana, are vulnerable to exploitation by traffickers. Migrant women and girls are especially vulnerable to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. Some Surinamese parents exploit their daughters in sex trafficking. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in agriculture, small construction, gold mines, and informal urban sectors. Chinese associations, and allegedly some Hong Kong traffickers, recruit and exploit Chinese immigrants in 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 routes in Suriname's interior that 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. These efforts included establishing a crime unit composed of specialized prosecutors handling all trafficking cases, increasing funding to NGOs for victim services, and prosecuting and convicting more traffickers. Although the government meets the minimum standards, authorities did not proactively identify trafficking

victims, identifying significantly fewer victims than in past years, including among asylum-seekers and unaccompanied children. Judges lacked a sufficient understanding of all aspects of trafficking, including the application of anti-trafficking laws.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to proactively identify trafficking victims, including among asylum-seekers and unaccompanied children. • Vigorously prosecute and convict traffickers using the anti-trafficking statute. • Train officials involved in judicial proceedings, particularly judges, on all aspects of trafficking and the application of the anti-trafficking law. • Increase awareness efforts to educate asylum-seekers and unaccompanied children on the risks of labor trafficking, forced criminality, and forced begging. • Identify and vigorously prosecute Swedish child sex tourism offenders. • Establish specialized housing for trafficking victims, including for male victims.

PROSECUTION

The government increased law enforcement efforts. Chapter 4 Section 1a of the Penal Code criminalized sex trafficking 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. Through a 2018 amendment to the penal code, Chapter 4 Section 1b criminalized a lesser offense of "human exploitation," which included the exploitation of individuals for labor or begging, and prescribed penalties of up to four years' imprisonment; these penalties were also sufficiently stringent. In 2018, police investigated 214 trafficking cases (93 sex trafficking, 65 labor trafficking, 56 unconfirmed), compared with 212 cases in 2017. Of the cases in 2018, 14 sex trafficking cases involved children and 40 of the labor trafficking cases were forced begging. Authorities prosecuted 17 traffickers (14 for forced begging) and convicted 15 (12 for forced begging), compared with six prosecutions and five convictions in 2017. Sentences ranged from one year and six months to five years and six months' imprisonment. 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.

According to the national anti-trafficking coordinator and national rapporteur, a reorganization of the National Police and shift in focus away from trafficking crimes hindered law enforcement anti-trafficking efforts and effectiveness; consequently, the government issued a directive that compels the National Police to improve its anti-trafficking capabilities, including through reorganization and assigning personnel duties within the force. The police appointed regional trafficking coordinators in each of the seven police regions to manage anti-trafficking efforts and serve as a resource for professionals handling trafficking cases. A new statute entered into force requiring the public prosecutor's office to manage trafficking cases through the newly formed international and organized crime unit, comprising specialized prosecutors with relevant experience. The prosecutor's office produced a checklist for prosecutors working potential trafficking cases, providing guidance on how to identify and handle cases. The national courts offered training for judges and lawyers that included sections on sex trafficking and child victims; however, experts reported some judges lacked a sufficient understanding of trafficking and did not apply current law in trafficking cases, impacting rulings. The national rapporteur conducted training for police and judges. The Swedish Coast Guard, police, and customs officials participated in joint regional intelligence operations in trafficking cases involving travel by sea.

PROTECTION

The government maintained victim protection efforts. Authorities identified 213 victims (92 sex trafficking, 65 labor trafficking, and 56 unidentified) in 2018, compared with 212 victims in 2017 (82 sex trafficking and 130 labor trafficking). Sixty of these new victims were children. The migration agency's anti-trafficking coordinator identified 384 suspected trafficking victims among asylum-seekers in 2018 (44 were children), a 14 percent decrease from 2017. Reports indicated tightened migration policy curbed the inflow of asylum-seekers, allowing authorities more time to process and screen applicants for trafficking indicators. Nonetheless, the number of migrants and unaccompanied children seeking asylum remained high (approximately 944), and experts expressed concerns that many unaccompanied children were either at risk or victims of trafficking, particularly for sexual exploitation and forced criminality. Additionally, experts noted shortcomings in the proactive identification of unaccompanied children and expressed concern that the number of reported cases misrepresented the real scale of child trafficking in Sweden.

Municipalities, in collaboration with NGOs and other government agencies, provided victim services, including medical and psychological care, shelter, and social assistance. In 2018, the government allocated 800,000 krona ($89,510) to a civil society platform representing 20 NGOs that provided care to victims, whereas the government did not allocate funding in 2017 and allocated 500,000 krona ($55,940) in 2016. Although the country lacked shelters dedicated solely to trafficking victims, some municipalities ran shelters offering services to sex 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. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing. There was no protected housing available to male trafficking victims.

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 in trafficking cases who cooperated with authorities received temporary residence permits, which allowed them to seek employment. Fifty-four trafficking victims received permits in 2018 (13 in 2017). 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 2017 or 2018.

PREVENTION

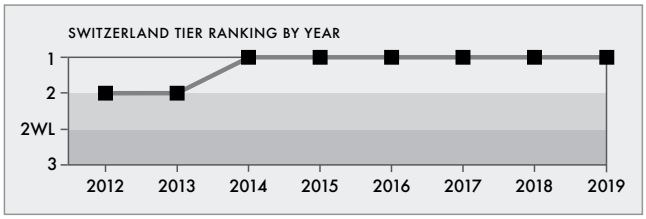
The government increased prevention efforts. The government adopted a national action plan for 2018, focusing on combating, preventing, and improving the detection of human trafficking. The National Police issued a report outlining police efforts, best practices, ongoing initiatives, and interagency collaborations. 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. The government coordinated a conference for the Nordic countries to share experiences and discuss common challenges in combating trafficking, including the legal process from identifying and supporting victims to delivering court decisions. The government organized awareness campaigns focusing on safe travel and conducted or funded awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government made efforts to reduce the demand for commercial sex acts. 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. Multiple agencies carried out joint workplace inspections as part of a major EU effort against unfair labor exploitation.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sweden, and traffickers exploit victims from Sweden abroad. 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. Most sex trafficking and labor trafficking victims originate from Eastern Europe, Africa, East Asia, and the Middle East. Reported cases of labor trafficking and forced begging are increasing. Victims of labor trafficking, who largely originate from Eastern Europe, East Asia, and West Africa, face exploitation in the service, cleaning, and construction industries; cases among seasonal berry pickers have decreased significantly in recent years. Roma, primarily from Romania and Bulgaria, are subjected to forced begging and criminality and, to a lesser extent, sex trafficking. Asylum-seekers, particularly those from Nigeria, Vietnam, Morocco, Turkey, and Pakistan, as well as many stateless individuals, are subjected to human trafficking. Unaccompanied children are especially vulnerable; reports indicate a majority of suspected child trafficking victims arrived in Sweden as unaccompanied minors, primarily from Africa and the Middle East. Approximately 944 unaccompanied foreign children applied for asylum in Sweden in 2018. Approximately 4,000 to 5,000 Swedes commit child sex tourism offenses abroad annually, primarily in East 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. These efforts included increasing interagency coordination, updating victim identification guidelines, and proposing new regulations for those employed in the around-the-clock nursing services sector to prevent labor exploitation. 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 identified fewer victims.



PRIORITIZED RECOMMENDATIONS:

Vigorously prosecute and convict traffickers and punish them with significant prison terms. • Develop safeguards for victims to protect them against traffickers freed on suspended sentences. • Increase law enforcement efforts against labor trafficking. • Strengthen or revise existing criminal code articles, particularly Article 182, to explicitly define labor trafficking. • Increase victim identification training for all front-line officials, including labor inspectors. • Establish a standardized referral and assistance system for all victims. • Increase access to specialized services, especially for forced labor, asylum-seekers, male, child, and transgender victims. • Improve the process for issuing short- and long-term residency permits for potential victims, especially those in the asylum process.

PROSECUTION

The government decreased law enforcement efforts. Articles 180, 181, 182, 195, and 196 of the penal code criminalized sex trafficking 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. NGOs stated the lack of an explicit legal definition for labor exploitation under Article 182 complicated forced labor investigations and limited data collection necessary for prevention efforts. 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. In one noteworthy case from April 2018, the Geneva police launched an investigation of forced domestic servitude of up to six persons. Cantonal authorities prosecuted 124 defendants in 2018, compared with 143 in 2017. The government convicted 13 defendants on trafficking charges in 2017 (the most recent year for which complete data were available), compared to 13 in 2016. Of the 13 convictions in 2017, courts fully suspended the sentences of five traffickers and partially suspended three traffickers' sentences. Of the seven sentenced to prison terms, three were over one year in duration. The highest sentence issued for trafficking crimes was for approximately 6.5 years in prison. The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms during the reporting period. In July 2018, the regional court of Bern Jura-Seeland sentenced a Thai woman to 10.5 years in prison for sex trafficking at least 75 female and transgender victims in the government's largest trafficking case to date. In December 2018, Lausanne's criminal court sentenced a Nigerian woman to three years in prison and a fine for sex trafficking four Nigerian women.

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. Civil society continued to report the government's predominant focus on sex trafficking hindered the identification and prosecution of forced labor. Authorities continued to prosecute few labor trafficking cases, and civil society reported labor inspectors frequently regarded foreign victims as criminals working illegally. The government conducted multiple training events for law enforcement. In May 2018, the Swiss police institute held a weeklong trafficking seminar for police, prosecutors, and border guards. In June 2018, FedPol held a workshop focused on evidence collection in labor trafficking investigations for cantonal police, labor inspectors, and prosecutors. The government continued to hold annual trafficking training for cantonal prosecutors, which focused on victim testimony and assistance during criminal proceedings.

The government continued to participate in international investigations and criminal trials. One joint investigation with Romania led to the arrest of nine suspected traffickers and the identification of 15 potential victims. Police also participated in several EUROPOL sex and labor trafficking investigations that led to the arrest of seven suspected traffickers and the identification of over 54 potential victims. 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. The government did not report whether it investigated any Swiss nationals for child sex tourism abroad. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking.

PROTECTION

The government maintained protection efforts. In 2018, cantonal authorities identified 170 victims (228 in 2017), 106 of whom were victims of "forced prostitution" (120 in 2017). The federal government continued to lack standard procedures across cantons for victim protection and victim identification. The government updated widely distributed victim identification guidelines to include labor trafficking and the "lover boy" coercion phenomenon. 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 2017, the latest year for which assistance data was available, 164 potential victims received government-funded trafficking-specific counseling, compared with 101 in 2016. For the third consecutive year, there was an increase in the number of potential trafficking victims among asylum-seekers. The State Secretariat for Migration identified 111 potential victims undergoing the asylum process in 2018 (100 in 2017). The government's border police screened newly arrived asylum-seekers alone to eliminate the potential influence of traffickers operating within migrant camps. However, NGOs continued to report 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.

The Swiss Victim Assistance Law entitled all trafficking victims to access the government-funded women's shelters or assistance centers for victims of abuse and to 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 a minimum of 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 victim assistance law obligated the government to assume the additional cost of longer-term care. The government granted 373,520 Swiss francs ($379,590) to five NGOs from a total annual allocation of 400,000 Swiss francs ($406, 500). Federal and cantonal government sources financed the vast majority of a leading NGO's 2.6 million Swiss francs ($2.64 million) operating costs for its trafficking victim protection program. The NGO reported the government did not provide adequate victim assistance funding for the increased number of victims in the asylum system. In 2018, the NGO assisted 80 new victims; 76 percent of new victims were sex trafficking victims, 21 percent were forced labor victims, and the remaining three percent fell into other categories. Twenty-three percent of victims were referred by cantonal or federal police and judicial authorities. Services for labor trafficking victims were limited, and the government lacked case management resources for victims in the asylum system. Services for child and male victims were limited, especially shelter, counseling, and victim referral resources. The government provided male victims temporary shelter in hotels, or NGO-operated shelters for men, and NGOs that received government support provided limited services to such victims. The government also facilitated assistance to foreign victims of trafficking; however, authorities granted few long-term residency permits and instead provided victims with repatriation assistance to help them return home. In 2018, the government provided repatriation assistance to 17 victims (16 in 2017), the majority from Eastern Europe. The government did not have a legal provision protecting victims from unlawful acts their traffickers coerced them to commit.

Cantonal immigration authorities were required to grant victims a minimum 30-day reflection period to decide whether to participate in judicial proceedings against their traffickers. The government granted 56 individuals reflection periods, 91 short-term residence permits, and 16 hardship-based residence permits (55 reflection periods, 90 short-term residence permits, and 14 hardship-based residence permits in 2017). The government provided cultural sensitivity training to law enforcement personnel to improve the identification referral process for foreign victims. Thirty-one victims received state compensation payments in 2017, the most recent year for which data was available for comparison, compared with 23 in 2016.

PREVENTION

The government increased prevention efforts. The government reorganized the national coordinating body under FedPol and renamed it the Specialized Unit against the Trafficking in Persons and Smuggling of Migrants (FSMM). FSMM coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. The frequency of interagency trafficking coordination meetings increased from annually to bi-annually with the new reorganization. In November 2018, FSMM hosted its fifth national meeting of the heads of the cantonal anti-trafficking roundtable and focused in particular on trafficking awareness and victim identification in the healthcare sector. The government had an active national action plan focused on standardizing the issuance

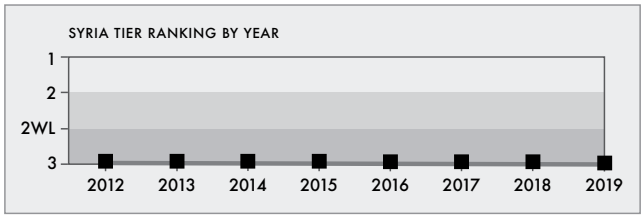
of residency permits and victim identification guidelines for police, as well as minimizing the unintentional punishment of victims. However, civil society reported the government had not allocated adequate human or financial resources for its implementation. The government published an annual assessment of its anti-trafficking efforts. In June 2018, the government launched an anti-trafficking national awareness campaign for medical professionals. The government also continued to co-host and co-fund several awareness events organized by cantonal authorities and NGOs. Programs to fund Romanian NGOs providing victim assistance and anti-trafficking assistance to Bulgaria, Hungary, and Nigeria continued during the reporting period. The government proposed to the cantons labor contract reforms for the around-the-clock nursing services sector that clearly defined working hours and conditions, minimizing the potential for exploitation. The government did not demonstrate efforts to reduce the demand for commercial sex. The government funded an NGO to operate a national victim hotline and email.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Switzerland. Sex traffickers exploit women, children, and transgender people. Labor traffickers exploit men, women, and children in domestic service, health care, agriculture, catering, construction, tourism, 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. Authorities report an increase in young male traffickers, known as "lover boys," coercing vulnerable Swiss girls and women into sex trafficking, often through a sham romantic relationship. Female victims among asylum-seekers from Nigeria, Eritrea, and Ethiopia were often forced into prostitution and domestic servitude. Male victims among asylum-seekers came primarily from Eritrea and Afghanistan and were exploited in 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 hold any traffickers criminally accountable, including complicit government officials, nor did it identify or protect any trafficking victims. The government's actions directly contributed to the population's vulnerability to trafficking and it continued to perpetrate human trafficking crimes routinely. The government and pro-Syrian regime affiliated militias continued to forcibly recruit and use child soldiers, resulting in children facing extreme violence and retaliation by opposition forces; it also did not protect and prevent children from recruitment and use by armed opposition forces and designated terrorist organizations such as ISIS. The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for unlawful acts traffickers compelled them to commit.



PRIORITIZED RECOMMENDATIONS:

Criminalize all forms of human trafficking. • Stop the forcible recruitment and use of child soldiers by government forces and pro-government militias. • Proactively identify victims of all forms of trafficking and provide them with appropriate protection services, including long-term care for demobilized child soldiers. • Ensure trafficking victims are not punished for crimes traffickers compelled them to commit, such as child soldiering. • Investigate, prosecute, and convict perpetrators of sex and labor trafficking and the unlawful recruitment and use of child soldiers, including complicit officials.

PROSECUTION

The government made no discernible anti-trafficking law enforcement efforts, and the government and government-affiliated militias remained complicit in the unlawful recruitment and use of child soldiers. The violent conflict continued to directly amplify the magnitude of human trafficking crimes occurring within Syria. Decree No.3 of 2011 appeared to criminalize some forms of sex trafficking and labor 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 did not identify or protect trafficking victims. 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 continued to severely punish victims for unlawful acts traffickers compelled them to commit, such as child soldiering and prostitution. It 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, human traffickers exploit domestic and foreign victims in Syria, and traffickers exploit Syrian victims abroad. The situation in Syria continues to deteriorate amid the ongoing conflict with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. As of March 2018, human rights groups and international organizations estimate more than 500,000 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 February 2019, more than five million have fled to neighboring countries and, as of December 2018, approximately 6.2 million are internally displaced. Syrians that remain in the country and those living as refugees in neighboring countries are extremely vulnerable to traffickers. 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.

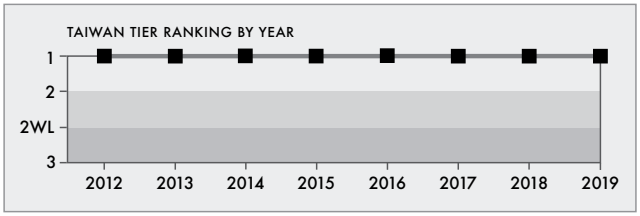
While ISIS has lost the majority of the Syrian territory it once controlled, throughout 2018 it continued to force local Syrian girls and women in ISIS-controlled areas into marriages with its fighters and it routinely subjected women and girls from minority groups into forced marriages, domestic servitude, systematic rape, and other forms of sexual violence. Incidents of human trafficking increased and trafficking victims were trapped in Syria, particularly when ISIS consolidated its control of the eastern governorates of Raqqa and Deir al-Zour in 2014. In June of that year, 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. As reported by an international organization in 2015, ISIS militants' system of organized sexual slavery and forced marriage is a central element of the terrorist group's ideology. 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. As of the end of 2018, 2,500 Yezidi women and girls remain missing; reports indicate some of these women and girls remained with ISIS in eastern Syria. 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.

The recruitment and use of children in combat in Syria remains commonplace, and since the beginning of 2018 international observers reported a steady increase in incidents of recruitment and use by armed groups. Syrian government forces, pro-regime militias, and armed non-state actors, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, ISIS, Ahrar al-Sham, and Jabhat al-Nusra—the al-Qa'ida affiliate in Syria—recruit and use boys and girls as child 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. 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. 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) continue to recruit, train, and use, boys and girls as young as 12 years old; international observers reported in 2017 and 2018 that YPG forces recruit children from displacement camps in northeast Syria. Several credible sources continue to widely report that Iran's Islamic Revolutionary Guard Corps (IRGC) and the Iranian Basij Resistance Force (Basij) actively recruit and use—through force or coercive means—Afghan children and adults, Afghan migrant and refugee men and children living in Iran, as well as Iranian children, to fight in IRGC-led and -funded Shia militias deployed to Syria. Extremist groups, including ISIS, reportedly forced, coerced, or fraudulently recruited some foreigners, including migrants from Central Asia, to join their ranks.

The Syrian refugee population is highly vulnerable to sex trafficking and forced labor in neighboring countries, particularly Jordan, Lebanon, Iraq, and Turkey. International organizations continue to report a high number of child and early marriages of Syrian girls among refugee populations, which increases their vulnerability to trafficking. Syrian refugee women and girls are also 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. Illicit prostitution rings in Turkey and Lebanon compel Syrian refugee women and girls into sex trafficking. 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 or peddling goods, 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 Jordan and Lebanon, traffickers force Syrian refugee children to work in agriculture alongside their families; in Lebanon's Bekaa Valley, Syrian gangs force refugee men, women, and children to work in agriculture under harsh conditions, including physical abuse, with little to no pay. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps.

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 investigating significantly more traffickers and labor recruitment agencies than in previous years; for the first time, conducting random inspections of fishing vessels on the high seas; repatriating an increased number of foreign victims; and amending legislation to improve protections for migrant workers. Although Taiwan met the minimum standards, separation of purview between the Ministry of Labor (MOL) and the Fisheries Agency (FA), coupled with insufficient inspection protocols, continued to impede efforts to address forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable Distant Water Fleet (DWF). Authorities detained, investigated, and in some cases charged dozens of Taiwan individuals formally designated by a foreign government as victims of forced criminality.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to prosecute and convict traffickers under the anti-trafficking law. • Sentence convicted traffickers to adequate penalties, which should include significant prison terms. • Increase inspections and, where appropriate, prosecute the senior crew and owners of Taiwan-owned and -flagged fishing vessels suspected of forced labor in the Distant Water Fleet. • Conduct comprehensive, victim-centered interviews to screen foreign fishing crewmembers for forced labor indicators during portside and at-sea vessel inspections, and ensure these interviews take place away from the main vessels, separate from vessel senior crew, and with the assistance of a qualified interpreter. • Train maritime inspection authorities on victim identification, referral, and law enforcement notification procedures. • Reduce the incidence of debt-based coercion among migrant workers in Taiwan by amending relevant policies and legislative loopholes to eliminate the imposition of all recruitment and service fees on workers, and by coordinating with sending countries to facilitate direct hiring. • Strengthen efforts to screen for trafficking among individuals returned to Taiwan in connection with alleged overseas criminal activity, and among foreign workers falling out of visa status within Taiwan after fleeing abusive working conditions and/or surrendering to immigration authorities under the voluntary departure program, and refer them to protective services accordingly.• Allocate increased resources for and streamline the maritime inspection process by requiring Distant Water Fleet vessels to use standard international maritime call signs, and by registering all Taiwan-owned and -flagged fishing vessel names, licenses, authorized operation areas, and foreign-hired crew manifests in a single, standardized database system. • Clearly define roles and responsibilities for, and increase coordination between, the agencies that oversee Taiwan-owned and -flagged fishing vessels. • Enact legislation that would address gaps in basic labor protections for household caregivers and domestic workers. • Extend trafficking victim identification authority to social workers and labor inspectors. • Improve the effectiveness of anti-trafficking training for prosecutors and judges. • Strengthen efforts to publicize the foreign worker trafficking hotline number among migrant crewmembers of Taiwan-owned and -flagged fishing vessels.

PROSECUTION

Authorities increased some 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 and fines up to 5 million New Taiwan Dollars (NT) ($163,460); 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-based coercion effectively. Amendments to the HTPCA that entered into force in July increased penalties to a maximum of one year in prison and a possible fine of 300,000 NT ($9,810) for individuals who, "through recruitment, seduction, shelter, arrangement, assistance, exploitation, or other means, cause a child to act as a host or hostess in a bar or club or engage in acts associated with tour escort and singing or dancing companion services that involve sexual activities." The amendment prescribed a maximum penalty of five years' imprisonment and a possible fine of 1.5 million NT ($49,040) for such crimes committed by means of "violence, coercion, drugs, fraud, hypnosis, or other means violating the free will of the child or youth concerned." To address some of the aforementioned shortcomings, an interagency working group continued to seek civil society input into additional draft amendments to the HTPCA, and the Judicial Yuan published a series of guidelines including NGO recommendations on sentencing for trafficking cases. Authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code and the Child and Youth Sexual Exploitation Prevention Act (CYSEPA); some penalties prescribed for child sex trafficking offenses under these laws were not sufficiently stringent or commensurate with other grave crimes, such as rape, although other laws retained appropriate penalties.

Authorities conducted 166 trafficking investigations (54 labor trafficking and 112 sex trafficking) in 2018—an increase from 125 total investigations in 2017—and prosecuted 113 individuals (compared to 248 in 2017 and 128 in 2016). This figure included 53 individuals tried under the CYSEPA, 47 under the HTPCA (109 in 2017; 44 in 2016), and 13 under other sections of the criminal code. The 47 individuals tried under HTPCA included 11 charged with sex trafficking, 36 charged with labor trafficking, and one unspecified. Authorities obtained 50 convictions (62 in 2017). Authorities convicted 11 traffickers under the HTPCA (eight in 2017), including six for sex trafficking, five for labor trafficking, and three for both; they convicted the remainder under the CYSEPA and other criminal code provisions. In one case among the 113 prosecutions, authorities arrested seven individuals suspected of using an official travel visa-simplification program to attract 152 Vietnamese nationals to Taiwan with promises of high-paying jobs. The ringleaders of this enterprise reportedly subjected several women among the

group to sex trafficking; others incurred large debts in Vietnam to pay travel fees and were subsequently subjected to debt-based coercion in sex trafficking and forced labor. The Kaohsiung District Prosecutors Office indicted four suspects in the case, including two Vietnamese nationals, on charges ranging from document forgery to violation of the Employment Services Act. The case remained in process at the end of the reporting period.

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. Authorities ascribed the tendency to impose lenient penalties to Taiwan's judicial evaluation and promotion system, which reportedly penalized judges if courts granted convicted individuals' appeals to overturn or shorten their sentences. However, in a departure from trends in previous reporting periods, sentences imposed on the majority of convicted traffickers (at least 32) were greater than one year imprisonment. Taiwan's Mutual Assistance in Criminal Matters Act, which entered into force in May 2018, aimed to facilitate cooperation between Taiwan and other countries on cross-border investigations and prosecutions—a longstanding challenge due to the constraints inherent to Taiwan's unique diplomatic status. Authorities continued to train law enforcement officers, prosecutors, and judges through a wide range of workshops, seminars, and conferences. Nonetheless, authorities and NGOs noted court personnel perceiving cases as labor disputes rather than trafficking crimes hindered effective prosecution of labor trafficking cases.

Authorities reported 2,827 inspections of recruitment brokers in 2018 (up from 2,701 in 2017, 2,429 in 2016, and 1,822 in 2015). In August, the Yilan District Court sentenced an employment broker to five months' imprisonment for illegally deducting food and lodging fees from the wages of eight foreign fishermen—the first conviction of its kind. However, civil society groups continued to decry systemic shortcomings in Taiwan's maritime anti-trafficking law enforcement, exacerbated by DWF ships' ability to operate without using standard international call signs and by the absence of a single electronic database containing vessel names, licenses, crew manifests, and authorized areas of operation. Division of responsibility for foreign fishermen between the MOL and the FA, together with insufficient oversight in Taiwan's highly vulnerable DWF, continued to hinder prosecution of trafficking cases involving forced labor aboard Taiwan-owned and -flagged fishing vessels. The FA reported conducting random inspections on 139 fishing vessels at domestic ports, foreign ports, and for the first time, on the high seas (unreported in 2017). Inspectors uncovered 120 violations relating to contract issues, excessive overtime, and wage discrepancies; although these inspections detected possible trafficking indicators, authorities only referred one wage violation incident to prosecution and issued administrative warnings for the remaining cases. Despite the reported prevalence of forced labor on Taiwan-owned and -flagged fishing vessels, authorities initiated only three formal trafficking investigations into cases involving fishermen. Civil society contacts reported DWF ships' lack of internationally recognized registration systems. Court rulings remained pending for the second consecutive year in a case involving 19 individuals indicted in Kaohsiung for allegedly subjecting over 80 foreign fishermen to forced labor.

PROTECTION

Authorities increased some protection efforts. They identified 302 trafficking victims (191 exploited in sex trafficking and 111 in forced labor), of which 216 were referred to shelters for assistance, compared to 328 identified and 298 referred to shelters in 2017. Of the 302 victims identified, 183 were foreign and 118 were children. Law enforcement authorities 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 dismissed relevant trafficking charges. Observers were concerned that the MOL's labor broker evaluation system was not sufficiently effective in identifying abuses, including forced labor, because 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. However, during the reporting period, Taiwan enacted an amendment to the Employment Services Act that required employment agencies to report abuses their clients committed against migrant workers—especially foreign household caregivers—or face severe fines. The amendments also banned employers from retaining passports, work permits, or any identity documents of migrant workers without their consent. Lawmakers eased respite care regulations to encourage employers to grant workers annual leave, mitigating a key freedom of movement concern—particularly for migrant workers employed as household caregivers.

The National Immigration Agency (NIA) operated two shelters dedicated to foreign trafficking victims who had not acquired work visas. Citing security concerns, authorities limited shelter access for victims from the People's Republic of China to NIA shelters, while other nationals could access a wider array of NGO shelter services. The NIA increased its budget for victim protection to 10.75 million NT ($351,450) (10.34 million NT, or $338,040, in 2017). The MOL subsidized an additional 22 shelters and operated a 24-hour hotline that trafficking victims could access; the hotline received 60 calls from potential victims during the reporting period, and all calls were referred to local authorities for further investigation. However, some NGOs expressed concern that some of its personnel were under-responsive to callers and recommended 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, or unable to access it due to restrictions on their communication imposed by senior vessel crew. 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 or access 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 conferred 90 temporary residence permits and 88 temporary work permits to foreign victims (a decrease from 126 and 159, respectively, in 2017). MOL authorities reported providing repatriation assistance to 28 victims in Taiwan on work visas, and the NIA reported providing repatriation assistance to 38 victims without work visas (39 total in 2017). Authorities permitted victims to obtain compensation through out-of-court settlements or file

civil suits against traffickers but required them to provide all relevant evidence themselves. One such lawsuit concluded in 2018, culminating in an award to the plaintiff of 400,000 NT ($13,080). Authorities and the Legal Aid Foundation funded by the Judicial Yuan continued to seek restitution for hundreds of Indonesian caregivers subjected to wage withholding by an unscrupulous broker prior to the enactment of the HTPCA in 2008. In the previous reporting period, the Miaoli District Prosecutors' Office seized the broker's assets—valued at 180 million NT ($5.9 million)—to be remitted to the victims of the original offense. At year's end, 205 valid applicants had settled with the accused and received an unspecified amount of compensation.

Taiwan's Labor Standards Act did not protect fishing workers hired overseas, who instead fell under the jurisdiction of the FA. In 2017, the FA promulgated new regulations 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 debt-based coercion. Some NGOs noted the FA's purview over Taiwan fishermen's associations—which typically engaged in labor recruitment—as a possible conflict of interest. Observers reported insufficient FA oversight mechanisms in the DWF were permissive of forced labor and other abuses. In May 2018, South African authorities detained a Taiwan-owned and -flagged vessel under the International Labor Organization's Work in Fishing Convention (C188)—its first implementation. The ship's captain had subjected an all-Indonesian crew to a range of severe abuses, including forced labor. A Taiwan FA inspector traveled to South Africa to interview the crewmembers in response to the C188 detention but did so using questionnaires in a language they could not understand, without an interpreter, and in the presence of the abusive captain. The FA inspector filed a report omitting any mention of abuses and returned to Taiwan, enabling the ship to continue operating. Following public outcry, the authorities reversed their assessment and imposed a total of 3.75 million NT ($122,600) in fines on the vessel operator and the recruitment brokers; authorities also suspended the licenses of the vessel operator and captain for a period of five months.

More than 2,300 foreign nationals benefited from the NIA's new voluntary departure program during the first month of its implementation in 2019; authorities claimed to have carried out standard trafficking victim identification procedures among these individuals, but they did not report identifying or referring any victims to protection services as part of the process. Roughly a third of the 152 Vietnamese travelers who absconded from a tour group after having being lured to Taiwan with false employment opportunities remained at large, and an investigation into the case was ongoing. Authorities confirmed four of these individuals to be trafficking victims and believed at least seven had served as ringleaders; the latter faced a host of pending charges—including trafficking in persons—at the end of the reporting period. Authorities officially barred the remainder of the missing Vietnamese travelers from the voluntary departure program, raising concerns that the decision may have dissuaded additional trafficking victims from coming forward.

Proposed amendments to the HTPCA improving the victim identification process and expanding victim benefits, including by increasing visa validity to trigger eligibility for national health insurance, remained in draft at the end of the reporting period. Although victims could receive immunity for unlawful acts their traffickers compelled them to commit, authorities continued to detain, fine, and jail trafficking victims in some cases, in part due to limited or discrepant understanding of the crime among front-line law enforcement officers and judges. In 2018, authorities detained and initiated criminal investigations into 32 Taiwan individuals formally identified by the Slovenian government as victims of forced criminality in telephone scam operations; they remained in detention at the end of the reporting period. Taiwan authorities rejected their prior victim designation, after district attorneys conducted two interviews during which they reported carrying out standard victim identification procedures.

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 that met semiannually. NGO contacts expressed concern that the limited frequency of these meetings had a negative impact on progress and coordination on anti-trafficking efforts. To address NGO concerns, authorities divided the working group into two subgroups—one to focus on domestic workers and the other on migrant fishermen—that convened meetings more frequently and included participation from NGOs and academics. Various agencies continued to fund advertisements, public service announcements, and other materials on trafficking and held trainings for vulnerable populations, including youth, foreign workers, and fishing sector workers. The FA distributed multilingual cards containing information on worker rights and hotline numbers to foreign crewmembers during random inspections of ships docking at certain foreign ports. 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. The FA conducted 215 random inspections of fishing vessels—87 in domestic ports, 99 at foreign ports, and 29 on the high seas—employing a total of 798 crewmembers (unreported in 2017). These inspections did not lead to the identification of any cases of forced labor; civil society contacts and families of forced labor victims criticized these efforts as insufficient to prevent the widespread forced labor occurring in the industry.

A direct hiring service center allowed employers to hire foreign workers without utilizing brokers who may charge excessive fees; however, regulations promulgated in 2017 ostensibly aimed at better protecting foreign fishermen contained provisions allowing brokers to charge unlimited recruitment and service fees, which likely perpetuated debt-based coercion. Taiwan maintained a broker evaluation system initiated in 2015 that could revoke the business licenses of low-scoring brokerage firms. However, human rights groups continued to question the efficacy of this system; in April 2018, roughly 300 Vietnamese women accused a brokerage firm of arbitrarily deducting fees from their salaries after having received an excellent evaluation rating from the relevant authorities. 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. Following increased inspections of labor recruitment operations, authorities fined 242 brokers found to have employed high fee structures (six in 2017) and suspended seven businesses for similar practices (five in 2017). 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 have signed MOUs on trafficking prevention with 20 countries, but contacts report Taiwan's unique diplomatic status limited opportunities for bilateral or multilateral cooperation. Authorities made efforts to reduce the demand for commercial sex acts and forced labor, including through Tourism Bureau awareness campaigns and industry training sessions.

In part to reduce vulnerability to immigration-based coercion, the NIA launched a program in early 2019 offering reduced penalties to foreign individuals overstaying their visas, including a small fine without detention and a shorter re-entry ban, if they willingly turned themselves in. Over 2,300 foreign nationals benefited from this voluntary departure program during the first month of its implementation in 2019, compared to 900 voluntary surrenders under the previous penalties in early 2018.

TRAFFICKING PROFILE

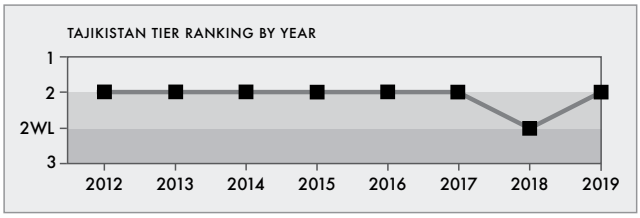
As reported in the last five years, human traffickers subject foreign men and women to forced labor and sex trafficking in Taiwan, and traffickers subject local men and women to forced labor and local women and children to sex trafficking. Taiwan women and children are subjected to domestic sex trafficking, including as part of an increasing trend in which traffickers induce and exploit Taiwan and foreign women's and children's drug addictions. Taiwan traffickers increasingly use the internet, smartphone apps, livestreaming, and other such online technologies to conduct recruitment activities, often targeting child victims, and to mask their identities from law enforcement.

Traffickers lure women from China and Southeast Asian countries to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. Many trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and, to a lesser extent, individuals from China, Cambodia, and Sri Lanka. Taiwan is host to more than 700,000 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, meat processing, construction, and fishing. To pay brokers' often exorbitantly high recruitment fees, some foreign workers incur substantial debts, which the brokers or employers 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 flee from their contracted positions—more than 50,000, by some estimates—are at particularly high risk of trafficking because they lose their immigration status and access to formal sector employment; some of them initially flee due to abusive work conditions, including forced labor. 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 facing continued debt-based coercion. Some traffickers use Indonesian-owned stores in Taiwan as illegal remittance channels, confining Indonesian workers and subjecting them to sex trafficking. Traffickers reportedly take advantage of Taiwan's "New Southbound Policy" visa-simplification program to lure Southeast Asian students and tourists to Taiwan and subject them to forced labor and sex trafficking.

Documented and undocumented Chinese, Indonesian, Filipino, and Vietnamese fishermen working on Taiwan-owned and -flagged fishing vessels experience non- or under-payment of wages, long working hours, physical abuse, lack of food or medical care, denial of sleep, and poor living conditions while indebted to complex, multinational brokerage networks. Migrant fishermen have reported senior crewmembers employ such coercive tactics as threats of physical violence, beatings, withholding of food and water, and wage deductions to retain their labor. These abuses are particularly prevalent in Taiwan's DWF, comprising over 2,000 Taiwan-owned and -flagged fishing vessels operating thousands of miles from Taiwan and without adequate oversight. Senior crew force migrant workers to fish illegal stock, including threatened, endangered, and protected species, placing them at higher risk of criminal repercussions. Many ships remain at sea for years at a time, selectively disabling their transponders and stopping at "refrigeration mother ships" or remote, uninhabited islands to resupply, transfer victims to other ships, and offload illegally caught fish while avoiding detection by law enforcement. Men and women from Taiwan engaged in telephone scams overseas reportedly present indicators of trafficking.

TAJIKISTAN: TIER 2

The Government of Tajikistan does not fully meet the minimum standards for the elimination of trafficking but it is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Tajikistan was upgraded to Tier 2. These efforts included assuming oversight and financial responsibility for a trafficking shelter; amending the criminal code to eliminate inconsistencies with the 2014 victim protection law and remove a demonstration of force, fraud, or coercion for child sex trafficking; facilitating the return of Tajik children from Iraq and Syria; identifying significantly more trafficking victims; and collaborating with local and international civil society groups on the development and review of trafficking laws and the draft 2019-2021 national action plan. However, the government did not meet the minimum standards in several key areas. 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, adults and children continued to be at risk of forced labor in the harvest.



PRIORITIZED RECOMMENDATIONS:

Adopt and 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 for signs of trafficking among vulnerable groups, including adults in prostitution and foreign migrant workers. • Ensure victims are not penalized

for crimes committed as a direct result of being subjected to trafficking. • End the use of forced child and adult labor in public works projects and in the annual cotton harvest. • While respecting due process, vigorously investigate and prosecute suspected traffickers, including officials complicit in trafficking, and convict and appropriately sentence perpetrators. • Continue to contribute funding and in-kind support to provide comprehensive care to victims. • Encourage victims' assistance in the investigation and prosecution of traffickers either directly or via partnerships with NGOs. • Ensure screening among children returned from Iraq and Syria for child soldiering indicators and provide with rehabilitation and reintegration support. • 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. • Monitor private employment agencies for recruitment fees charged to workers and take steps to eliminate the charges.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. Throughout 2018, the government utilized provisions under its criminal code, which criminalized all forms of labor trafficking and some forms of sex trafficking. Article 130.1 criminalized labor trafficking and some forms of sex trafficking and prescribed penalties of five to eight years' imprisonment, 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 130.1 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. Article 167 prohibited the buying and selling of children and also prescribed five to eight years' imprisonment; this provision could be applied to some, but not all, trafficking cases involving child victims. In January 2019, the government adopted amendments to the criminal code, which addressed this gap. Specifically, Article 167 was expanded to apply to all child trafficking and did not require a demonstration of force, fraud, or coercion. The amended Article 167 defined child trafficking broadly to include illegal adoption without the purpose of exploitation.

The government investigated 21 cases involving 38 suspected traffickers in 2018, compared to 42 cases involving 65 suspected traffickers investigated in 2017. The government prosecuted nine criminal cases in 2018 involving 18 defendants, compared to 30 cases involving 52 suspects in 2017. Two cases involving nine individuals were dismissed by presidential amnesty. The courts convicted 19 traffickers in 10 separate criminal cases and sentenced offenders to between four and 10 years' imprisonment; the government did not provide complete conviction data, but reported that all convicted traffickers received prison sentences. 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. The Ministry of Internal Affairs (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, investigative techniques, and the national referral mechanism. The government continued to pursue a 2017 investigation of four private employment agencies, which facilitated the trafficking of Tajik victims in Saudi Arabia.

PROTECTION

The government increased protection efforts. The government identified 53 trafficking victims in 2018, an increase from 15 in 2017; the government did not provide additional information, such as the victims' nationality, gender, and type and location of exploitation. An international organization reported assisting 20 victims of international trafficking, 11 of whom were referred by Tajik law enforcement, seven by NGOs, and two by embassies; all were Tajik citizens. Women constituted 19 of the 20 referrals; 12 of the victims were sexually exploited, eight were trafficked in forced labor. The government facilitated the repatriation of one of two citizens identified as trafficking victims in Saudi Arabia. The government reported it began to implement 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 in 2016, but for most of the reporting period the referral mechanism was inconsistent with victim protection provisions. Authorities remained without a formal system for identifying trafficking victims and referring them to services. Nonetheless, in 2018, a legislative reform working group, which included representatives from the justice sector, law enforcement, Presidential Administration, parliament, and civil society, developed draft guidelines for victim identification, which it submitted to the government for approval.

The government assumed operational responsibility for the country's sole trafficking shelter in November 2018, after establishing a commission with government, civil society, and international organization representatives that planned the phased transfer from an international organization to the government between August and November. The government spent 50,000 Tajik somoni ($5,350) on renovations to the shelter. The government contracted an NGO to provide victim services, and provided 190,000 Tajik somoni ($20,320) for the center's operating costs, medical assistance for victims, legal consultations, and partial funding of staff salaries. Victim protection services were funded by an international organization. The shelter assisted six victims in 2018.

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. Law enforcement officials sometimes temporarily detained sex trafficking victims with their traffickers but later released and referred victims for assistance. Women in prostitution reported instances of sexual violence by law enforcement officials. It was possible officials penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

The government coordinated with an international organization to repatriate Tajik minors, including potential trafficking victims, whose parents were alleged fighters with the Islamic State in Iraq and Syria (ISIS). ISIS was known to use child soldiers and perpetrate other forms of trafficking. The government did not report screening specifically for indicators of trafficking. The children were generally housed with family members, and an international organization provided psycho-social services.

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 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 2018. There was no formal policy encouraging victims' voluntary participation in legal proceedings; the 2014 victim protection law did not link other benefits to a victim's participation in a trial and provided services regardless of legal status or prior consent to participate in subsequently identified trafficking crimes. Amendments made to Article 352 of the criminal code made in 2018 absolve victims of criminal liability for failure to report a crime, giving false testimony with regard to a trafficking-related crime, refusal to appear in court, or refusal to give evidence related to trafficking crimes.

PREVENTION

The government maintained 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 2018. The anti-trafficking commission, in consultation with stakeholders and an international organization, drafted a new national action plan for 2019-2021 and in September 2018 hosted a roundtable with international and local civil society organizations to discuss and review the draft.

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 for child labor in the cotton harvest, continuing a practice begun in 2010 in cooperation with NGOs. NGOs also reported independently monitoring the fields on an informal basis for safe work concerns. There were no reports of efforts to monitor for forced adult labor in the annual cotton harvest.

In January 2018, the government launched a hotline service for potential victims that operated 24 hours a day; the government reported identifying 11 cases via the hotline in 2018 and referring the victims to an international organization. A foreign-donor-funded and NGO-run hotline focused on aiding migrants, including potential trafficking victims, reported assisting 9,730 individuals; most calls were related to legal rights as migrants. In 2018, the government provided funding 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 report 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; however, Tajikistan is not a member of the ILO Convention on Private Employment Agencies and does not monitor for recruitment fees. The Ministry of Labor operated four pre-departure counseling centers in different regions of the country that provided migrants with information on the risk of trafficking prior to travel abroad. The government developed a road map for reintegrating returning migrants banned from re-entering Russia, and sought to assist migrant laborers diversify geographical options for work abroad; the government signed recruitment agreements with Qatar and the UAE. The stateless population in Tajikistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking; in 2018, the government registered 5,006 persons with undetermined nationality, granting them the rights and freedoms on par with foreign citizens in country, and confirmed the Tajik nationality of 10,090 individuals at risk of statelessness. The government made no efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

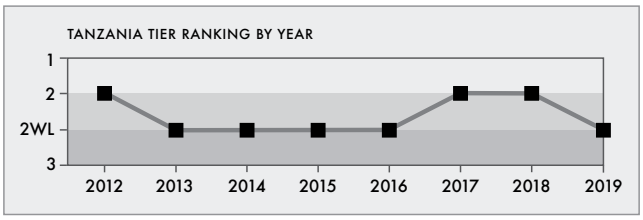
As reported over the past five years, traffickers exploit domestic and foreign victims in Tajikistan, and traffickers exploit victims from Tajikistan abroad. Extensive economic migration exposes Tajik men, women, and children to the risk of human trafficking. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, UAE, Kazakhstan, Saudi Arabia, and, to a lesser extent, in other neighboring Central Asian countries, Turkey, and Afghanistan. Men are subjected to labor trafficking in agriculture, construction, and at markets in Tajikistan; there are limited reports of domestic sex trafficking of men. 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.

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 of February 2019, 240,000 Tajik migrants remain banned, 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, rather than risk being banned after visiting family in 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. Children of Tajik ISIS combatants in Iraq and Syria were vulnerable to child soldiering. Traffickers transport Tajik women and girls to Afghanistan for the purpose of forced marriage, which can lead to domestic servitude, sex trafficking, and debt bondage. Traffickers exploited Tajik children in 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 WATCH LIST

The Government of Tanzania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated

significant efforts during the reporting period by adopting a new national action plan and maintaining prosecution efforts. In partnership with international organizations, the government also facilitated but did not fund several trainings for law enforcement officials and magistrates. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not fully implement its standardized victim identification and referral policies or the protection provisions of the 2008 anti-trafficking law, leading to the government identifying, referring, and repatriating significantly fewer trafficking victims and limiting the availability of protective services. The government did not report investigating any trafficking crimes, convicted fewer traffickers than last reporting period, and continued to offer convicted traffickers the option of a fine in lieu of imprisonment. Therefore Tanzania was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Fully implement the protection provisions of the 2008 anti-trafficking act, as outlined in the implementing regulations and the national action plan, including by 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 trafficking-related arrests within the act with the requirements for other serious crimes. • While respecting the rule of law and human rights, increase efforts to investigate, prosecute, and convict trafficking offenders, including complicit officials, and impose adequate penalties. • Implement strong regulations and oversight of recruitment companies that are consistently enforced, including prosecuting for fraudulent labor recruitment. • Increase migrant worker protections by eliminating recruitment fees charged to migrant workers, increasing employer security deposits, minimum salaries and pre-departure training for migrant workers, and 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. • Implement a systematic victim-witness support program. • Institutionalize the use of the national centralized anti-trafficking data collection and reporting tool and consider increasing information sharing. • Increase funding for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act criminalized sex trafficking and labor trafficking and prescribed punishments of two to 10 years' imprisonment, a fine between five million and 100 million Tanzania shilling (TZS) ($2,180 to $43,570), or both for offenses involving adult victims and 10 to 20 years' imprisonment, a fine between five million and 150 million TZS ($2,180 to $65,360), 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. The Anti-Trafficking Secretariat (ATS) submitted a proposal to eliminate the alternative sentence of fines, which remained pending in Parliament; however, the government did not report any concrete progress in amending this provision during the current period. The government also reported that the 2008 anti-trafficking act contains a separate procedural provision that requires police to obtain a warrant before making a trafficking-related arrest. This provision creates a higher threshold for law enforcement that does not exist for other similarly serious crimes, which may hinder prosecution efforts.

The government did not report any investigations of trafficking crimes during the reporting period, nor did it report the number of investigations during the previous period. The government reported prosecuting at least 24 defendants and convicting at least three traffickers under the 2008 anti-trafficking act for sex trafficking, compared with 24 prosecutions and four convictions in the previous period. The government sentenced one convicted trafficker to 10 years' imprisonment and two traffickers to seven years' imprisonment; however, the traffickers were given the option of a fine, which they were unable to pay, resulting in prison sentences. 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. Last reporting period, multiple NGOs reported the identification of 14 Indonesian trafficking victims aboard a Malaysian-flagged fishing vessel and 12 Tanzanian trafficking victims aboard a Chinese-flagged fishing vessel, both in Tanzanian territorial waters; there were no further reports indicating whether these victims were assisted and the government did not report undertaking law enforcement efforts to address these cases of trafficking.

With support from an international organization, the government continued limited use of 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, despite receiving additional training during the reporting period, data input was limited and was not shared. 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 how traffickers target vulnerable victims and effective use of victim referral manuals into the standard law enforcement training curriculum. In partnership with an NGO, the government facilitated the training of 86 law enforcement officials, including prosecutors, magistrates, police officers, NGOs, immigration officers, and social welfare officers, on anti-trafficking measures. In partnership with an international organization, the government helped facilitate a training for 53 law enforcement officials, including immigration and prison officers, on utilizing the centralized data collection tool, as well as a three-day anti-trafficking workshop for 38 judges. In partnership with other international organizations, the government also facilitated trainings for 96 police and 150 police, magistrates, social welfare workers, immigration officers, and prosecutors.

PROTECTION

The government decreased protection efforts. The government reported identifying 13 potential trafficking victims, but did not report referring any victims to assistance; a significant decrease from the 59 victims the government identified and referred in the previous reporting period. However, an NGO shelter reported the government identified and referred at least 10 victims to care. NGOs reported assisting 90 victims during the reporting period. An international organization reported that the government facilitated, but did not fund, the repatriation of eight Tanzanian trafficking victims during the reporting period; this compared to 33 facilitated repatriations in the previous reporting period. An international organization reported identifying, funding, and facilitating the repatriation of two Tanzanian sex trafficking victims from Thailand and providing assistance; the Ministry of Home Affairs and ATS met the victims at the airport and escorted them to the shelter. Thirteen potential trafficking victims from Nepal and India were identified by immigration officials; they were voluntarily repatriated but the government did not report providing the victims with assistance and did not facilitate or fund their repatriations.

The government continued limited use of a centralized data collection tool during the reporting period, which allowed officials to track and compile information on victims identified and supported 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, the procedures were not widely used because the government did not fund their dissemination. 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 report providing those services to any 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 to four vetted and accredited NGO 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 a 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 authorities detained and deported many unidentified trafficking victims for smuggling or illegal immigration charges. For example, in February 2019, the Government of Tanzania reported initiating the return of more than 2,000 Ethiopian nationals held in detention centers in Tanzania; however, the government did not report screening any detainees to determine if any were trafficking victims. The government also reported that children and adults are frequently incarcerated in the same detention centers, a practice the ATS continued to advocate changing. Thirteen trafficking victims from Nepal and India were detained by police for illegal immigration; they were eventually repatriated but the government did not report providing the victims with assistance or facilitating or funding their repatriations. 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 or temporary stay to trafficking 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. The government does not have a witness protection program, which has deterred some victims from testifying in court. Trafficking trials may be held in private or by camera to protect victim confidentiality and privacy. The anti-trafficking law entitled victims to restitution 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 100.5 million TZS ($43,790) to the ATS, the working level anti-trafficking body, a similar amount as the year prior. The Anti-Trafficking Committee, responsible for the oversight and direction of the ATS, met twice during the reporting period. The government adopted a new national action plan, effective from 2018-2021; however, efforts to implement the new plan or allot funding for its implementation remained minimal throughout the reporting period. Due to lack of adequate funding, the ATS did not conduct any public awareness campaigns on trafficking during the reporting period. The government funded a national hotline operated by a local NGO to report child abuse, including trafficking victims.

Several government agencies in Tanzania and Zanzibar conducted periodic inspections of large employers to detect cases of forced labor but did not report whether any investigations or prosecutions had been initiated as a result of the inspections. During the reporting period, the Ministry of Labor, Employment, and Youth Development (MOL) in Tanzania suspended the registrations of all labor recruitment agencies and required them to reapply to ensure proper vetting; the MOL had approved 17 of 100 registration applications by the end of the reporting period. In accordance with the Non-Citizens (Employment Regulations) Act of 2015, the MOL temporarily closed three labor recruitment agencies due to a lack of proper regulations and controls. During the reporting period, the government did not report pursuing any investigations or prosecutions for fraudulent labor recruitment. The government recognized that additional bilateral labor agreements with destination countries, a comprehensive labor migration law, pre-departure and vocational skills training, and funding for labor attachés at diplomatic missions abroad were critical protections that needed to be implemented for Tanzanian migrant workers who remained vulnerable to trafficking; however, the government did not report efforts made toward the implementation of these migrant worker protections.

In January 2018, the government suspended the issuance of travel documents to all departing Tanzanian migrant workers, due to concerns over migrant worker safety abroad. In August

2018, it narrowed the scope of the suspension to exclude migrant workers who could provide a relevant training certificate for the overseas job, which left intending migrant workers with no legal means to travel abroad for work, increasing their vulnerability to trafficking. For migrant workers with the necessary training certificate, the government continued to require 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 possessed the proper documentation, including contract and passport. However, 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, sometimes migrant workers paid recruitment fees, 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.

The government had a bilateral labor agreement in place with Qatar but did not report implementing the agreement or signing any new agreements with other destination countries. The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. The government provided anti-trafficking training to its diplomatic personnel. The government did not provide anti-trafficking training to its troops prior to their deployment abroad on international peacekeeping missions.

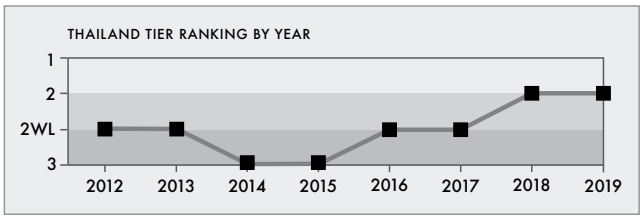
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Tanzania, and traffickers exploit victims from Tanzania abroad. 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. Traffickers exploit girls 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 exploit the girls in sex trafficking to businessmen who believe a myth that having intercourse with a "virgin" will allow their business to prosper. Traffickers subject children 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—who subject children to forced labor as domestic workers.

Drug traffickers will sometimes hold humans as "bond" for varying amounts of time until payments are fulfilled. In 2017, an NGO reported that 14 Indonesian trafficking victims were identified aboard a Malaysian-flagged fishing vessel and in 2018, another NGO reported that 12 Tanzanian trafficking victims were identified aboard a Chinese-flagged fishing vessel, both in Tanzanian territorial waters; there were no further reports indicating whether these victims were assisted or whether the government undertook law enforcement efforts to address these cases of trafficking. Previous media reports indicate that traffickers transported Tanzanian children with physical disabilities to Kenya and forced them to work as beggars or in massage parlors. In 2018, the Kenyan government identified 29 female Tanzanian potential victims in Kenya; the girls were to be taken to the United Arab Emirates and to pay for their transportation fees with a kidney. Traffickers sometimes subject Tanzanians to forced labor, including domestic servitude, and sex trafficking in other African countries, the Middle East, Europe, Asia, and the United States. In 2018, in an attempt to protect its migrant workers from various abuses reported abroad, the government suspended the issuance of travel documents to some migrant workers who could not provide a relevant training certificate for the job abroad—leaving those 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. In February 2019, the governments of Tanzania and Ethiopia reported initiating the return of 541 Ethiopian nationals and several weeks prior, the Ethiopian diplomatic mission announced the release of 1,900 Ethiopian nationals held in detention centers in Tanzania; however, the government did not report screening any detainees to determine if there were trafficking victims. 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Thailand remained on Tier 2. These efforts included identifying more victims, sentencing convicted traffickers and complicit officials to significant prison terms, developing several manuals in partnership with civil society to standardize anti-trafficking trainings and policies. Labor inspectors, for the first time, identified and referred potential victims to multidisciplinary teams, resulting in the identification of labor trafficking victims. However, the government did not meet the minimum standards in several key areas. The government prosecuted and convicted fewer traffickers and investigated only 43 cases of labor trafficking. The government restricted the movement and communication of victims residing in government shelters, official complicity continued to impede anti-trafficking efforts, and officials did not consistently identify cases of trafficking, especially labor trafficking.



PRIORITIZED RECOMMENDATIONS:

Improve the capacity of law enforcement to proactively prosecute and convict labor traffickers and identify labor trafficking victims. • Proactively investigate and prosecute officials allegedly complicit in facilitating trafficking, and convict and punish those found guilty with adequate sentences. • Ensure government and NGO-run shelters provide victims with adequate trauma-informed care, including legal assistance and psychological care. • Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices. • Support the development of victim-centric and trauma-informed approaches among judges overseeing trafficking cases. • Increase collaboration with local civil society organizations in migrant worker assistance centers, post-arrival centers, and government shelters, including in the provision of services to victims. • Increase efforts to ensure employers provide workers copies of contracts in a language they understand. • Increase the provision of financial compensation and restitution to victims. • Increase potential victims' access to government services before they are formally identified by multidisciplinary teams. • Consistently staff government hotlines and shelters with interpreters. • Foster an environment conducive to reporting human trafficking crimes without fear of criminal prosecution, including spurious retributive charges pursued by employers. • Inspect employment locations in border regions with workers employed under border-employment arrangements for trafficking. • Enforce regular payment of wages, requirements that employers pay recruitment fees of migrant workers, and the rights of employees to retain possession of their own identity and financial documents.

PROSECUTION

The government maintained law enforcement efforts. The 2008 anti-trafficking law, as amended, criminalized sex trafficking and labor trafficking and prescribed penalties of four to 12 years' imprisonment and a fine of 400,000 to 1.2 million baht ($12,360-$37,090) for offenses involving an adult victim, and six to 20 years' imprisonment and a fine of 600,000 to 2 million baht ($18,550-$61,820) 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 government reported investigating 304 trafficking cases (302 in 2017), prosecuting 438 suspected traffickers (638 in 2017), and convicting 316 traffickers (466 in 2017) in 2018. The government reported investigating only 43 cases of forced labor—including six cases of trafficking in the fishing sector—compared to 47 in 2017 and 83 in 2016. Courts sentenced 58 percent of convicted traffickers to five or more years of imprisonment. The government reported that law enforcement made arrests in a number of major sex and labor trafficking networks. Thai authorities held bilateral meetings with neighboring countries to facilitate information sharing and evidence gathering in trafficking cases. In addition, law enforcement officials cooperated with foreign counterparts to investigate Thai traffickers abroad and foreign suspects in Thailand; these efforts resulted in the arrests of suspected traffickers in Cambodia, Malaysia, and the United States.

Corruption and official complicity facilitated trafficking and continued to impede anti-trafficking efforts. Some NGOs' perceptions of high levels of corruption made them reluctant to work with the government or certain agencies in some cases. Although authorities have prosecuted some boat captains in prior years, observers continued to report a reluctance by some law enforcement officials to investigate boat captains whom they perceived to have connections with politicians. In 2018, the government convicted 16 officials complicit in trafficking crimes (12 in 2017), sentencing them to terms of imprisonment ranging from five to 50 years; 10 of 16 convicted officials were sentenced to more than 15 years' imprisonment. The Public Sector Anti-Corruption Commission referred seven officials to prosecutors, of which the government initiated four prosecutions. The government utilized administrative punishments against some suspected complicit officials, such as suspensions or transfers to new positions, rather than subjecting them to criminal prosecutions; the government expelled seven officials suspected of complicity from government service in 2018 but only reported initiating prosecutions against three. The government continued to investigate 20 officials suspected for their involvement in child sex trafficking in a case initiated during the previous reporting period. The government did not report vigorously investigating or prosecuting immigration officials who facilitated trafficking by accepting bribes at border checkpoints.

In 2018, the anti-money laundering office (AMLO) issued restraint and seizure orders for assets worth more than 509 million baht ($15.73 million) in trafficking cases, compared to 14 million baht ($432,770) in 2017. The government operated specialized anti-trafficking divisions within the Bangkok Criminal Court, office of the attorney general (OAG), and the Royal Thai Police (RTP). The OAG required all prosecutors to expedite the submission of trafficking cases to the Courts of Justice. The Thailand Anti-Trafficking in Persons Task Force (TATIP), which specialized in investigating complex cases and comprised law enforcement, social workers, and NGOs, investigated 29 cases in 2018, resulting in the prosecution of 69 offenders. In addition, the Thai Internet Crimes Against Children Task Force (TICAC) investigated 19 cases of internet-facilitated child sex trafficking (18 in 2017). The government allocated 3.6 million baht ($111,280) to TATIP and 11.84 million ($366,000) to TICAC, compared to 9 million baht ($278,210) allocated to TICAC in 2017. During the reporting period, the RTP announced it would no longer accept female cadets into its academy, which may result in a decrease in gender diversity in the police force and negatively affect anti-trafficking law enforcement efforts.

Some victims continued to report reluctance to participate in prosecutions due to fears of detention and extended shelter stays, fears of experiencing retaliation from traffickers, and language barriers. In an attempt to increase victims' willingness to participate as witnesses, Thai courts admitted advance and video testimony as evidence in trials; courts conducted 24 advanced witness hearings in 2018, four of which utilized video conferencing. In one case, the RTP coordinated with Cambodian authorities to bring 15 repatriated Cambodian victims to a Thai border provincial court to provide video testimony. Prosecutors also worked with NGOs to prepare victims to testify and courts allowed NGO lawyers to serve as co-plaintiffs in some cases to legally support victims. The government provided approximately 2.4 million baht ($74,190) for witness protection services for 15 witnesses in trafficking cases in 2018, compared to 4.3 million baht ($132,920) for 52 witnesses in 2017.

The government worked with foreign law enforcement officials, international organizations, and NGOs to develop several manuals and guidelines to institutionalize and standardize trainings related to human trafficking. This included handbooks for police and prosecutors to guide the investigation and prosecution of trafficking cases. In addition, the government issued guidelines on the prosecution of individuals who violate laws protecting sea fishers, which provided labor inspectors with standard operating procedures for filing suspected cases of labor trafficking to police. The government conducted numerous training sessions, seminars, and workshops for police, prosecutors, and judges; trainings focused on anti-trafficking laws, improving efficiency of investigations, prosecution of labor trafficking cases, and victim identification. The Office of the Judiciary also organized a seminar for interpreters working on trafficking cases in the courts. However, first responders, prosecutors, and judges sometimes did not properly interpret or apply trafficking laws, especially for labor trafficking. Prosecutors frequently looked for evidence of physical force in labor trafficking cases. While interagency coordination was effective in major cities, in some provinces observers reported ineffective communication among agencies and civil society.

PROTECTION

The government increased efforts to protect victims. The government identified 631 victims in 2018 (455 in 2017), 401 of whom the Ministry of Social Development and Human Security (MSDHS) reported assisting in government shelters (360 in 2017). Those identified and assisted by MSDHS included 152 Thai and 249 foreign victims, 186 victims of sex trafficking and 66 of labor trafficking; it was unclear what form of exploitation the remaining 149 victims faced. Authorities assisted in repatriating 201 foreign victims exploited in Thailand (111 in 2017) and facilitated the return of 103 Thais exploited abroad (45 in 2017) by providing funding for travel expenses, legal assistance, job placement, and other reintegration services. NGOs reported the government did not consistently provide repatriation assistance to victims who declined to participate in law enforcement investigations. In collaboration with a foreign government, the government published a handbook for social workers to streamline the reintegration process for Thai victims. MSDHS reported it assigned social workers to maintain contact with victims for at least one year after their reintegration. The government trained law enforcement officials, labor inspectors, interpreters, and MSDHS staff on victim identification and interview techniques and trauma informed care, sometimes in cooperation with NGOs. MSDHS coordinated with TATIP to train multidisciplinary team (MDT) participants as victim specialists to improve victim identification and evidence collection. Advocates reported a need for the government to increase training of front-line police to better identify potential victims. In addition, some judges lacked sufficient understanding of trauma-informed care, which resulted in harmful treatment of victims during court proceedings. The government opened two new child advocacy centers, which served as child-friendly spaces where law enforcement, NGOs, and social workers could conduct forensic interviews of child trafficking victims; this brought the total number of centers to five. NGOs reported a decline in the prevalence of forced child begging following the passage of the 2016 Beggar Control Act, which provided for health and social services to beggars, including trafficking victims. The government identified and assisted 334 beggars but reported identifying only two as victims of trafficking; NGOs reported a lack of government efforts to assist children selling items on the street who were vulnerable to exploitation. Officials did not consistently screen cases of labor violations for potential indicators of trafficking and sometimes encouraged workers to remedy their situation through their employer. MDTs, which comprised government agencies and NGOs, utilized standard screening guidelines to formally identify victims and refer them to services. The government could only provide temporary assistance to potential victims for up to eight days, and formal identification by MDTs was necessary for victims to obtain a legal right to services. Consequently, before they were physically or psychologically prepared to undergo the MDT identification process, victims frequently sought temporary care from NGOs, rather than government agencies. Observers reported MDTs were sometimes reluctant to make identifications unless a case was likely to result in a successful prosecution. Implementation of identification procedures by MDTs continued to be inconsistent, especially outside major cities. Labor inspectors screened migrant workers for trafficking during inspections and were required to refer all potential trafficking victims to MDTs for formal identification and service referral. Observers reported the capacity of some provincial labor inspectors to identify potential victims improved. For the first time, MOL referred suspected cases of labor trafficking to MDTs, resulting in the identification of six labor trafficking victims in 2018. Nonetheless, officials did not adequately identify victims of trafficking and anecdotal reports suggested some provincial government officials were hesitant to identify them due to fears of public shame that trafficking occurred in their provinces. Labor inspectors could be held personally liable for claims of abuse of power under Thai law, which may have discouraged them from reporting suspected exploitation. Some officials failed to recognize trafficking cases that did not involve physical force or overt signs of coercion; officials did not routinely identify victims who initially consented to travel to Thailand or consented to work in the industry in which they were later exploited. The government increased efforts to screen migrants for trafficking, including those held in immigration detention centers; these efforts resulted in the identification of 150 victims.

The government continued to refer victims to government-operated shelters where they had access to counseling, legal assistance, medical care, civil compensation, financial aid, witness protection, education or vocational trainings, and employment. MSDHS operated 76 short-stay shelters and nine long-term regional trafficking shelters, including four dedicated to adult male victims and families, four for female victims, and one for male child victims. The government distributed a new handbook in seven languages informing victims of their legal rights under the trafficking law, including access to services. The government only permitted foreign victims who held a valid visa or work permit at the time of their identification to stay outside government shelters during legal proceedings against their traffickers. Undocumented foreign victims of trafficking were required to remain in shelters while the government processed applications for permits to stay and work in Thailand. MSDHS trafficking shelters did not allow victims—including adults—to leave or carry personal communication devices without permission. Only victims who received permission to work outside shelters could leave the shelter on a regular basis for work. The government permitted 65 victims to work outside shelters—a decrease from 149 in 2017—and was less likely to grant female victims this right to work. While the government made efforts to reduce the length of prosecutions and thereby decrease the amount of time victims had to stay in shelters, NGOs reported the required shelter stays deterred victims from cooperating with law enforcement. The government registered three NGO shelters during the reporting period that were able

to provide services to victims under government authority, although it did not provide these shelters with additional funding to support their operations. Thai law permitted foreign trafficking victims and witnesses to stay and work in Thailand for up to two years upon the completion of legal proceedings against their traffickers; however, the government did not report if any victims received this benefit during the reporting period.

MSDHS employed 251 interpreters, but government shelters often lacked sufficient numbers of interpreters, which weakened their ability to provide adequate services to victims, particularly psychological care. MSDHS introduced a handbook for interpreters on assisting trafficking victims. NGOs reported difficulty accessing victims they had supported once they entered MSDHS shelters; this, combined with insufficient communication from shelter staff, discouraged NGOs from further cooperating with the government or referring victims to authorities. Authorities did not consistently identify male child victims, which resulted in some being sent to immigration detention facilities or treated as law violators, rather than being offered victim services. MSDHS shelters did not provide specialized care to boys and LGBTI victims; in addition, authorities required transgender victims to stay in shelters based on their sex assigned at birth. NGOs also reported MSDHS shelters lacked culturally appropriate services for victims originating from outside Southeast Asia; however, the government allowed a group of African victims to reside in one of the NGO-registered shelters that provided culturally appropriate care during the reporting period. MSDHS approved a daily allowance of 200 baht ($6.18) to victims working inside government shelters; an hourly compensation of 100 baht ($3.09) was paid to victims who received interpretation skills training and served as interpreters during recreational or vocational training activities in the shelters. However, observers reported inadequate options for vocational training and work offered in shelters.

In 2018, the government provided 6.15 million baht ($190,110) to trafficking victims from its anti-trafficking fund, compared to 5.6 million baht ($173,110) in 2017. Thai law legally obligated prosecutors to file restitution claims when a victim expressed intention to make a claim. The Human Trafficking Criminal Procedures Act allowed judges to award compensation or restitution to victims, including in the absence of a victim request for these funds. In 2018, prosecutors filed restitution claims on behalf of 116 victims for 77.56 million baht ($2.4 million); however, the government did not report how many victims successfully obtained restitution. MSDHS introduced the use of victim impact statements in courts to assist in obtaining compensation and in 2018 six victims filed statements. Legal advocates and NGOs reported traffickers rarely paid compensation and restitution orders, thus discouraging other victims from cooperating in prosecutions. MSDHS operated a unit under its anti-trafficking division to provide victims legal assistance and file compensation claims and developed guidelines to enhance the efficacy of filing such claims. In addition, MSDHS signed MOUs with relevant government agencies to improve the execution of court orders for offenders to pay compensation and restitution.

The law protected victims from prosecution for unlawful acts their traffickers compelled them to commit; however, flaws in the government's implementation of victim identification procedures increased the risk of authorities penalizing victims, including for prostitution and immigration violations. In addition, the government's criminal defamation laws allowed companies to pursue criminal charges against potential victims and advocates during the reporting period, and the government did not report investigating company owners for subjecting these workers to exploitation. Employers reportedly convinced Thai law enforcement to bring criminal charges against exploited workers for theft when workers attempted to leave or change jobs. Such practices deterred victims and advocates from reporting abuses to authorities. The government amended the anti-trafficking law in 2015 to provide protection to whistleblowers but did not report applying this new provision.

PREVENTION

The government increased efforts to prevent trafficking. The Prime Minister oversaw the government's anti-trafficking efforts through the Supervisory Policy Committee on Addressing Trafficking in Persons and Illegal, Unreported, and Unregulated (IUU) Fishing. The Prime Minister's office appointed two new senior advisory positions to supervise the government's anti-trafficking activities and the government continued to monitor its progress to combat trafficking through data collection and annual reports to the Prime Minister and the Cabinet. It conducted campaigns through newspapers, television, radio, social media, billboards, and handouts to raise public awareness throughout the country. MSDHS and MOL operated hotlines with operators fluent in 12 foreign languages. In 2018, government hotlines received 161 calls related to possible trafficking cases, including at least 18 involving forced labor (172 calls in 2017 and 269 calls in 2016), leading to the prosecution of 63 cases (73 cases in 2017). The government employed 84 language coordinators (74 in 2017) and 69 interpreters (74 in 2017) in 2018. Nonetheless, NGOs reported MSDHS did not consistently staff hotlines with interpreters.

Thai law permitted recruitment agencies to charge recruitment fees to Thais seeking overseas employment and excessive fees incurred by some workers made them vulnerable to debt bondage or other exploitative conditions. Through government-to-government formal migration channels, the government assisted 28,820 Thais to obtain employment abroad in 2018, including by providing job placement assistance. In addition, 14 provincial employment offices provided training, including on trafficking risks, to 4,624 Thai workers prior to their overseas employment. MOL officers screened the travel documents of departing Thai workers at border checkpoints and denied their departure if they deemed the documentation suspicious. In 2018, the government inspected 364 employment agencies that recruited Thai workers and found unlawful practices in seven, resulting in license suspensions and monetary seizures. It initiated prosecutions against 416 illegal brokers (287 in 2017) under the Employment and Job-Seeker Protection Act. The government continued to grant citizenship to stateless persons in 2018.

Weaknesses in Thailand's labor laws preventing migrant workers from forming labor unions may have contributed to exploitation. The lack of a 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 heightened the risk of trafficking. In addition, NGOs and international organizations widely reported the government did not adequately enforce minimum wage laws and lacked legislation mandating minimum wages in sectors with high employment of migrant workers, such as seasonal agriculture. A UN report found the median monthly wage for seasonal agricultural workers was 6,000 baht ($185), which was below the minimum wage in Thailand, which ranged from 8,008-8,580 baht ($248-$265) per month.

The Royal Ordinance on Management of Migrant Workers, which took effect in March 2018, required employers to provide workers a copy of their employment contracts and 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. The decree prohibited employers from deducting more than 10 percent of workers' monthly salaries for personal expenses and the retention of travel or other personal documents; the law prescribed penalties of fines ranging from 10,000-100,000 baht ($309-$3,090) and up to six months' imprisonment for employers who violated these rules. However, NGOs reported the regulations on recruitment fees were poorly defined and enforced, and recruitment agencies and brokers still required workers to pay recruitment fees and transportation costs. The government did not report investigating illegal salary deductions. In addition, employers rarely provided workers a contract to keep or in their language.

To facilitate the ability of undocumented migrant workers to register with the government, twelve "one stop" service centers operated by the governments of Burma, Cambodia, and Laos in Thailand conducted nationality verification for migrant workers, which allowed them to obtain identity documents without leaving Thailand. The government coordinated with these service centers to provide heath checks, collect biometric and personal data, and issue work permits to 1,187,803 workers in 2018. The complicated nature of government registration and, in many cases, low levels of literacy resulted in reliance on brokers who often overcharged workers to obtain documents, thereby increasing their vulnerability to debt bondage. Observers reported government policies contributed to the exploitation of migrants employed in Thai border regions, including within the 10 developing special economic zones. For example, the government allowed migrants to obtain 30-day and 90-day border passes to work in non-seasonal agricultural or manufacturing jobs but such temporary working arrangements did not provide workers access to social protections. NGOs reported employers increasingly encouraged workers to obtain these border passes.

While the number of migrant workers entering Thailand through bilateral MOUs continued to increase, high costs, difficulties in obtaining identity documents in home countries, and administrative barriers to change employers continued to impede greater usage of this mechanism. Provincial labor offices required workers recruited under MOUs to present many documents that workers often could not provide without brokers' assistance in order to approve job changes. By law, MOU employers could recover costs associated with recruiting a migrant worker from the new employer when a worker requested to change jobs before the end of their employment contract; however, some employers charged these employees 20,000 baht ($618) to obtain their documents, making workers susceptible to debt bondage. The government did not report investigating employers who illegally charged fees to such migrant workers. The government opened two new post-arrival and reintegration centers (five total) that assisted migrant workers who entered Thailand through the MOU process by providing information on labor rights, Thai culture, employment contracts, trafficking awareness, and complaint mechanisms; in 2018, 442,736 migrant workers received assistance at these centers. Nonetheless, observers reported labor officials interviewed workers in the presence of their employers and brokers at post-arrival centers, which could deter workers from reporting exploitation. MOL also worked with NGOs to provide services at 10 migrant worker assistance centers; however, observers reported minimal efforts by these centers to increase outreach and build trust with local civil society organizations tended to deter NGOs from referring exploited workers to the centers. The government worked with NGO-operated centers located near fishing markets to provide skills training, health screenings, and other resources to raise awareness of workers' rights. In 2018, the government inspected 67 migrant worker recruitment agencies (compared to 97 in 2017) and found four operating in violation of the law.

The Ministerial Regulation on Labor Protection for Sea Fishers, which took effect in April 2018, required Thai vessels operating outside Thai waters to provide messaging data to workers for communicating with government agencies and personal contacts. It also required employers to pay salaries at least once per month through electronic deposits and to share catch profits. While the electronic payment system increased the ability of labor inspectors to verify wage payments, observers reported concerns that some workers were unable to access their funds due to a lack of ATMs near some ports, insufficient training on how to use the system, and the withholding of workers' ATM cards and PINs by vessel owners, captains, or brokers.

The Command Center for Combatting Illegal Fishing (CCCIF), led by the Royal Thai Navy, operated 32 port-in port-out (PIPO) centers and 19 additional forward inspection points, which performed inspections to verify whether fishing vessels were operating legally. CCCIF implemented a system to inspect vessels based on risk assessments and reported it inspected all vessels placed in the "high-risk" category, as well as a percentage of medium- and low-risk vessels. Labor inspectors working in PIPO teams verified crew lists using biometric data and worker interviews. The government required fishing vessels operating in Thai waters to return to ports every 30 days and strictly regulated long-haul Thai-flagged vessels from operating in international waters. PIPO centers conducted 78,623 inspections in 2018 and found 511 vessels operating in violation of the law. However, the government did not report whether labor inspections resulted in the identification of any trafficking victims. Civil society organizations noted inconsistent interview practices, inspections conducted without interpreters, and inspection practices that enabled owners, captains, or brokers to determine which workers reported exploitation to inspectors, thereby deterring workers from revealing information due to fears of retaliation. Civil society and government officials expressed concerns that varying levels of enforcement at PIPO centers encouraged some boat captains to choose ports with weaker inspections and enforcement.

Officials inspected 7,497 adult entertainment businesses in 2018, leading to the prosecution of seven trafficking cases and the five-year suspension of licenses of 97 businesses for unspecified violations of law. In 2018, the Department of Labour Protection and Welfare conducted 1,906 inspections at high-risk workplaces, including sugarcane farms, garment factories, shrimp and fish processing facilities, pig farms, and poultry farms, finding 388 workplaces operating in violation of labor laws. In 2018, the government conducted 259 labor inspections at on-land seafood processing workplaces and found 88 cases of labor law violations. The government made efforts to reduce the demand for commercial sex acts. To discourage child sex tourism, the government coordinated with foreign governments to deny entry to known sex offenders, and produced and displayed a video discouraging child sex tourism in Thai airports and on Thai airline flights. The Ministry of Tourism organized a seminar with government officials,

businesses, tourism professionals, and others to raise awareness of trafficking in tourism industries.

TRAFFICKING PROFILE

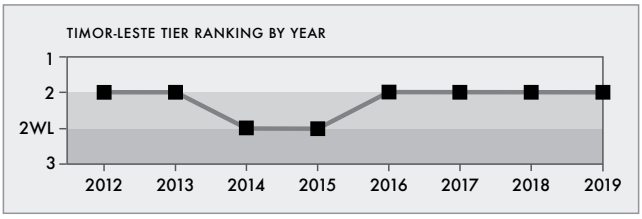
As reported over the past five years, human traffickers exploit domestic and foreign victims in Thailand, and traffickers exploit Thai victims abroad. Traffickers subject Thai nationals to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia, and the Middle East. Members of ethnic minorities, highland persons, and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Labor and sex traffickers exploit women, men, LGBTI individuals, and children from Thailand, other Southeast Asian countries, Sri Lanka, Russia, Uzbekistan, and some African countries in Thailand. Traffickers use Thailand as a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma whom traffickers subject to sex trafficking and forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe. Children from Thailand, Burma, Laos, and Cambodia are victims of sex trafficking in brothels, massage parlors, bars, karaoke lounges, hotels, and private residences. Traffickers increasingly induce young Thai girls and boys to perform sex acts through videos and photos on the internet, sometimes by blackmailing victims with explicit images. Children in orphanages are vulnerable to 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. Unconfirmed reports indicated insurgent groups may have trained a small number of Cambodian children in schools in southern Thailand to serve as combatants; initial statements by Thai authorities, however, denied any evidence of insurgent links.

Labor traffickers exploit migrant workers in commercial fishing and related industries, the poultry industry, manufacturing, agriculture, domestic work, and street begging. Traffickers exploit some migrants in labor trafficking often through debt-based coercion and fraudulent promises of well-paid employment; brokers and other recruitment agencies impose excessive fees on workers before they arrive in Thailand. Thai-based brokers and employers administer additional fees after arrival—in some cases causing debt bondage. Some migrants are kidnapped by traffickers and held for ransom, and some are subsequently subjected to sexual servitude or forced labor. Labor traffickers subject Thai, Burmese, Cambodian, Vietnamese, and Indonesian men and boys to forced labor on Thai and foreign-owned fishing boats. Some are paid little or irregularly, incur debts from brokers and employers, work as much as 18 to 20 hours per day for seven days a week, and without adequate food, water or medical supplies. Some boat captains threaten, beat, and drug fishermen to work longer hours. 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 that exploit victims. Corrupt immigration officials facilitate trafficking by accepting bribes from brokers and smugglers along Thai borders. Credible reports indicate some corrupt officials protect brothels, other commercial sex venues, and fishing vessel owners from raids and inspections and collude with traffickers. Some government officials profit from bribes and direct involvement in extortion from and exploitation of migrants.

TIMOR-LESTE: TIER 2

The Government of Timor-Leste does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Timor-Leste remained on Tier 2. These efforts included increasing the number of trafficking indictments and investigating and referring to prosecutors a case of an allegedly complicit official. The Minister of Justice directed the legal training center to institutionalize trafficking-specific curriculum for new judges, prosecutors, and defense attorneys and to conduct trainings for existing members of the judiciary and, in partnership with an international organization, the government disseminated the 2017 trafficking law in multiple districts for public awareness. However, the government did not meet the minimum standards in several key areas. For the third consecutive year, the government had not obtained any trafficking convictions. Victim protection services remained inadequate and the government did not finalize or approve standard operating procedures for victim identification—a critical need as official understanding of trafficking remained low and authorities continued to detain and deport potential trafficking victims for immigration violations without performing screening procedures.



PRIORITIZED RECOMMENDATIONS:

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 anti-trafficking laws. • Finalize, implement, and train officials on formal procedures for victim identification among vulnerable populations, including individuals in prostitution, domestic workers, and migrant workers on fishing vessels, and employ proper screening procedures upon detention or prior to initiating deportation. • Strengthen efforts to protect victims from arrest, deportation, or other punishment for unlawful acts which traffickers compelled them to commit. • Increase resources for protective services focusing on trafficking victims and proactively offer male victims the same services offered to female victims. • Amend the anti-trafficking provision of the penal code to ensure that force, fraud, or coercion are not a required element of sex trafficking cases involving 17 year old children. • Establish standard operating procedures on referring victims to appropriate care and train officials on their use. • Establish the human trafficking commission. • Develop a current national action plan on trafficking and adequately fund its implementation. • Conduct training for prosecutors

and judges, including on how to integrate victim protection throughout the duration of court proceedings. • Finalize data collection procedures.

PROSECUTION

The government maintained law enforcement efforts. Articles 163 and 164 of the criminal code criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of eight to 25 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 requires a demonstration of force, fraud, or coercion to constitute a sex trafficking offense involving a 17 year old child, and therefore does not criminalize all forms of child sex trafficking. In 2017, the government amended the criminal code, through the Law on Preventing and Combating Human Trafficking, to extend 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 did not have the capacity, expertise, or financial resources to train law enforcement on trafficking laws and victim identification; therefore, it partnered with an international organization and a foreign government to train some officials. In March 2019, the Minister of Justice directed the Judicial Training Center to institutionalize trafficking-specific curriculum for new judges, prosecutors, and defense attorneys and to conduct trainings for current members of the judiciary; at the close of the reporting period, this had yet to be implemented. In the past, police officers reported using their personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. The government reported it investigated 65 cases—a significant decrease from 267 in 2017 and 176 in 2016. The government confirmed a total of five trafficking cases, a decrease from nine in 2017 and 79 in 2016. Authorities initiated four trafficking indictments in 2018, an increase compared with two in 2017. Seven cases from previous reporting periods remained pending prosecution due to continued evidence gathering and a limited number of judges. For the third consecutive year, the government did not obtain any convictions. During the reporting period, a district administrator was accused of raping a child sex trafficking victim and attempting to bribe her to not report the case; at the end of the reporting period the case was with the prosecutor general's office for review while the district administrator remained in his position. In the previous reporting period, the government reported referring a case of an immigration official who allegedly facilitated labor trafficking of Bangladeshi workers to the prosecutor's office; the government confirmed the case was ongoing.

PROTECTION

The government maintained efforts to protect victims. For the fourth consecutive year, the Ministry of Justice reported continued efforts to develop standard operating procedures on victim identification. The police did not collect detailed law enforcement data, including on trafficking, and the Ministry of Social Solidarity and Inclusion (MSSI) only collected aggregate data on vulnerable persons and not trafficking-specific data. The government did not report how many of the 65 potential victims of trafficking in 2018 it confirmed as victims, compared with nine sex trafficking victims confirmed from 267 potential victims in 2017. Separately, an NGO, which partnered with the government stated it identified 12 victims.

The government did not provide rehabilitative services directly to victims. While the government had in past years provided some funding to three NGOs to provide shelter and psycho-social services to trafficking victims, during 2018, the government's nine months without an approved state budget delayed funding to the NGOs. MSSI technical field officers and 97 national police victim protection unit investigators identified and referred victims to services. An international organization continued to assess the availability and the quality of victim care as poor and noted that while the government stated it provided services to both men and women, its existing victim assistance was structured for domestic violence victims, who were overwhelmingly female. Local NGOs also faced large capacity constraints; the government's primary victim assistance provider was only able to provide shelter for four victims at a time. Adult victims may leave shelters unattended.

Law enforcement routinely performed raids on areas known for prostitution, which was legal in the country, in part to assess immigration status. According to immigration officials, police, and media sources, authorities detained en masse foreign women in prostitution—many of whom were possible victims of sex trafficking—during such raids and deported them without proper trafficking screening. For instance, in April 2018, authorities raided two karaoke bars and found 27 women from Cambodia, China, and Vietnam; traffickers had allegedly recruited them online and promised free homestays and food but when they arrived, coerced them to engage in commercial sex acts, made them sleep in the bar, and forced them to pay both the owners of the bars and the recruiter a large portion of the money they received from sex buyers. The government did not identify any of these women as trafficking victims and the immigration director publicly stated the victims had misused their visas. Several of the women returned to their home countries. The government had not yet completed implementing regulations and guidance on the 2017 Law on Preventing and Combating Human Trafficking, which stated trafficking victims may not be detained, accused, or judged for having entered or resided illegally in Timor-Leste, nor for having participated in unlawful acts committed as a direct consequence of the victim's trafficking situation. Observers also noted that in many cases judges did not follow the Law on Witnesses, which provided important protections in court proceedings for victims. The government did not provide foreign victims with alternatives to their removal to countries where they may face hardship or retribution. The government reported it funded the repatriation of one foreign victim to her home country.

PREVENTION

The government decreased efforts to prevent trafficking. The government did not create its commission to combat trafficking as mandated in the 2017 trafficking law. It continued to use the interagency anti-trafficking working group, led by the Office of the Prime Minister and Ministry of Justice (MOJ), to coordinate anti-trafficking efforts; the working group met three times during the reporting period. The government did not update and extend its 2016-2018 national action plan or draft a new one. The government did not approve the working group's request from an earlier reporting period for a budget to implement the action plan. The sub-working group tasked in late 2016 with trafficking data collection had not yet collected or shared data. MOJ, in partnership with an international organization, disseminated and discussed the 2017 law in multiple districts for students, community members, NGOs,

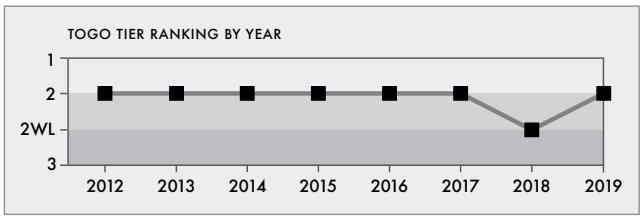
religious organizations, and local leaders to give information on trafficking prevention. The government did not have an anti-trafficking hotline. The government did not take measures to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human trafficking of domestic and foreign victims occurs in Timor-Leste and human trafficking of victims from Timor-Leste takes place abroad. Traffickers lead Timorese women, girls, and occasionally young men and boys from rural areas to the capital with the promise of employment or education and exploit them in sex trafficking or domestic servitude. Traffickers exploit Timorese men in forced labor in construction. Some Timorese family members place children in bonded household and agricultural labor, primarily in domestic rural areas but also abroad, to pay off family debts. Traffickers deceive young men and women and adult women with promises of scholarship opportunities or high-paying jobs in other countries; often traffickers take the victim to a different country than promised, withhold their passports, pay them little to nothing, and force them into labor, including domestic servitude. Frequently Timorese victims overseas first transit through the porous border with Indonesia; some remain and are exploited in Indonesia. Foreign women from East and Southeast Asia are vulnerable to sex traffickers in Timor-Leste. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates, who 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 the suspicions of law enforcement officers through visa overstay violations. Traffickers also recruit Timorese women, send them to China or Indonesia, and force them into prostitution. Police accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally. Police have been identified as clients of commercial sex venues investigated for suspected trafficking. Traffickers exploit foreign fishing crews as forced labor on foreign-flagged vessels that transit Timor-Leste waters.

TOGO: TIER 2

The Government of Togo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Togo was upgraded to Tier 2. These efforts included prosecuting and convicting more suspected traffickers; identifying more victims; and increasing funding for awareness raising activities. However, the government did not meet the minimum standards in several key areas. The government did not develop victim identification standard operating procedures (SOPs); enact legislation including victim protections; or update its national action plan from 2008.



PRIORITIZED RECOMMENDATIONS:

Update existing victim referral manuals to include victim identification SOPs, and train law enforcement and justice sector personnel on those procedures to increase the number of victims identified and referred to protective services. • Provide anti-trafficking training to regional criminal courts to increase their ability to effectively prosecute trafficking cases. • Enact anti-trafficking legislation that includes provisions for victim protection, and implement measures that incentivize victims to participate in the law enforcement and judicial process, including witness protection as well as the provision of shelter, medical care, and psycho-social services. • Work with NGOs and international organizations to increase the provision of protective services to all trafficking victims. • Council of Ministers finalize and adopt the pending decree to create a Trafficking in Persons National Committee to improve governmental coordination. • Draft and implement an updated national action plan that incorporates adult victims and increases coordination with NGOs, neighboring countries, and regional organizations. • Develop a data collection and information management system to more effectively organize law enforcement and victim referral data, in collaboration with NGOs.

PROSECUTION

The government increased law enforcement efforts. Articles 317 through 320 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of 10 to 20 years' imprisonment and fines between 10 million and 50 million West African CFA francs (FCFA) ($17,590 and $87,930) for offenses involving an adult victim, and 20 to 30 years' imprisonment and fines between 20 million and 50 million FCFA ($35,170 and $87,930) for offenses involving a child victim. 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 62 suspected traffickers and prosecuting 49 suspects in 2018, compared with investigating and prosecuting eight suspects in 2017. Authorities reported convicting eight traffickers in 2018, compared with seven traffickers in 2017; officials reported sentencing the eight traffickers to sentences from one to three years' imprisonment. The government did not report investigating, prosecuting, or convicting any officials complicit in human trafficking offenses.

The government continued to provide written instructions on victim identification to its law enforcement and immigration officials through the course of their basic training. Officials did not report any transnational investigations, prosecutions, or law enforcement cooperation with foreign governments, despite cross-border trafficking remaining a concern. In 2018, the government created regional criminal courts in Lome and Kara intended to increase the justice sector's prosecutorial efficiency—including on trafficking cases—although it did not share data on prosecutions or convictions in these courts.

PROTECTION

The government increased victim identification efforts, but demonstrated limited efforts to refer victims to care. In 2018, the government reported identifying 204 victims of trafficking—118 minors and 86 adults—compared to identifying 126 total victims during the previous reporting period. Officials reported using written manuals to refer victims to services in coordination with NGOs; however, the manuals did not include SOPs for identifying victims. The government did not report the total

number of victims it referred to care or directly assisted, nor the scale of dissemination of its existing written procedures. While officials did not collect comprehensive victim referral statistics, NGOs reported effective collaboration between the government and civil society on victim protection and referral efforts.

The government partnered with an international organization and foreign government to repatriate nine child trafficking victims from Gabon. Officials from the National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT) assisted the nine victims with their *laissez passer* documentation and referred them to NGOs for care. During the reporting period, the government provided in-kind support to NGOs providing victim assistance. In December 2018, the government partnered with an NGO and international organization to repatriate 51 Togolese forcibly returned from Gabon; while screening the returnees, they identified three women as potential victims of trafficking.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free helpline, Allo 10-11; officials reported the hotline received approximately 118 trafficking-specific calls in 2018, and resulted in the identification of an unknown number of child trafficking victims. Helpline data has been unreliably reported in the past, making comparison to the number of calls from previous years a challenge. CNARSEVT continued to operate an ad hoc referral system to respond to hotline tips, in conjunction with NGOs, social workers, and the police.

MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child trafficking victims referred by the Allo 10-11 hotline before transfer to care facilities managed by NGOs, while another shelter, CROPESDI, provided shelter, legal, medical, and social services to an unknown number of child abuse victims (including victims of trafficking) up to age 14. The government did not report how many victims these shelters served during the reporting period. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country 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. While there were no reports the government penalized any trafficking victims for unlawful acts traffickers compelled them to commit, authorities may have arrested or deported some victims due to the lack of victim identification SOPs and understanding of the crime among officials.

PREVENTION

The government maintained efforts to prevent trafficking in persons. The government coordinated its anti-child trafficking efforts and dissemination of information through CNARSEVT, which routinely convened during the year. CNARSEVT acted as a central hub of information for trafficking in Togo; however, data collection and reporting remained weak during the reporting period and the government has 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. In 2018, the government allocated approximately $300,000 to the Directorate for Child Protection to implement a nationwide awareness campaign. In September 2018, the campaign reached approximately 20,000 citizens in areas with populations vulnerable to trafficking.

Despite reports highlighting fraudulent recruiters trafficking Togolese abroad, authorities did not report investigating any foreign labor recruiters for trafficking crimes. The ministries of Labor and Social Action regulated labor recruitment firms, but did not collect comprehensive enforcement statistics. The government worked to reduce the demand for forced child labor by continuing to partner with traditional religious leaders to eliminate exploitation in religious "apprenticeships." These "apprenticeships" involve parents entrusting their children to religious leaders for education and employment purposes, who exploit them in forced domestic work, or 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 contributed to an increased vulnerability to trafficking in persons. An NGO reported labor inspectors often did not address obvious cases of child labor in large, open-air markets in urban centers, nor did they investigate these cases as potential trafficking crimes.

In September 2018, the Ministry of Foreign Affairs signed a bilateral agreement with Gabon to increase coordination on victim repatriations and cross-border trafficking investigations; the accord resulted in the repatriation of nine Togolese girls identified in Gabon. The government did not take any discernible measures to reduce the demand for commercial sex acts. Officials 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

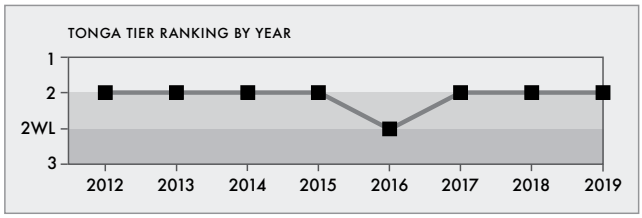
As reported over the past five years, human traffickers exploit domestic and foreign victims in Togo, and traffickers exploit victims from Togo abroad. The western border of the Plateau region, which provides easy access to major roads between Lome and Accra, Ghana, was a primary source traffickers used to transport victims during the reporting period. Families and trusted intermediaries take advantage of high levels of poverty throughout the country to exploit many Togolese trafficking victims. Traffickers force children to work 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 visit rural areas in the north and central regions to recruit children from impoverished parents. These illicit recruiters promise lucrative employment for the children and pay parents an advance, before transporting the minors to Lome, where traffickers subject minors to forced labor as domestic servants, roadside vendors, and porters, or exploit them in child sex trafficking. Togolese businesspeople subject boys to forced labor in construction, salvage yards, mines, and as mechanics, often involving hazardous machinery. Traffickers recruit children from Benin and Ghana and transport them to Togo for forced labor. Illicit networks exploit Ghanaian girls in sex trafficking in Togo. International criminal groups transport Togolese boys and girls to Benin, Cote d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, and Nigeria and force them 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, Mali, and

Niger, where criminal elements may subject them to labor and sex trafficking. Nigerians subject Togolese men to forced labor in agriculture and Togolese women to domestic servitude in Nigeria. Fraudulent labor agencies recruit Togolese women for employment in Saudi Arabia, Lebanon, the United States, and Europe, where traffickers subject them to domestic servitude or sex trafficking.

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.



PRIORITIZED RECOMMENDATIONS:

Develop and fully implement procedures for proactive identification of trafficking victims among vulnerable groups. • Increase efforts to proactively 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. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government slightly increased law enforcement efforts. The Counter Terrorism and Transnational Organised Crime Act of 2013 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. The government investigated one potential trafficking case during the reporting period, compared with no new investigations in 2017. Since convicting its first trafficker in April 2011, the government has not prosecuted or convicted any trafficking cases. The Tongan police force provided trafficking training to new police recruits. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government maintained efforts to protect victims. The government did not identify any 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. 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 had procedures to refer victims of crime, including potential trafficking victims, to an NGO. The government provided 60,000 pa'anga ($27,610) to an NGO for operations to assist adult female and child victims of crime, including shelter, counseling, and legal services, the same amount provided in 2017. Although none were identified, adult female and child victims of trafficking would be eligible for these services. There were no shelter facilities available to male victims older than 14 years old. Under the immigration act, the principal immigration officer had broad discretionary authority to grant victims permits to stay in the country for any length of time necessary for their protection. Victims could receive asylum in Tonga if they feared retribution or hardship in their country of origin, although no trafficking victim has ever requested asylum.

PREVENTION

The government maintained efforts to prevent trafficking. The government's trafficking task force was responsible for leading 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. The government provided Fijian domestic workers with temporary work permits while their employers applied for permanent permits. 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. The government did not provide anti-trafficking training to its diplomatic personnel. Tonga is not a party to the 2000 UN TIP Protocol.

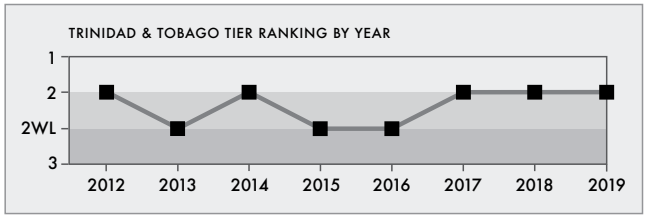
TRAFFICKING PROFILE

As reported over the past five years, some Tongan and foreign individuals are vulnerable to trafficking in Tonga, and some Tongans are vulnerable to trafficking abroad. East Asian women, especially those from China, who are recruited from their home countries for legitimate work in Tonga, are vulnerable to sex trafficking in clandestine establishments operating as legitimate businesses. Some Tongan women and children are vulnerable to domestic servitude; Tongan children were vulnerable to sex trafficking. Reports indicate Fijians working in the domestic service industry in Tonga experience mistreatment indicative of labor trafficking. Tongan adults working overseas, including in Australia and New Zealand, are vulnerable to labor trafficking, including through withholding of wages and excessive work hours. Employers rush some workers to sign employment

contracts they may not fully understand and others are unable to retain copies of their contracts, exacerbating the potential for employers to exploit these workers in labor trafficking.

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 overall increasing efforts compared to the previous reporting period; therefore Trinidad and Tobago remained on Tier 2. These efforts included increasing anti-trafficking training for its officials, initiating investigations against three potentially complicit officials, initiating more prosecutions, establishing a new intelligence task force to improve investigations, and developing a new memorandum of understanding between its children's authority and anti-trafficking unit to better protect child victims. However, the government did not meet the minimum standards in several key areas. The government had yet to secure a conviction under its 2011 anti-trafficking law. Public officials, media, and experts noted increasing reports of potential government complicity in trafficking cases, with insufficient government attention to the issue. Due to a lack of screening, the government penalized some trafficking victims, including children, for immigration offenses as a result of the trafficking crime. It did not adequately screen migrants, asylum-seekers, or refugees for trafficking indicators, including among Venezuelans. The government decreased the amount of funding for victim services and did not provide adequate victim care in some cases.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials. • Increase proactive victim identification and screening among migrants, asylum-seekers, and refugees. • Ensure trafficking victims are adequately screened so that they are not penalized for crimes that occurred during their exploitation. • Provide adequate funding for robust trafficking investigations and victim services, including accommodations. • Improve cooperation between the Counter Trafficking Unit, prosecutors, and NGOs to increase the number of cases that proceed to trial. • Increase funding and services for language interpreters available to law enforcement and victim care. • Provide specialized care to child trafficking victims. • Strengthen oversight and regulation of private labor recruitment agencies and domestic workers. • Increase training on trafficking for NGOs and shelter staff to improve their ability to identify and care for potential trafficking victims. • Increase the ability to accept victim video testimony in court proceedings. • Consider increasing NGO representation to the anti-trafficking task force. • Begin drafting a national action plan for the period beyond 2020.

PROSECUTION

The government maintained law enforcement efforts. The Trafficking in Persons Act of 2011 criminalized sex trafficking and labor trafficking and prescribed penalties of no less than 15 years' imprisonment and a fine of no less than 500,000 Trinidad and Tobago dollars (TTD) ($73,860) for offenses involving an adult victim, and no less than 20 years' imprisonment and a fine of no less than 1 million TTD ($147,710) 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 government's anti-trafficking unit investigated 39 possible cases of trafficking, compared with 38 cases in 2017. The government initiated four prosecutions under the anti-trafficking law (compared with two in 2017 and five in 2016). The government reported no convictions for trafficking during the reporting period and had not yet convicted a trafficker under its 2011 anti-trafficking law. The government's new intelligence-led task force, established in the Ministry of the Attorney General and Legal Affairs, increased intelligence collection relating to trafficking, which led to seven investigations, as well as the identification and continued monitoring of additional suspicious establishments. The Counter Trafficking Unit (CTU) participated in a series of anti-trafficking operations in February 2019 that resulted in the identification of 19 potential victims and the arrest of 10 potential traffickers. Law enforcement filed 30 charges against six suspects following trafficking investigations; however, only one of these charges was under the Trafficking in Persons Act, and law enforcement charged the others with lesser crimes.

During the reporting period, the CTU changed its investigation procedures to allow for parallel financial and trafficking investigations; this allowed authorities to charge suspects of sex trafficking for various offences. Observers noted the CTU faced organization and management challenges, limited capacity and resources, reduced ties with international partners and other law enforcement agencies, which hindered its efforts, and limited coordination between the CTU and Department of Public Prosecutions. The government did not provide specific figures for its budget allocations to the CTU for fiscal year 2018-2019, but officials confirmed the budget was lower during this report period; this compared to 7 million TTD ($1.03 million) in 2017-2018, 3 million TTD ($443,130) for 2016-2017, and 8 million TTD ($1.18 million) for 2015-2016. During the reporting period, the CTU referred three possibly complicit police officers to the relevant authorities for further investigations. The case of a 2017 government employee charged with trafficking was still pending. Public officials, the media, and outside observers raised concerns about other government officials involved in sex trafficking. The government collaborated with INTERPOL and Venezuela on investigations of four potential trafficking cases. Newspapers reported police apprehended members of a trafficking ring involving Colombian victims; this involved cooperation between the Colombian Embassy and non-CTU government entities. The CTU institutionalized a training course for new police recruits and investigators of the child protection unit; police units also had a monthly training session in which 300 officers received training. The CTU provided anti-trafficking training to the police, judiciary, and NGOs. The government provided in-kind assistance for various training courses offered by international organizations; 10 magistrates and judges and 35 senior public officers received these trainings. In addition, the government provided financial assistance for senior officials from the CTU, judiciary, and immigration to participate in an international training in the United States.

PROTECTION

The government maintained protection efforts. The government identified 14 trafficking victims (13 sex trafficking victims, including one minor and one labor trafficking victim) and referred them all to care; all were Venezuelan. This compared to 14 trafficking victims in 2017 and 13 in 2016. The government reported all victims assisted with criminal investigations during the reporting period; two victims received permission to work. In total, 29 victims (including those from previous reporting periods) received care; this compared to 14 victims in 2017. NGOs reported identifying many additional victims and referred them to the CTU, but the NGOs did not receive assistance or follow-ups on the referred cases. As a result, NGOs reported working directly with victims instead of referring them to the CTU.

The CTU spent approximately 203,100 TTD ($30,000) on victim care and protection, compared to 198,900 TTD ($29,380) in 2017 and 700,000 TTD ($103,400) in 2016. The government provided additional funding to NGO care providers through the Ministry of Social Development and Family Services. Observers, however, noted there was insufficient government funding for comprehensive victim care. 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. However, observers reported victims often did not receive these services and noted the government did not adequately screen undocumented migrants or refugees for trafficking indicators before placing them in detention. As a result, some observers indicated that following police actions or immigration raids, officials, without screening potential victims for trafficking indicators, detained some foreign victims for violating immigration laws—even though those unlawful acts occurred as part of being trafficked and traffickers may have compelled victims to commit them. Others reported the government kept these unscreened trafficking victims in the immigration detention facility instead of shelters for trafficking victims and without providing them victim care. The government housed adult female victims of trafficking at domestic violence shelters run by vetted NGOs who worked with the CTU. The government placed adult male victims at safe houses run by the security services. Observers reported an absence of appropriate shelters with adequate staff and security personnel. The government housed child victims in homes run by the child protective services agency. However, observers noted the government detained at least two child victims of trafficking in the youth detention center on immigration charges that occurred as a result of the trafficking crime. Reports indicated the government did not provide specialized care for these child trafficking victims. The CTU and the children's authority signed a memorandum of understanding in August 2018 to enhance the identification of placement options for child trafficking victims. The social services committee comprising officials of the CTU, ministry of social development and family services, ministry of health, office of the prime minister, as well as several NGOs, began drafting a victim care manual.

Domestic violence shelters did not permit victims to leave unchaperoned or at will. Observers reported victim access to telephones to call family or request assistance was limited, or in some cases denied. While the law allowed victims to work, observers noted that, in practice, the government did not allow the large majority of victims to work. Because of these conditions, observers noted some victims ran away from shelters or asked to be repatriated before investigations completed. Language interpretation services were not always available for counseling sessions and police interviews; experts reported shelters did not have bilingual staff or volunteers. In addition, some government officials noted a shortage of interpreters available to assist with foreign national victim care and testimony. The CTU provided 24/7 security for victims who participated in court proceedings. Experts noted working-level staff at NGOs and shelters needed more training on trafficking indicators to better identify potential trafficking victims.

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 lead body for anti-trafficking efforts. Some experts noted a need for the government to add more 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 action plan. The plan had a monitoring and evaluation component involving quarterly and annual reports that authorities presented to parliament and made available via open hearings and press releases. The government conducted a series of awareness campaigns on sex and labor trafficking targeting children and Spanish-speaking communities. The CTU provided funding and assistance in the creation and distribution for a locally produced anti-trafficking film. The labor ministry (MOLSED) conducted a public awareness campaign on forced labor.

Existing laws regulating private labor recruitment agencies were weak and not comprehensive. MOLSED, however, started reviewing laws regarding private labor recruiters and scheduled stakeholder consultations on these laws through September 2019. Observers noted the oversight and regulation of domestic workers remained weak. MOLSED started developing a new labor migration policy; the government created a new inter-ministerial committee that will be involved in the formulation and implementation of this policy. There were 16 labor inspectors trained to identify and report to the CTU on indicators of forced labor. The government operated two hotlines, a national trafficking hotline and a national domestic violence hotline, which could receive trafficking reports; the trafficking hotline received 59 calls, some of which led to investigations. Observers noted the government needed more Spanish language services in the hotlines. The government made efforts to reduce the demand for commercial sex acts. The government did not make efforts to reduce the demand for forced labor.

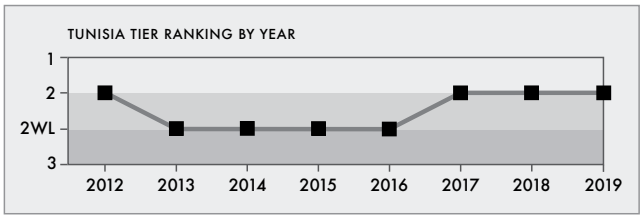
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Trinidad and Tobago, and traffickers exploit victims from Trinidad and Tobago abroad. Traffickers lure women and girls from the Dominican Republic, Venezuela, and Colombia with offers of employment and then subject them to sex trafficking in brothels and clubs. Traffickers are increasingly targeting vulnerable foreign young women and girls between the ages of 15 and 21. Because of deteriorating economic conditions in their home country, Venezuelans are particularly vulnerable to trafficking and there has been a large influx of Venezuelans to Trinidad and Tobago in recent years. LGBTI persons are vulnerable to sex trafficking. Many victims enter the country legally via Trinidad's international airport, while others enter illegally via small boats from Venezuela, which is only seven miles offshore. 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 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Tunisia remained on Tier 2. These efforts included an increase in prosecutions of alleged traffickers under the anti-trafficking law; proactive identification of trafficking victims; and implementation of a pilot program for the national victim referral mechanism, which resulted in more victims receiving care. However, the government did not meet the minimum standards in some key areas. The government did not provide sufficient training for security forces and border control agents to identify potential victims of trafficking. As a result, some trafficking victims may have remained unidentified and therefore vulnerable to punishment for unlawful acts their traffickers compelled them to commit, such as immigration violations and prostitution. Additionally, limited resources and lack of understanding of trafficking among judicial and law enforcement officials inhibited authorities from effectively bringing traffickers to justice.



PRIORITIZED RECOMMENDATIONS:

Implement formal procedures to screen and proactively identify sex and labor trafficking victims—particularly among vulnerable groups such as domestic workers, undocumented migrants, street children, and persons in prostitution—and train officials on their use. • Implement the national victim referral mechanism using a victim-centered approach to ensure all trafficking victims are referred to appropriate protection services, and train law enforcement and judicial authorities on appropriately referring victims to care. • Collaborate with civil society partners to increase training of police, prosecutors, and judges on evidence collection for trafficking cases, witness and victim protection during trial, and alternatives to victim testimony. • Develop procedures, especially for law enforcement, judicial, and border officials, to ensure victims are not punished for unlawful acts traffickers compelled them to commit, such as prostitution and immigration violations. • Provide adequate protection services to male, female, and child victims of all forms of trafficking, including appropriate shelter and rehabilitative services tailored specifically to trafficking victims. • Use the anti-trafficking law to investigate, prosecute, and convict traffickers, and sentence convicted traffickers to significant prison terms. • Train judicial and law enforcement officials on application of the anti-trafficking law. • Improve coordination among government ministries to combat trafficking, and dedicate sufficient financial and human resources to the national anti-trafficking commission. • Provide funding or in-kind support to NGOs that provide care to trafficking victims. • Train staff at government-operated centers for vulnerable populations to provide trafficking victims with appropriate and specialized care, and increase resources for provision of care at these centers.

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 trafficking and labor trafficking and prescribed penalties of 10 years' imprisonment and a fine of 50,000 Tunisian *dinar* (TND) ($16,620) for offenses involving adult victims and 15 years' imprisonment and a fine of 50,000-100,000 TND ($16,620-$33,230) 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. The national anti-trafficking commission reported the lack of an independent budget and insufficient capacity building hindered the government's efforts to fully implement the law. Civil society organizations reported there continued to be a low level of awareness among police and judicial authorities on the application of the anti-trafficking law and handling of trafficking cases. Furthermore, some judicial officials used other laws that had less stringent sentences to prosecute trafficking offenders, primarily because judges were not familiar with the anti-trafficking law. Observers also reported that courts dismissed several potential trafficking cases for lack of evidence, because details on the exploitative nature of the crime were insufficient. During the reporting period, officials reported difficulty prosecuting and convicting trafficking offenders due to lack of victim or witness testimony.

Despite these deficiencies, from April 2018 to January 2019, the Ministry of Interior (MOI) conducted a total of 349 investigations, which included 39 cases of sex trafficking, 195 of forced labor, and 115 of "economic exploitation" (forced labor); two of these cases were ultimately classified as non-trafficking crimes. In one notable case in January 2019, Tunisian authorities closed an association running an unauthorized Koranic school in Regueb, Sidi Bouzid governorate and arrested its director and administrators on charges of human trafficking and other crimes. The public prosecutor initiated an immediate investigation into allegations that the association's personnel allegedly forced the school-aged boys to work in agriculture, construction, and cleaning; the case was ongoing at the end of the reporting period. The MOI reported it initiated a total of 199 judicial investigations of suspected trafficking crimes, including forced prostitution, forced labor, and forced begging and forced criminality of children. The Ministry of Justice (MOJ) reported it brought 66 alleged perpetrators to trial under the anti-trafficking law. The majority of these cases were ongoing at the end of the reporting period; however, the MOJ reported that one forced labor perpetrator was convicted and sentenced to four months in prison. These statistics compared to 195 judicial investigations, 21 perpetrators brought to trial, and one conviction in the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period. However, following the investigation of the Koranic association in Regueb, Prime Minister Chahed dismissed the Governor of Sidi Bouzid and several other local officials following allegations that they had allowed the unauthorized school to operate in the governorate with impunity.

Every tribunal in Tunisia had a prosecutor and investigative judge responsible for overseeing human trafficking cases and leading anti-trafficking training programs for judicial officials. The MOJ also continued to monitor and maintain statistics on human trafficking cases brought before the judiciary through a specialized office; 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. Additionally, the MOI's special victims unit, established in 2017, included 70 judicial police and 56 National Guard officers throughout the country who were specialized in cybercrimes and assistance to victims of trafficking and gender-based violence.

Throughout the reporting period, the government—in coordination with international and civil society organizations—prioritized anti-trafficking trainings for law enforcement and judicial officials on investigation and prosecution, as well as victim identification techniques. The anti-trafficking commission—in collaboration with an international organization—expanded training for security forces and prepared an anti-trafficking training guide for police officers and a manual of judicial procedures for the MOJ. In addition, the Ministry of Health (MOH) and the Ministry of Women, Family, Childhood, and the Elderly (MWFCE) also conducted trainings to strengthen the prevention and protection of trafficking victims. During the reporting period, the government expanded international cooperation with INTERPOL offices, including Saudi Arabia, the Netherlands, and Germany, in order to exchange information about potential trafficking cases.

PROTECTION

The government significantly increased efforts to proactively identify and refer trafficking victims to care. Between April 2018 and January 2019, the government reported that the National Authority identified 780 trafficking victims from among the potential victims referred to it by government agencies and civil society organizations. The MOI identified 383 trafficking victims. Additionally, child protection specialists from MWFC identified 709 potential trafficking victims among the 10,000 child abuse cases it received in 2018. The MOH also identified 69 potential trafficking victims of sexual and economic exploitation, forced begging, and domestic servitude among patients that received services from the MOH. Despite authorities' efforts during the reporting period to proactively identify trafficking victims, the government lacked formal victim identification procedures to guide officials during much of the reporting period; however, judicial and border police reportedly had practices in place to screen for potential trafficking victims among those that overstayed their legal residency or who were subject to expulsion after serving a prison sentence. In addition, the MSA continued to train all labor inspectors to identify potential trafficking victims; there were 25 labor inspectors and 24 social workers in the MSA's labor inspectorate that were trained as specialized points of contact for child trafficking victims. Government officials 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. Despite these efforts, the national anti-trafficking commission and MOI special victims unit were the only government entities that were authorized to officially identify trafficking victims, thereby allowing victims access to state-run services and providing exemptions from exit visas for foreign victims. NGOs reported that the limited number of ministries who could legally identify a trafficking victim slowed the process for victims to receive care. Moreover, insufficient interagency coordination and resources reportedly hindered the timely identification and referral to services for trafficking victims. In addition, civil society organizations reported the special victims unit did not have sufficient personnel or resources to provide adequate assistance to trafficking victims, nor did personnel have the cultural understanding or training to communicate with vulnerable migrants from the sub-Saharan African population, including potential trafficking victims. Due to a lack of systematic victim identification procedures and policies, some unidentified victims may have been punished for unlawful acts traffickers compelled them to commit, such as prostitution or immigration violations.

At the end of the reporting period, the government began to implement the national victim referral mechanism, which streamlined all stages of the referral process from victim identification and assistance to civil and criminal proceedings. For example, as part of the investigation into the so-called Koranic school in Regueb, a special victims unit—accompanied by child protection officers and psychologists—referred 42 boys aged 10-18 years old to a specialized care facility near Tunis. Additionally, the MOI provided assistance and accommodation to 50 child trafficking victims and 30 foreign victims. The anti-trafficking commission also assisted 80 victims, 63 of whom were identified by an international organization, by providing them exemption from the exit fee penalty that allowed them to return to their home countries; the government also allowed them access to state-run health and social services. The government also repatriated and provided support and medical care to 35 Tunisian victims, who were exploited in sex and labor trafficking in Saudi Arabia after applying for work through the Agency for Placement Abroad in Private Establishments (EPPA)—a Tunisian government agency. The Ministry of Social Affairs (MSA) reported it provided lodging, medical and psychological assistance, and legal aid to 70 victims of economic exploitation at its centers for vulnerable populations. Two of these MSA-run centers in Sousse and Sfax had designated areas available for victims of all forms of trafficking where victims could enter and exit freely and return on a regular basis for help seeking employment; the MSA—in collaboration with an international organization—continued to provide training for the centers' staff on rehabilitation and care for trafficking victims. In January 2019, the MSA and anti-trafficking commission signed an agreement for the MSA to dedicate one room in all social care centers for victims of trafficking and violence. During the reporting period, the national anti-trafficking commission utilized a center within its national headquarters—established in January 2018—to house trafficking victims while the commission helped victims navigate administrative and judicial procedures. An MOH-operated hospital in Tunis had a unit with trained personnel dedicated to caring for victims of violence, including sexual exploitation, which offered psycho-social support, medical documentation, and legal expertise; the government did not report if this unit assisted any trafficking victims during the reporting period. Seventy-nine government-run youth centers around the country provided psycho-educational services to at-risk children ages six to 18, including child trafficking victims. In April 2018, the MWFCE inaugurated one of these centers near Tunis as the first center solely for child trafficking victims, which provided services to the 42 victims referred by the aforementioned special victims unit. Despite this, civil society contacts reported there were limited services, especially long-term, reintegration, and relocation services, around the country for child trafficking victims.

The government offered foreign trafficking victims legal

alternatives to their removal to countries where they might face hardship or retribution. Under the anti-trafficking law, the government offered all identified foreign trafficking victims relief from deportation, and victims had the right to free legal aid to assist them in engaging in civil and criminal proceedings against their traffickers. The anti-trafficking law also allowed victims and witnesses of trafficking crimes access to psychological and physical protection services.

Despite these available centers and services, the anti-trafficking commission and civil society partners reported the country lacked sufficient shelters to support vulnerable populations, including trafficking victims. Although the commission and NGOs partnered to reintegrate victims into society, the lack of resources, trained personnel, and sufficient shelter beds created challenges in doing so. Additionally, civil society organizations reported that there were not adequate shelter or safe spaces available for male victims of trafficking and other forms of violence; there were only three government-run shelters that could accommodate male trafficking victims, but those shelters did not provide access to trained counselors, economic reintegration programs, or legal support.

PREVENTION

The government maintained strong efforts to prevent trafficking. The MOJ continued to lead the government's national anti-trafficking commission, which included representatives from 12 ministries and experts from civil society. In mid-2018, the government finalized, formally adopted, and publicized its 2018-2023 national strategy to combat trafficking, and it also developed a supplemental plan outlining individual steps to implement the strategy during the 2018-2019 time period. In January 2019, the committee presented its first annual report to Tunisian President Beji Caid Essebsi, which detailed its activities and recommendations on how to improve the government's fight against human trafficking, and subsequently released it to the public. Additionally, President Caid Essebsi established January 23 as the National Day of Celebration to commemorate the abolition of slavery in Tunisia, further emphasizing the need to combat and end modern-slavery. The government continued to conduct numerous anti-trafficking public awareness and information campaigns, at times in partnership with civil society organizations. The MOI also continued to place announcements on social media sites and newspapers to inform the public about fraudulent work contracts and forced labor. Between October 2018 and January 2019, the anti-trafficking commission met six different ministers from countries in the region to discuss ways to fight human trafficking. The government continued to operate 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 the reporting period, the hotline received 489 calls that resulted in the identification of 10 potential trafficking victims.

The government continued efforts to reduce the demand for forced labor. To address fraudulent labor recruitment practices, the EPPA filed complaints with the MOI against 20 private employers for cases of fraud, extortion, or abuses of Tunisians employed abroad; it also took action against 23 private employers who recruited workers without proper registration with the EPPA. In addition, the EPPA periodically disseminated announcements in the media to raise awareness of unfair or illegal recruitment practices and informed the public about information on EPPA facilities and services. In addition, the Directorate General for Immigration coordinated with the Minister of Vocational Training and Employment to combat illegal job recruitment agencies. The government maintained bilateral labor migration agreements with France and Switzerland, which contained provisions to prevent unfair labor recruitment practices and labor trafficking. The government also expanded its cooperation with countries in the Persian Gulf in an effort to combat the falsification of work visas and contracts that had led to the exploitation of some Tunisian nationals. Following an MOI investigation of allegations of child trafficking—including forced labor—at the Koranic association in Regueb, Tunisian authorities shut down 11 other associations operating unauthorized Koranic schools in six different governorates. The government did not make efforts to reduce the demand for commercial sex acts. The government did not provide specific anti-trafficking training to Tunisian peacekeeping forces prior to their deployment abroad.

TRAFFICKING PROFILE

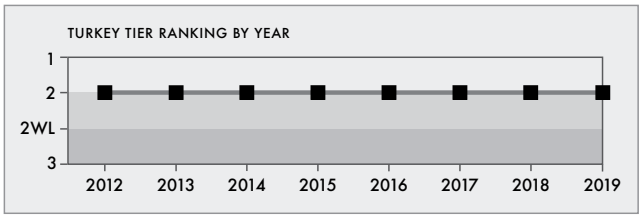
As reported over the past five years, human traffickers exploit domestic and foreign victims in Tunisia, and traffickers exploit victims from Tunisia abroad. Some Tunisian children are vulnerable to forced labor and sex trafficking in Tunisia. Some Tunisian girls working as domestic servants for wealthy families in Tunis and major coastal cities are highly vulnerable to trafficking, experiencing restrictions on movement, physical and psychological violence, and sexual abuse. 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. 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 officials reported in 2017 that organized gangs reportedly force street children to serve as thieves and beggars and transport drugs. 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 and 2018, 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 also reported in 2018 that some men from Cote d'Ivoire are forced to work on farms and construction sites. According to a Tunisian NGO, 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. Civil society organizations reported in 2018 that traffickers appear to coach some of their victims on how to answer questions about their

trafficking experiences so that victims can access benefits, such as a reprieve from exit fines, which would further allow the traffickers to exploit their victims. An NGO reported in 2018 a new trend where female victims of domestic servitude and other forms of forced labor, who are held in debt bondage by their employers, are further exploited by nightclub owners that cater to sub-Saharan African communities in Tunisia. The nightclub owners falsely promise to pay the women's debts in exchange for working in the nightclubs as servers, but the owners subsequently force the women into prostitution for the nightclubs' clientele. Civil society organizations also reported in 2018 that male migrants from sub-Saharan Africa who work in poor working conditions could be vulnerable to forced labor. Tunisian LGBTI rights associations reported in 2018 that migrants and asylum seekers from neighboring countries who escaped violence or discrimination due to their gender identity or sexual orientation may be particularly vulnerable to sex trafficking and forced labor in Tunisia. NGOs and international organizations observed in 2017 a slight increase in boys from Sub-Saharan and West Africa, including Cote d'Ivoire, who are vulnerable to trafficking after accepting fraudulent offers of soccer careers in Tunisia.

TURKEY: TIER 2

The Government of Turkey does not does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Turkey remained on Tier 2. These efforts included collaborating with a foreign government to identify 200 potential Turkish victims of forced labor. The Directorate General for Migration Management (DGMM) established provincial protection desks, a social security system to provide monthly cash benefits to victims, and consistent legal assistance and specialized support to victims. In addition, DGMM allocated more funds to international organizations to work on trafficking issues and provided robust training. However, the government did not meet the minimum standards in several key areas. Prosecutors and judges lacked experience and resources to prosecute complex cases and issues with interagency coordination at times hampered anti-trafficking efforts. In addition, government efforts to proactively identify internal trafficking victims was limited, some first responders lacked an understanding of trafficking, and the government convicted fewer traffickers compared to previous year. Some civil society remained excluded from anti-trafficking efforts, particularly victim protection.



PRIORITIZED RECOMMENDATIONS:

Institutionalize and provide training to investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including advanced training on trafficking investigations and prosecutions. • Increase proactive victim identification efforts among vulnerable populations, such as refugees and asylum-seekers, LGBTI communities, migrants awaiting deportation, Turkish and foreign women and girls in prostitution, and children begging in the streets and working in the agricultural and industrial sectors. • Vigorously investigate, prosecute, and convict traffickers. • Designate trained prosecutors and judges to handle trafficking cases and allocate adequate staff and resources for law enforcement to effectively combat trafficking. • Expand partnerships with civil society to better identify victims and provide specialized victim services, including Turkish victims exploited in Turkey. • Improve interagency cooperation and adopt a national action plan. • 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. • Encourage victims' participation in investigations and prosecutions, such as using remote testimony or funding for travel and other expenses for victims to attend court hearings.

PROSECUTION

The government maintained law enforcement efforts. Article 80 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 12 years' imprisonment and a fine equivalent to "10,000 days," which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government did not report the number of investigations in 2017 or 2018. The Ministry of Justice (MOJ) prosecuted 43 new trafficking cases with 198 defendants in the first three quarters of 2018 (41 new trafficking cases with 291 defendants in the first three quarters of 2017). MOJ continued to prosecute 172 cases with 1,617 defendants from previous years (174 cases with 1,624 defendants in 2017). Courts convicted 37 traffickers in the first three quarters of 2018 (44 in the first three quarters of 2017); judges sentenced all traffickers with imprisonment and 34 traffickers also received a fine but the government did not report the length of the sentences and the amount of the fines. Courts acquitted 177 suspected traffickers in the first three quarters of 2018 (93 suspected traffickers in the first three quarters of 2017).

The Department of Combatting Migrant Smuggling and Human Trafficking (DCMH) within the Turkish National Police (TNP) conducted specialized investigations. DCMH consisted of 28 officers at headquarters and operated branches in 22 provinces. The government did not designate specialized prosecutors for trafficking cases. Observers reported law enforcement in some cases lacked sufficient resources to fully investigate trafficking cases involving refugees, and experts continued to report 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 among prosecutors and judges regarding trafficking, particularly after the dismissal of more than 150,000 government workers during the state of emergency, also limited the ability and means to prosecute complex crimes like trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. The government, independently and with technical and financial support from international organizations, provided anti-trafficking training for TNP, coast guard, Jandarma, and DGMM officials. Authorities cooperated with Moldova on a case with 200 potential Turkish male forced labor victims; the investigation was ongoing. The government did not extradite any traffickers in 2018.

PROTECTION

The government maintained victim protection efforts, despite identifying fewer victims. DGMM identified 134 victims (303 in 2017); 95 were victims of sex trafficking and 39 of forced labor (186 were victims of sex trafficking, 52 of forced labor, and 65 of forced begging in 2017); 111 were female and 23 were male (212 females and 18 males in 2017); 15 were children (98 children in 2017). First responders referred potential victims to DGMM, which officially recognized victims; DGMM interviewed approximately 3,612 potential victims (5,000 in 2017). DGMM established protection desks in 61 provinces to assess vulnerable populations. In previous years, observers reported DGMM staff's ability to accurately identify victims varied among provinces and, in some cases, staff were reluctant to act on cases referred by civil society groups. Observers reported a lack of understanding and awareness of trafficking among some first responders and inconsistent attention towards internal trafficking. Ministry of Family, Labor, and Social Services (MOFLSS) continued to deploy specialized staff to government-operated migrant and refugee temporary accommodation centers to screen camp residents for indicators of trafficking; however, observers reported the government continued to face difficulty in identifying victims in highly vulnerable refugee and migrant communities outside of camps and had insufficient protection resources to address trafficking in these communities. DGMM trained first responders on victim identification and referral and, in cooperation with MOFLSS, trained teachers, health workers, local administrative officials, guards, and imams on trafficking issues in several refugee temporary accommodation centers.

The law entitled equal services to officially identified 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 134 victims (151 victims in 2017). DGMM established a social security benefit system with an international NGO to provide monthly cash benefits to victims. The government offered one victim diagnosed with HIV specialized treatment at a state healthcare facility. DGMM allocated 1.05 million lira ($198,860) for anti-trafficking efforts and separately allocated 4.75 million lira ($899,110) to international organizations working on migration, which included a trafficking component, compared to 3.51 million lira ($664,210) in 2017; it did not provide funding to domestic NGOs. DGMM operated two specialized shelters for victims of trafficking. One-hundred-two MOFLSS-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 provided specialized and comprehensive victim support services to all trafficking victims which included psychological support, health care, access to legal aid, and vocational training for female sex trafficking victims. The DGMM-run shelters and MOFLSS-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. Government-operated Monitoring Centers for Children provided support to child victims of violence, including trafficking. The government solicited feedback from civil society on a draft handbook on victim identification for first responders and other relevant actors and observers reported improved government cooperation with civil society, but in previous years, experts and civil society actors expressed concern that the government's victim protection efforts were not sufficiently inclusive of NGOs, including funding of independent organizations and the government's exclusion of some NGOs from identifying and providing services to victims.

The government likely deported and inappropriately detained some trafficking victims due to inadequate identification efforts. The law entitled victims to a temporary residence permit for 30 days, which authorities could extend up to three years with the option to apply for a work permit; the government issued 82 residence permits (145 in 2017). DGMM voluntarily repatriated 52 victims with support from an international organization (193 victims in 2017). Observers reported the government consistently provided legal representation and assistance to victims. The government maintained regulation on "legal interview rooms," which allowed victims to testify in private rooms in order to reduce re-traumatization. The government reported difficulties in encouraging foreign victims to cooperate in prosecutions as most preferred immediate voluntarily repatriation; 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. 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 did not have an updated national action plan. A national commission coordinated interagency anti-trafficking efforts and convened annually. The DGMM produced a documentary on trafficking issues and the government organized awareness campaigns at border entry points, airports, and universities. The commission and DGMM continued to publish annual data reports, while OSCE in previous years reported discrepancies in the statistics of the different databases managed by various state institutions, such as the Ministry of Interior, MOJ, and courts. DGMM maintained a migration-related national hotline that also handled trafficking calls; the hotline received 258 trafficking-related calls. The law required recruitment agencies to maintain a license and approve all contracts with the government.

The government continued to implement comprehensive migrant registration protocols for the nearly four million Syrian and other refugees, including by providing birth registrations for newly born refugee children. The law allowed both Syrians under temporary protection and non-Syrian conditional refugees the right to work, provided they registered in the province they wish to work in for at least the preceding six months. Applying for a work permit was the responsibility of the employer, and refugee advocates reported the procedure was burdensome and costly, resulting in few employers pursuing that path. As a consequence, the vast majority of both conditional refugees and those under temporary protection remained without legal employment options, leaving them vulnerable to exploitation. The government, in collaboration with an international organization and domestic labor unions, implemented various efforts to decrease child labor, including training businesses on regulations employing children and awareness campaigns. MOFLSS fined 50 workplaces for violating child labor laws, a two-fold increase from the 23 fined in 2017; however, resources and inspections were insufficient to effectively monitor and enforce prohibitions against the use of child labor. In the absence of a complaint, inspectors did not generally visit private agricultural enterprises employing 50 or fewer workers, resulting in enterprises vulnerable to forced labor. The government continued efforts to reduce the demand for commercial sex and forced labor.

TRAFFICKING PROFILE

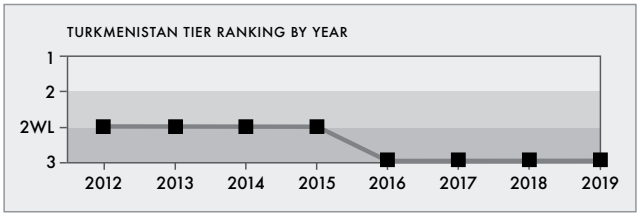
As reported over the past five years, human traffickers exploit domestic and foreign victims in Turkey, and traffickers exploit victims from Turkey abroad. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Azerbaijan, Indonesia, Morocco, and Syria. Of the 134 victims identified in 2018, most were Uzbeks (29), followed by Afghans (21), Moroccans (18), Syrians (15), and Kyrgyz (14). Syrians were the largest number of victims from a single country in previous years with 86 victims in 2017 and 36 in 2016. Some Georgian men and women were reportedly subjected to forced labor. Some Turkish men were subjected to trafficking and forced labor in Moldova. Romani children from marginalized communities were often seen on the streets in major cities where they worked as garbage collectors, street musicians, and beggars, raising concerns about exploitative conditions and forced labor. Human rights groups reported commercial sexual exploitation remained a problem in the LGBTI refugee community, who faced discrimination and hostility from both authorities and the local population.

Turkey continues to host a large refugee population that remains vulnerable to trafficking and exploitation: approximately 3.65 million displaced Syrians, and over 350,000 refugees of other nationalities resided in Turkey during the reporting period. Syrian and other refugees, including 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 or exploitative 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.

Reports indicate some youth in Turkey joined the Kurdistan Workers' Party (PKK), a U.S.-designated terrorist organization. The government alleged the PKK recruited and forcibly abducted children for conscription, while many in the country's Kurdish community asserted that youth generally joined the terrorist group voluntarily. Reports document one victim who was forced to join the group at age 13 and that children as young as 11 were lured by promises of monetary compensation and were taken to PKK training camps in Iraq.

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 completing draft standard operating procedures (SOPs) for victim identification and referral in partnership with an international organization. However, the government continued to engage in large-scale mobilizations of its adult citizens for forced labor in the annual cotton harvest and in public works projects. 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 and state surveillance practices 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.



PRIORITIZED RECOMMENDATIONS:

Take action to end the use of forced 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, including the mobilization of forced labor. • 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. • Increase awareness of trafficking among the general public through government-run campaigns or financial support for NGO-run campaigns.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Article 129/1 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of four to 10 years' imprisonment for offenses involving adult victims and eight to 15 years' for offenses 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 government reported it initiated prosecution of one case in in 2018, compared with three each in 2017, 2016, and 2015. The government did not report the number of convictions in 2018, compared with the conviction of one trafficker in 2017, three in 2016, and nine in 2015. An international organization provided training for 300 law enforcement officials on trafficking-related issues; the government provided in-kind support for these trainings. 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. Independent monitors reported heighted state security surveillance throughout the 2018 harvest.

PROTECTION

The government maintained negligible protection efforts. The government identified eight victims in 2018, compared with one victim in 2017, 11 victims in 2016, and 12 in 2015. An international organization reported assisting 25 victims, including 12 females and 13 males, but estimated the total number of victims was significantly higher, as evidenced by the 6,998 calls to the foreign-funded trafficking hotlines in Ashgabat and Turkmenabat. This was more than twice the number of calls received in 2017, but the vast majority related to safe migration, while only seven calls were related to human trafficking. The trafficking hotline in Turkmenabat was reopened in 2018, after operations were suspended 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, for the third year, 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 seven female victims in 2018, including local reintegration and job placement. There was no specialized care center for male victims, although NGOs provided some support. In accordance with the 2016-2018 national action plan, the government continued to partner with an international organization to draft SOPs for victim identification and referral; although the group completed the SOPs, the government failed to adopt them. Authorities remained without formal written procedures to identify victims or refer them to care providers, but they 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 traffickers compelled them to commit, , and were guaranteed employment. It also required law enforcement agencies to respect the confidentiality of victims. The amended legal code also provided for free legal assistance to trafficking victims who apply for official status; the government did not report providing any legal assistance to victims. 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 maintained negligible efforts to prevent human trafficking. While the government reportedly collaborated with an international organization on the implementation of its 2016-2018 national action plan, it did not take steps to end the use of forced labor during the cotton harvest or in public works projects. The 2016 anti-trafficking law assigned responsibilities for anti-trafficking efforts among government agencies and charged the cabinet of ministers with planning, funding, and implementing anti-trafficking policy. It also called for the creation of an interagency anti-trafficking committee, comprising 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 government did not establish the interagency anti-trafficking committee in 2018, but an international organization continued to convene an interagency working group.

The law required the Ministry of Internal Affairs to record data on trafficking crimes; however, for the third year, the government did not report any systematic efforts to monitor its anti-trafficking efforts and did not make publicly available government data on the incidence of trafficking and trafficking-related prosecutions. There was no state-run labor inspectorate. The government 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 2018, the government granted citizenship to 735 stateless persons permanently living in Turkmenistan. State Migration officials routinely prevented individuals from departing the country by stopping them at the Ashgabat airports; anecdotal evidence suggests thousands of people were prevented from exiting Turkmenistan in 2018. The government provided anti-trafficking trainings to its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts. It did not make efforts to reduce the demand for forced labor.

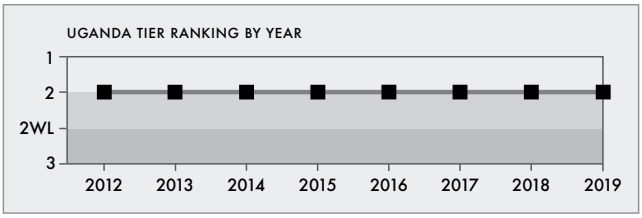
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic victims in Turkmenistan, and traffickers exploit victims from Turkmenistan abroad. 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, government officials required university students, employees at 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, such as dismissal, reduced work hours, or salary deductions. Authorities threatened farmers with loss of land if they did not meet government-imposed quotas. Unlike 2017, there were no reports that the government systemically mobilized children to participate in the harvest. In addition, the government compulsorily mobilized students, teachers, doctors, and other civil servants for public works projects, such as planting trees and cleaning streets and public spaces in advance of presidential visits. Public servants and students have also been forced to serve in support roles during government-sponsored events, such as the 2017 Asian Indoor and Martial Arts Games, 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, Russia, and India are the most frequent destinations of Turkmen victims, followed by other countries in the Middle

East, South and Central Asia, and Europe. The government routinely denies freedom of movement to citizens attempting to leave the country, which leaves Turkmen vulnerable to trafficking while attempting to leave Turkmenistan through unofficial channels. 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Uganda remained on Tier 2. These efforts included training more law enforcement officials and investigating and prosecuting more cases than in the previous year. The government approved and published the 2009 anti-trafficking act's implementing regulations and established a trafficking-specific desk in the Directorate of Public Prosecutions (DPP). The government also investigated and delicensed more fraudulent labor recruitment companies. However, the government did not meet the minimum standards in several key areas. The government identified fewer victims than in the previous reporting period and convicted fewer traffickers; half of convicted traffickers were not sentenced to any prison time. The government did not employ systematic procedures to refer or assist victims and did not allocate resources to NGOs that provide protective services. The government did not report investigating allegations of corruption that reportedly impeded government oversight of labor recruitment agencies. The government did not adequately address internal trafficking, including the forced begging and child sex trafficking of children from the Karamoja region.



PRIORITIZED RECOMMENDATIONS:

Develop a formal national mechanism to systematically identify and 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 embassy staff on assisting trafficking victims abroad, including victim identification, providing temporary shelter or identifying local NGO shelters for victim referral, and facilitating the repatriation of victims. • Fully implement the protection and prevention provisions of the 2009 anti-trafficking act. • Where feasible assign government labor attachés to embassies. • Further prioritize investigating and prosecuting traffickers who exploit children, especially from the Karamoja region, in forced begging and child sex trafficking in brothels. • Implement strong regulations and oversight of recruitment companies, and improve enforcement, including by continuing to prosecute those involved in fraudulent labor recruitment. • Increase bilateral negotiations with destination country governments on migrant worker rights, including on the release and repatriation of Ugandan migrant workers exploited by employers abroad, and on mutually enforceable standard contracts. • Implement and monitor the stipulations of the bilateral labor agreements already in place. • Proactively investigate and punish labor recruiters who fraudulently recruit Ugandans and eliminate recruitment fees. • Increase resources dedicated to anti-trafficking efforts. • Establish a unified system of documenting and collecting data on human trafficking cases. • Enact witness protection legislation and implement a systematic victim-witness support program. • Increase quality of trafficking investigations and improve coordination between law enforcement and prosecutors, including conducting prosecution-led investigations and systematic case referral to the DPP. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts; however, convictions decreased and insufficient funding for witness protection, investigations, and prosecutions continued to hinder efforts. The 2009 anti-trafficking act criminalized sex trafficking 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 kidnapping. 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.

In 2018, the government reported investigating 286 cases of suspected traffickers, prosecuting 63 cases under the anti-trafficking act and 34 for fraudulent recruitment, and convicting six traffickers under the 2009 anti-trafficking act and four for fraudulent recruitment. Of the six convictions under the anti-trafficking law, the courts sentenced two traffickers to two years' imprisonment, one to 14 months' imprisonment, two to community service, and one to a fine. For traffickers convicted for fraudulent recruitment, one received three years' imprisonment, one received one year, and two received warnings. The majority of convicted traffickers did not receive sentences considered adequate to deter. This compared to 145 cases investigated, 52 cases prosecuted, and 24 suspects convicted in 2017. The media reported that the government arrested eight suspected traffickers for transporting vulnerable children from the Karamoja region into Kampala, but the government did not report prosecuting any traffickers who exploit these children in forced begging and child sex trafficking in brothels in Kampala, allowing traffickers of these children to continue with impunity.

Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government reported investigating security officers at Malaba Border and Entebbe Airport as well as officials of the Civil Aviation Authority and Ground Handling Companies at Entebbe Airport for alleged involvement in trafficking crimes, but did not report further details on these cases. A Ugandan diplomat and his spouse were reported in 2015 to have committed labor trafficking and related offenses; the couple

has since departed the United States. The United States could not commence prosecution due to the diplomat's immunity, nor did the government report taking any action during the reporting period to hold the diplomat and his spouse accountable. The government did not report initiating investigations into media allegations from the previous reporting period that police officers were complicit in sex trafficking of child and female refugees. 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 and several NGOs alleged that some senior police officials in Kampala protected traffickers from arrest and prosecution. The government did not report progress on prosecution of a case from 2014 involving the Commissioner from the Ministry of Finance charged with child trafficking; reportedly, the suspect continued to intimidate witnesses and use other tactics to delay the trial.

During the reporting period, the government established a trafficking-specific desk in the DPP's office responsible for prosecuting trafficking crimes. The Ministry of Internal Affairs reported training 303 front-line officials on the anti-trafficking act and other laws related to illegal labor recruitment. The DPP's office reported that together with the Coordination Office to Combat Trafficking in Persons (COPTIP) and the Ministry of Internal Affairs (MIA), it participated in and led two training sessions, in partnership with NGOs, for the police, DPP, and Prisons and Immigration officials on investigating and prosecuting trafficking cases; the government trained at least 20 participants in each session. The government, in partnership with an NGO, helped facilitate a training for judicial officers on the anti-trafficking law. COPTIP reported that the training curriculum for both new and experienced police and immigration officers incorporated modules on human trafficking; however, the government did not report how many officials received the training during the reporting period. Additionally, the government provided training on victim identification to 25 South Sudanese immigration officials. 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. Law enforcement officials did not conduct prosecution-led investigations or coordinate with the DPP, frequently resulting in cases that could not be prosecuted or were dismissed by the court, because the investigations were incomplete 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, the courts dismissed several such cases. The DPP initiated information and evidence sharing with foreign officials from the Government of Malaysia for an ongoing prosecution in Uganda, but did not provide further details.

PROTECTION

The government maintained protection efforts, but did not adequately address internal child trafficking or provide adequate funding and training for victim assistance. The government reported identifying at least 214 victims in 2018, as compared with 276 in 2017. Of the 214 trafficking victims, 27 children and 149 adults were victims of forced labor, and 18 children and 15 adults were victims of sex trafficking. The government also identified five adults who were victims of both sex trafficking and forced labor. Of the identified victims, 182 were transnational and 32 were internal; most of the internal victims were children. 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 facilitating the repatriation of 90 victims while approximately 58 Ugandan victims remained in trafficking situations abroad; the government reported that the lack of a centralized national database made it difficult to continue to track victims that remained abroad. In comparison, in 2017, the government reported repatriating 148 trafficking victims; but this figure included intercepted victims as well. According to the government, authorities intercepted a total of 599 Ugandan travelers, 477 females and 122 males, attempting to depart to countries which officials assessed as high risk for trafficking or for which travelers were unable to adequately explain the purpose of their travel; this represented a significant increase from the 353 travelers at risk for trafficking intercepted in 2017. Of these, 141 were foreign victims, including 111 Burundian nationals. Oman, United Arab Emirates (UAE), and Kenya were the major destination countries for both victims and the travelers intercepted in Uganda.

The Minister of Justice approved and published the implementing regulations for the 2009 anti-trafficking act during the reporting period; however, the government did not report allocating funds for the implementation of the victim protection provisions in the regulations. The Immigration Department continued to provide trafficking guidelines to immigration officers and training on their implementation. The government remained however without a national formal mechanism used by all front-line officials to systematically identify and 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 a total of 214 trafficking victims during the reporting period. In 2018, an international organization reported separating four Ugandan children from armed groups in the Democratic Republic of Congo (DRC). 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 victims identified abroad. It generally provided replacement travel documents to facilitate the repatriation of its citizens, while NGOs provided funding for return travel; however, the lack of embassies in many destination countries hindered repatriation efforts. Additionally, some trafficking victims continued to allege the denial of travel documents at Ugandan embassies. Where embassies existed, they lacked the capacity to provide adequate assistance for Ugandan nationals abroad. However, the government reported securing a temporary shelter in the UAE and an emergency fund in Saudi Arabia for distressed Ugandan nationals, which was used by trafficking victims

prior to their repatriation. In response to the continued abuse of migrant worker's rights abroad, the Uganda Association of External Recruitment Agencies (UAERA), a private sector entity, continued to employ a Labor Liaison Office in Saudi Arabia during the reporting period; however, because the duties of a labor attaché are traditionally addressed by governments where victim identification and assistance is a priority, some civil society members expressed concern about possible conflicts of interest, since this organization represented private businesses. Many Ugandan trafficking victims travel to and depart from Kenya, where they face exploitation in trafficking. To address this issue, the government entered into an agreement with the Government of Kenya to share information on traffickers and facilitate repatriations of potential trafficking victims intercepted in Kenya instead of prosecuting them for migration violations. This agreement resulted in the repatriation of at least 63 potential trafficking victims during the reporting period.

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. The absence of victim-witness protection legislation and a protection program hindered some investigations and prosecutions because perpetrators would threaten and blackmail victims and witnesses to discourage their participation in trials. There was no formal policy to provide cooperating victims and witnesses with assistance, support, or safety in a systematic way. Generally, in High Court cases, victims and witnesses would be provided with transportation, physical protection, shelter, translation services, and legal counsel, but it was ad hoc and inconsistent, and some reports indicated that police would temporarily shelter cooperating victims in their homes. 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 report 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; but the practice had not yet been implemented. The law allowed victims to file civil suits against the government or their alleged traffickers for restitution, which two victims utilized during the reporting period. 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 from prior years 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. Previous reports claimed that police sometimes treated street children as criminals and arbitrarily arrested and detained them in detention facilities without screening for trafficking indicators; however, the government reported that officials now take the children to NGO-run shelters, but because these shelters were frequently full, this may still have occurred. During the reporting period, police in Kampala continued this practice by intermittently rounding up 283 street children, 184 girls and 99 boys, mostly from the Karamoja region, sent them to a children's shelter and then returned them to their families in the Napak, Masaka, Mpigi, and Kampala districts. Many NGOs reported that the government did not adequately address or prioritize internal trafficking of children from the Karamoja region, including the forced begging and child sex trafficking in brothels.

PREVENTION

The government increased prevention efforts. The National Task force, led by the MIA Permanent Secretary, with COPTIP serving as its secretariat, continued to coordinate anti-trafficking efforts. COPTIP reported receiving an increased budget allocation from the government; however, the budget remained insufficient and hindered the government's ability to conduct thorough investigations and provide protection to trafficking victims. The government did not have a national action plan to combat trafficking in persons. In 2018, the government continued its national awareness campaigns—composed of media outreach, social media, and public messaging. COPTIP published an article in the newspaper that discussed human trafficking and methods of prevention and the Ministry of Gender, Labor, and Social Development (MGLSD) published three separate newspaper articles to educate potential migrant workers on ways to seek employment abroad safely. The MGLSD also held a labor export symposium and encouraged Ugandans to avoid unregistered labor recruitment companies. The government reported holding many sensitization meetings with various local leaders at refugee camps, transport service providers, hotel operators, and airport staff. The government did not operate an anti-trafficking hotline during the reporting period.

The government lifted the 2016 ban on Ugandans traveling abroad in May 2017, with the exception of Oman, due to ongoing reports of abuse and trafficking. The Ministry of Gender encouraged Ugandan workers to seek employment only in countries with which it has bilateral labor agreements, which includes only Saudi Arabia and Jordan, with which the government signed agreements in 2015 and 2016 respectively. However, the government had still not established the Joint Implementation Committees needed to implement many of the stipulations and migrant protections within these bilateral agreements. The government did not sign any additional bilateral labor agreements with destination countries, continuing to leave migrant workers vulnerable to trafficking in those countries. In 2018, the government launched the External Employment Management System (EEMS), 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. By January 2019, EEMS included postings from 106 licensed recruitment companies, but crashed later that month reportedly due to a system hacking. The government had access to a Saudi online data system used for visa processing.

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 and, as a result, reported investigating 234 individuals and companies for trafficking-related and illegal recruitment offenses and prosecuting 76 individuals, but did not report how many were convicted or their sentences. This was particularly relevant as the government reported that unlicensed labor recruitment companies were responsible for trafficking more than 90 percent of the registered victims; though licensed labor recruitment companies were reportedly involved at times. Of the licensed companies, the MGLSD canceled the licenses for three companies and suspended seven for failing to comply with regulations. The 2005 Employment Regulations, required labor recruitment companies to register and undergo a thorough vetting process. The 2005 regulations required registered companies 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. However, some NGOs reported that employers would sometimes require migrant workers to sign a second contract upon arrival in the destination country; this contract would usually have different, less favorable terms than the contract signed in Uganda. The MGLSD contracted private companies to conduct mandatory pre-departure training for domestic workers who were traveling to the Middle East and utilizing registered labor recruitment companies. The weeklong residential trainings, paid for by the recruitment company and usually taken by 60-70 women each week, included training on domestic work, contract appreciation, understanding of the bilateral agreements, how to contact help, and the rights of the worker. As part of the government's public awareness campaign, it published a list of the 106 licensed labor recruitment companies on several ministry webpages and urged the public to seek work only through those agencies. In an effort to protect migrant workers, the government worked with labor recruitment agencies to ensure the relevant Ugandan embassies were aware of their citizens working in those countries. Corruption reportedly inhibited oversight of labor recruitment firms, however, as did insufficient staffing and funding, and loopholes in the law. 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 provided anti-trafficking training to some of its diplomatic personnel and provided guidance in the form of handbooks to the rest. The government provided anti-trafficking training to Uganda's troops prior to their deployment abroad as part of international peacekeeping missions. The government did not make discernible efforts to reduce the demand for commercial sex acts, sex tourism, or forced labor. Uganda is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Uganda, and traffickers exploit victims from Uganda abroad. 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, gold mining, 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 and NGO reported that most internal trafficking victims are Ugandans, many of whom are Karamojong children whom traffickers exploit in forced begging and child sex trafficking in brothels. Reportedly, traffickers, called "elders," force the children to beg on the streets and exploit the girls in child sex trafficking via prostitution around age 12; the children are forced to relinquish all proceeds and if the child does not earn his or her quota each day, he or she may be beaten or starved. The "elders" are a well-organized network of traffickers and NGOs have alleged complicit officials are involved. An NGO alleged that traffickers recruited children from Napak district, northeastern Uganda, and then sold them as domestic workers for 20,000 Ugandan shillings ($5.40). Media reported that some parents will sell their children to middlemen who will then resell the children for approximately 30,000 Ugandan shillings ($8.10). In 2018, an international organization reported separating four Ugandan children from armed groups in the DRC. Authorities subjected some prisoners in pre-trial detention to forced labor.

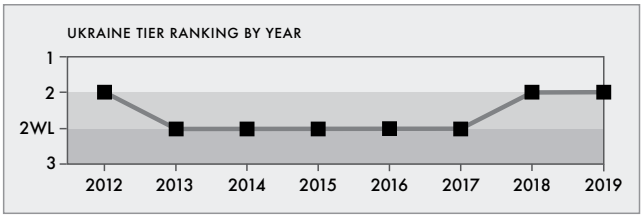
Traffickers subject some children from the DRC, Rwanda, Burundi, Kenya, Tanzania, and South Sudan to forced agricultural labor and sex trafficking in Uganda. In 2017, individuals from Rwanda and Somalia, including a Somali refugee from Nakivale Refugee Settlement, were victims of internal trafficking. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking. In 2018, there were several media reports of alleged complicity of police officers in the sex trafficking of child and female refugees.

Young women remained the most vulnerable to transnational trafficking, usually seeking employment as domestic workers in the Middle East; at times traffickers fraudulently recruited Ugandan women for employment and then exploited them in sex trafficking through forced prostitution. Traffickers subject Ugandan migrant workers to forced labor and sex trafficking in the UAE, Saudi Arabia, Oman, Qatar, Kuwait, Iraq, Iran, Egypt, Turkey, Algeria, Malaysia, Thailand, Bahrain, and China. In 2018, the media and government officials alleged Ugandan girls were being sold in a "slave market" in the UAE. Extremely high recruitment fees sometimes led to situations of debt bondage. Despite the government's lifting the ban on Ugandans' travel abroad, except to Oman, some licensed and unlicensed agencies circumvented safeguard mechanisms established by the government by sending Ugandans through Kenya and Tanzania. Official complicity may have hindered government oversight of labor recruitment agencies. COPTIP 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, frequently from rural areas, well-paid jobs abroad or in Uganda's metropolitan areas. Reportedly, pastors, imams, and local leaders at churches and mosques in Uganda 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ukraine remained on Tier 2. The government demonstrated increasing efforts by amending its anti-trafficking law, significantly increasing funds available for the implementation of the national action plan, investigating more cases of forced labor, certifying more victims, and increasing training for 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.



PRIORITIZED RECOMMENDATIONS:

Punish convicted traffickers with proportionate and dissuasive prison 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. • Identify and certify the status of 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 investigations of recruitment firms engaged in fraudulent practices. • 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. • Undertake a systemic effort to implement victim-witness protection measures and take active measures to prevent 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.

PROSECUTION

The government maintained law enforcement efforts. Authorities amended Article 149 of the criminal code in September 2018 to broaden the definition of trafficking to bring it closer to the definition contained in the Council of Europe trafficking convention. The law criminalized sex trafficking 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 275 trafficking offenses in 2018, compared with 346 in 2017. These included 151 instances of sex trafficking, 54 for labor trafficking, 68 for forced involvement in criminal activity, and two for forced begging. Authorities reported investigations and arrests of multiple organized crime groups facilitating forced labor and sexual exploitation in Ukraine and abroad. Authorities initiated prosecutions of 68 cases in court in 2018, compared with 66 cases in 2017. Fifty-five cases from 2017 remained ongoing. Law enforcement referred 185 notices of suspicion, a necessary precursor to a court trial, involving 133 suspects in 2018, compared with 149 cases involving 111 suspects in 2017. Prosecutors pursued 148 of these referrals in court, compared with 124 in 2017. The government reached final judgment on 25 cases and convicted 15 traffickers in 2018 under Article 149, a decrease from 23 traffickers in 2017 and the lowest in seven years. Of the 15 convicted traffickers sentenced in 2018, only five (33 percent) received prison sentences, which ranged from two to 10 years, the government confiscated assets from one defendant, two were sentenced under multiple articles; while the remaining convicted traffickers received suspended sentences or were freed from serving their sentences under leniency provisions. Appellate courts removed or reduced three sentences on appeal and in two other cases changed lower court rulings to harsher sentences, including substituting imprisonment for a suspended sentence and imposition of confiscation of assets in both cases. Authorities collaborated with foreign governments on 33 transnational investigations and extraditions, including Russia, Moldova, Germany, and other European and Asian countries.

Institutional reforms over the past four years led to widespread turnover in many government institutions, notably within the ranks of the national police and the judiciary. The process of court reorganization changed some court jurisdictions, which risked the lengthening of the judicial process for some cases if they were reassigned to new panels. In 2018, training on trafficking case processes was made compulsory at the National School of Judges. The recertification and restructuring of police units continued and included mandatory training and testing on trafficking, with assistance from an international organization, and reduced the number of officers suspected of corruption. Despite overall improvements, challenges resulting from structural reforms and personnel changes hampered efforts at the local level. The government, in conjunction with international funding and partners, continued training for judges, prosecutors, law enforcement, and other officials. The government reported investigating 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, recruiters for trafficking Ukrainians into a drug-trafficking ring in Russia, 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. Draft legislation introduced in 2017 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 remained pending in Parliament. The police identified 275 victims in 2018 (349 in 2017). 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. An international organization in Ukraine assisted 1,265 victims, compared with 1,256 in 2017. International organizations reported the majority of their identified victims were subjected to labor trafficking; the government reported identifying approximately equal numbers of victims subjected to labor and sex trafficking. Authorities approved 214 of 266 applications requesting official victim status, compared with 195 of 273 in 2017 and 110 of 124 in 2016. In 2017, the government simplified the application process for potential victims incarcerated abroad, including waiving the in-person interview requirement; the government granted official victim status to 28 individuals incarcerated in Russia in 2018. Authorities did not approve 52 applications reportedly due to police not qualifying the crime as trafficking or the victim submitting incomplete applications. Victims not requiring specialized services may have chosen not to pursue

official victim status, although NGOs reported the emphasis on documents deterred some labor victims and members of the Romani community from applying. The government maintained efforts on proactive victim identification and cooperated with NGOs on victim identification through 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; however, NGOs reported the strengthening of local self-governance expanded local decision-making powers and secured more solid financing.

The government allocated 548,000 hryvnia ($19,780) to the national budget for anti-trafficking measures in 2018, compared to disbursements of 98,800 hryvnia ($3,570) to the national budget and 219,220 hryvnia ($7,910) to local budgets for anti-trafficking measures in 2017. The government did not report any funding disbursements to local budgets in 2018. The government provided financial assistance to each officially recognized victim in amounts 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. 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 maintained 21 centers for socio-psychological assistance, as well as 692 social services centers. The government created a new social service center offering psychological services in Transcarpathia and continued to cooperate with local administrations and NGOs to provide victims aid in centers for socially vulnerable populations, which facilitated the creation of a 35-bed shelter for vulnerable females, including victims of trafficking, in Poltava. Observers reported the provision of assistance was problematic due to funding shortfalls and high turnover of trained staff. The government, often in cooperation with international organizations, provided training for officials on victim identification and assistance. The government reported it assisted the repatriation of two Ukrainian victims from Azerbaijan and China.

Victims commonly suffered threats and intimidation throughout the legal process. NGOs reported the release of alleged traffickers on bail increased the risk to victims; in some cases, alleged traffickers lived in the same community as their victims. However, the government did not report whether it provided any victims with witness protection or protective measures inside courtrooms. NGOs reported the government often did not provide legal assistance or other support to victims during criminal cases. The government did not report cases of courts ordering restitution payments for victims in 2018.

Officials reported screening illegal migrants for indicators of trafficking, but did not identify any foreign victims in 2018; international organizations reported identifying three victims—two from Moldova and one from Belarus. Foreign victims were entitled to the same benefits as Ukrainian citizens and had additional access to interpretation services, temporary legal stay, and voluntary repatriation. Legislation that would allow foreign victims to remain in Ukraine for extended periods and work legally 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.

PREVENTION

The government maintained prevention efforts. Authorities, in coordination with NGOs, international organizations, and local partners, such as the Ukrainian scouting organization, continued to conduct a wide range of awareness campaigns throughout the country, including television programs, street advertising, public events, and community policing. The Ministry for Social Policy (MSP) continued to coordinate anti-trafficking efforts at the national and local levels, but was limited by ongoing restructuring and staffing gaps. An international organization recommended the establishment of a dedicated, independent counter-trafficking coordinator with support staff. In August 2018, the Cabinet of Ministers ordered the implementation of the July 2017 Strategy of State Migration Policy with the goal of raising awareness of rights while working abroad. A Counter Trafficking and Migrant Advice Hotline was operated by a local NGO and funded by international donors. In 2018, the hotline received 20,425 calls; 115 potential victims were identified and referred to responsible local agencies and NGOs for assistance.

Police continued to monitor and investigate 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 maintained a moratorium on labor inspections through December 2018 but allowed inspections when credible information of trafficking existed; however, observers reported the number of inspectors, inspections, and resources dedicated to overseeing labor laws remained inadequate, and a lack of training hampered inspectors' ability to identify victims. The government did not demonstrate efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human trafficking of domestic and foreign victims occurs in Ukraine, and human trafficking of victims from Ukraine takes place abroad. 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. Persons from the Romani community are vulnerable to trafficking, due in part to lack of access to state social assistance programs. A small number of foreign nationals are subjected to forced labor in Ukraine. Trafficking victims in Ukraine are exploited in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging. The number of foreign victims in Ukraine has fallen dramatically since the beginning of hostilities in eastern Ukraine. Although the economy is recovering from the 2014 economic crisis, low-skilled laborers remain vulnerable to labor exploitation. Smuggled migrants transiting Ukraine are vulnerable to trafficking. The approximately 104,000 children institutionalized in state-run orphanages are especially vulnerable to trafficking. Officials of

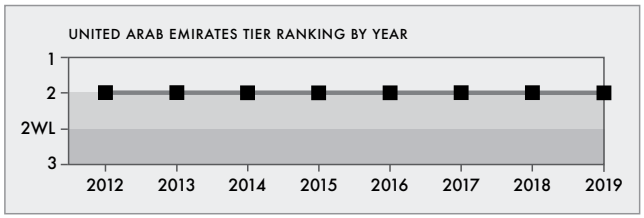
several state-run residential institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care.

Fueled by Russian aggression, the conflict in eastern Ukraine has displaced nearly two million people, and this population is especially vulnerable to exploitation throughout the country. In areas controlled by Russia-led forces, employment options are limited and Russia's proxy "authorities" place restrictions on international humanitarian aid that is intended to 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. International organizations 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.

Uncorroborated reports of Russia-led forces using children as soldiers, informants, and human shields continued, but the number of such reports has decreased since the early years of the conflict. In 2017, a civil society organization 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 their 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. Children ages 15 to 17 are actively recruited to participate in militarized youth groups, including the Russian Defense Ministry's "Youth Army," that taught children to carry and use weapons. 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore the UAE remained on Tier 2. These efforts included significantly increasing the number of trafficking prosecutions, convictions, victims identified, and victims referred for protective services. However, the government did not meet the minimum standards in several key areas. Emirati labor law and some sponsorship reforms, including the ability to change employers or positions without sponsor objection, did not apply to domestic or private sector workers, and government law enforcement and victim protection efforts for labor trafficking remained weak. The government did not finalize implementing regulations for and strengthen enforcement of the domestic worker law that expands legal protections for domestic workers. It did not pursue criminal investigations against officials purportedly complicit in trafficking crimes despite allegations of such throughout the reporting period.



PRIORITIZED RECOMMENDATIONS:

Increase the number of trafficking investigations, especially by investigating potential forced labor crimes indicators such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Strictly enforce prohibitions on withholding workers' passports. • Increase efforts to investigate, prosecute, and punish trafficking offenses, especially labor trafficking involving adults, inclusive of domestic workers, under the anti-trafficking law. • Pursue criminal investigations against officials allegedly complicit in trafficking crimes. • Finalize and execute implementing regulations for and strengthen enforcement of the domestic worker law that expands legal protections for domestic workers. • Provide protection services to all trafficking victims, including by increasing services available for forced labor victims and trainings for shelter staff on how to identify and care for such victims. • Expand reforms to the sponsorship-based employment system, including Wage Protection System coverage to all employees, specifically domestic workers. • Regularly employ standard procedures for victim identification among foreign workers subjected to forced labor and those applying for amnesty, particularly domestic workers who have fled their employers, to ensure victims are not wrongfully penalized.

PROSECUTION

The government increased overall anti-trafficking law enforcement efforts, but efforts to address forced labor remained weak. Federal Law 51 of 2006 and its amendments in Federal Law No.1 of 2015 criminalized sex trafficking and labor trafficking and prescribed penalties ranging from five years to life in prison, as well as fines ranging from 100,000 to one million UAE 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. Federal Law No.10 of 2017 provided additional protections for domestic workers, as well regulations for recruitment agencies and employers of such workers, including those pertaining to hiring practices, working conditions, and employment contracts. Federal Law No. 10 protected workers' rights to retain their own identity documents, but did not stipulate penalties for employers who confiscated workers' passports.

As in years past, the government did not report statistics on investigations of suspected trafficking cases. According to data provided by the National Committee to Combat Human Trafficking (NCCHT), in 2018 the government engaged in legal proceedings against 77 alleged traffickers in 30 cases, of which 13 cases involving 34 traffickers remained under trial at the end of 2018. In comparison, it prosecuted 48 alleged traffickers in 16 cases during the previous reporting period. One case involved forced labor, and officials prosecuted it under the anti-trafficking law. Per the NCCHT 2018 Annual Report, the government convicted 35 defendants under trafficking laws during 2018, a marked increase from seven and nine it convicted in 2017 and 2016, respectively, and sentences ranged from one

year imprisonment plus a fine to life in prison. According to the NCCHT, officials acquitted six alleged traffickers on trafficking charges and deported two accused traffickers after stays of case proceedings in 2018.

The government rarely investigated as possible trafficking crimes violations of Emirati labor laws that exhibited trafficking indicators, such as passport confiscation, delayed or nonpayment of wages, and contract switching; the government treated these cases most often exclusively as regulatory violations through administrative fines or the cancellation of business licenses in lieu of criminal proceedings. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking crimes during the reporting year.

In March 2019, the Dubai Police partnered with Dubai's Judicial Institute, the NCCHT, and an international organization to host its fifth five-month diploma course on anti-trafficking measures attended by 34 government officials. Government authorities continued to train police, judges, prison officials, and immigration authorities on identifying trafficking victims. The law enforcement and judicial sectors continued to dedicate official training sections for how to manage human trafficking cases. Abu Dhabi's prosecutorial division trained 65 officials on how to identify trafficking victims, including 38 judges who were in the process of adjudicating labor grievance cases.

PROTECTION

The government maintained its efforts to protect trafficking victims. Protection efforts continued to focus almost exclusively on victims of sex trafficking, as efforts to identify and provide care for victims of forced labor remained weak. During 2018, the government identified 51 victims and referred them to protective services, compared to 25 the previous year. A shelter for male victims, located in Abu Dhabi, housed 15 Pakistani men in 2017 who had been forced to beg; in 2018, the government assisted in their repatriation and provided to each a monetary stipend to start small businesses in Pakistan. While the government had standard procedures for victim identification among foreign workers, officials did not regularly employ these procedures and continued to rely predominantly on third-party referrals to identify victims, including from foreign embassies, religious institutions, or tips received through government hotlines, smartphone applications, and the internet. Authorities continued to implement a formal referral process to transfer 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 detention center to a shelter; however, reports persisted that some victims were unwilling to approach law enforcement officials due to fear of being sent to prison for immigration or other violations rather than being accepted into a shelter. The Dubai Foundation for Women and Children reported prosecutors referred eight trafficking victims to its shelter in 2018. In August 2018, the government donated $100,000 to an international body's trust fund for trafficking victims globally. The government paid via its victims support fund roughly 100,000 AED ($27,230) for protective services for trafficking victims, which was on par with the previous year's allocation of 99,000 AED ($26,950). The government also maintained oversight and funding for shelters in three of the seven emirates (Abu Dhabi, Ras Al Khaimah, and Sharjah), 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. Some foreign workers, including potential trafficking victims, sought shelter assistance at their respective embassies and consulates, and other consulates used foster families of the same nationality to host victims until their cases were resolved, in part due to limited resources for victims of forced labor. 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.

Independent observers alleged some potential victims were reportedly jailed for prostitution or absconding from their employers. Because the government did not routinely use victim identification procedures or screen for potential trafficking crimes among vulnerable populations, it likely prosecuted some unidentified victims during the year. The government reported it exempted from fines forced labor victims who had overstayed their visas or sex trafficking victims. From August to December 2018, the government implemented its third-ever visa amnesty period, which was well-received by expatriate communities. Migrant laborers who overstayed their visas or entered the country illegally were allowed to either apply for an exit pass (220 AED [$60]) to voluntarily depart the UAE without immigration fines, or apply for a six-month temporary visa (500 AED [$136]) and adjust their irregular status by obtaining a work visa under a new sponsor. The government did not report how many individuals took advantage of this amnesty program or whether it utilized screening mechanisms to identify potential trafficking victims. The government did not provide permanent or formal temporary residency status to victims; however, it permitted victims to stay in shelters 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. It reported funding repatriation for some victims but did not report a total number repatriated during the reporting period. Shelter staff noted they assisted an unknown number of trafficking victims in finding new employment or sponsors on an ad-hoc basis. 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 rather than remaining in country to testify against alleged traffickers. Laborers were entitled to freely seek new employment in the country after 60 days of wage non-payment by their existing employer by going through the Ministry of Interior to adjudicate the process.

PREVENTION

The government continued efforts to prevent trafficking. Overall, the NCCHT reported in 2018 it spearheaded and funded various anti-trafficking awareness campaigns that reached approximately 217,269 laborers, 23,400 members of the general public, 1,371 government employees, 80 students, and 20 foreign diplomats. The government continued to carry out its national action plan to address trafficking, driven chiefly by the NCCHT. The plan focused on prevention, protection, prosecution, punishment, promotion of international cooperation, redress, rehabilitation, reintegration, and capacity building. Government shelter staff maintained its partnership 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 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 other government representatives commenced the fifth phase of its five-year anti-trafficking awareness plan to coincide with the UN World Day against Trafficking in Persons. This campaign focused on educating employees at two malls, various beauty salons, and other retail stores by the distribution of thousands of leaflets. The campaign also reached 53 domestic worker recruitment offices in Dubai and the staff of these offices in the respective source countries—Indonesia, the Philippines, Bangladesh, and Ethiopia. Furthermore, officials sponsored 10 lectures on the prevention of trafficking and leveraged popular social media platforms and multilingual radio broadcasts to spread awareness. The Dubai and Abu Dhabi police forces tandemly facilitated numerous workshops and training courses during the reporting period, reaching an unknown number of personnel. Additionally, the Dubai police organized and hosted a read-in training day, which aimed to promulgate knowledge on how to combat trafficking and treat victims; this event reached affiliates from various entities including police, human rights associations, housing and shelter institutions, and other relevant government agencies. In 2018, 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. During the year, the public prosecutor's office used social media platforms to disseminate information regarding definitional elements of trafficking. The government funded and ran a 24-hour hotline for reporting cases of trafficking, which operated in Arabic, English, Russian, and Urdu. Calls were categorized and automatically alerted police in suspected trafficking cases. In Dubai, authorities ran a separate line, and UAE-wide there remained a 24-hour toll-free number for migrant laborers to vocalize workplace complaints or general inquiries. The government did not report how many trafficking or trafficking-related calls any hotline received during the reporting year.

The treatment of domestic workers, primarily maids and nannies, remained a significant concern during the reporting period. Reports suggested passport withholding, unpaid overtime, lack of time off, and failure to pay agreed-upon wages continued to be prevalent practices among employers. The government did not fully implement Federal Law No.10 of 2017 to improve the work conditions and welfare of domestic employees, particularly as it pertained to regulatory enforcement of in-home inspections and workplace grievance resolution. In addition, sociocultural and legal barriers against government interference with private households continued to hamper monitoring and enforcement efforts of its domestic worker law. This law 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, implementing regulations remained under development for the second consecutive year.

The Ministry of Human Resources and Emiratization (MOHRE) primarily oversaw, regulated, and enforced labor-related complaints. Efforts by the MOHRE to combat forced labor practices across the UAE included an extensive labor inspection program including routine and unannounced inspections of housing and work sites by a team of full-time labor inspectors, in addition to seven dedicated anti-trafficking inspectors. Authorities usually dealt with labor law violations administratively and did not report investigating such cases for trafficking indicators or referring any for criminal prosecution. The government continued its monitoring and inspection program for private sector laborers, including through the Wage Protection System (WPS), which electronically monitored salary payments via vetted banks, currency exchanges, and financial institutions for all onshore companies employing more than 100 workers (95 percent of the private sector workforce). The WPS automatically flagged delayed salary payments of more than 60 days, or payments that were less than contractually agreed upon, and after a designated period, authorities administered fines and other enforcement actions, including criminal proceedings, after an unknown number of labor-related inspections. However, a local news investigation estimated that almost 50 percent of all small private construction and transport companies circumvented the WPS to pay workers only 60 percent of their contractual salaries. Media and diplomatic sources reported some companies retained workers' bank cards or accompanied workers to withdraw cash, coercively shortchanging the employees even though the WPS showed the proper amount paid. Such cases were difficult to prove in labor courts, given the WPS documented accurate payments via designated bank accounts. The government did not report the number of complaints of unpaid wages it investigated as a result of its dispute resolution process or the WPS, which were intended to ensure workers were paid according to their contracts, and if employers were punished with administrative and financial penalties for compliance failure; it also did not report investigating such cases for trafficking indicators or referring any for criminal prosecution. 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, suspended permits to hire new workers, or the cancellation of business licenses, though the official number of these punishments was unknown. 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. Officials continued to employ its public-private partnership recruitment centers for domestic workers, known as "Tadbeer Centers," which held 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. Each center was equipped with a room solely for grievance mediation, with a video connection to MOHRE for official oversight. In practice, however, these centers were inhibited since they were not permitted to enter or inspect private homes. The government had in place MOUs with Thailand, Armenia, Australia, Azerbaijan, Indonesia, and India. The government did not enforce a prohibition on employers withholding workers' passports, which remained a pervasive problem. The government did not take measures to reduce the demand for commercial sex in the UAE. The Ministry of Foreign Affairs maintained provision of workshops and awareness programs on human trafficking for its diplomatic personnel.

TRAFFICKING PROFILE

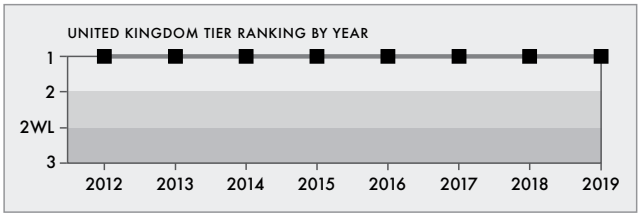
As reported over the past five years, human traffickers exploit foreign victims in the UAE. Foreign workers comprise nearly 90 percent of the UAE's population and are recruited globally. Lower wage labor, including most manual labor and a significant portion of the service sector, are occupied almost 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 exploited in practices indicative of forced labor, such as passport retention, non-payment of wages and unpaid overtime, restrictions on movement, contract switching, fraudulent employment promises, substandard food and housing provisions, or a failure to meet other contractual agreements. Women and men 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 traffickers subject some of them to forced labor or sex trafficking after arrival. Traffickers subject some women, predominantly from Central Asia, South and Southeast Asia, East Africa, Eastern Europe, Iraq, Iran, and Morocco, to sex trafficking in the UAE. Per media sources, many cases of child sex trafficking involve traffickers forging ages on passports to facilitate undetected entry into the UAE. Sponsorship laws increase vulnerability to trafficking, particularly for domestic employees, by restricting the ability of employees to leave or change employers, and giving employers unilateral power to cancel residence permits, deny employees permission to leave the country, and threaten employees with abuse of legal processes.

Although illegal under UAE law, many source-country labor recruiters charge workers exorbitant fees in their home countries, causing workers to commence employment in the UAE owing debts in their respective countries of origin, increasing vulnerability to trafficking through debt-based coercion. Despite new laws to prevent the practice, reports of employers engaging in contract-swapping persisted, which leads to less desirable and lower paying jobs for laborers post-arrival in the UAE. Traffickers often recruit victims from the large foreign population already in the country; they may deceive or compel a migrant worker in the UAE, willingly on a tourist or work visa, into forced labor or sex trafficking. Additionally, some laborers enter the UAE on tourist visas, and start working for an employer who subsequently opts to not change the tourist visa to a work one in order to grant legal residency, which remains a common method of exploitation. According to UAE shelter staff, migrant workers will sometimes start with one employer and for various reasons, including abuse or exploitation, will follow alternate employment opportunities that ultimately prove fictitious.

An international organization alleged the government, a member of a multi-nation coalition that commenced military operations against Houthi rebel forces in Yemen in 2015, provided training and coordinated operations with the Security Belt Forces, Hadhrami Elite Forces, and Shabwani Elite Forces—proxy militias fighting Houthi forces and terrorists in Yemen that allegedly recruited and used children as soldiers. Media reported officers associated with Sudan's Rapid Support Force took bribes from families to permit minors to serve as combatants in Yemen during the reporting year. Emirati officers allegedly trained and commanded some Sudanese combatants.

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. These efforts included increasing funding for anti-trafficking efforts; identifying significantly more potential victims; training more first-responders in identifying potential victims; increasing trafficking investigations and prosecutions; and commissioning a parliamentary review and evaluation of the effectiveness of the Modern Slavery Act of 2015 (MSA) with input from NGOs. Although the government meets the minimum standards, protection services for child victims needed increased attention and resources. The government did not compile comprehensive data on sentences imposed on convicted traffickers. Some victims were cautious about entering the national referral system due to delays in review of their status leading to inconsistent availability of longer-term care.



PRIORITIZED RECOMMENDATIONS:

Expand nationwide the Independent Child Trafficking Advocate program and train more social workers and care providers to better safeguard child victims. • Implement reforms to the National Referral Mechanism (NRM), including timely determination of victim status, to encourage more victims to come forward. • Establish a database on investigations, prosecutions, convictions, and including prison sentence data across the UK, categorized by type of trafficking. • Provide sufficient resources for expeditious processing of trafficking investigations and prosecutions. • Consider implementing the period of victim support from 45 to 90 days across all UK jurisdictions. • Provide a trafficking-specific long-term alternative for foreign victims at risk if returned to their home country. • Ensure the statutory definition of trafficking under the MSA and similar provisions in Northern Ireland do not require movement of the victim as an element of the crime.

PROSECUTION

The government increased prosecution efforts. The MSA, applicable to England and Wales, and similar statutes in Scotland and Northern Ireland, criminalized sex trafficking 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. Inconsistent with international law, the laws in England, Wales, and Northern Ireland required the element of movement of a victim in the definition of "trafficking." However, these jurisdictions criminalized "slavery and servitude, and forced or compulsory labour" in other provisions of their law, which could be utilized to prosecute trafficking offenses that did not involve victim movement. Scotland, by contrast, did not require victim movement in the definition of trafficking.

As of November, the government reported 1,124 police trafficking investigations in England and Wales underway, involving over 2,200 potential victims. The Crown Prosecution Service (CPS), which handled cases in England and Wales, prosecuted 294 defendants on trafficking charges with 191 convictions in 2018, an increase from 265 prosecutions and 180 convictions in 2017. For 2018, authorities in Northern Ireland reported five investigations and two convictions, the first convictions under the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. In addition to prison sentences of four years and three years respectively, the court imposed Slavery and Trafficking Prevention Orders (STPOs) of 10 years and seven years respectively, restricting certain contacts and travel following release. For 2017, Scotland reported two convictions, although the Scottish government did not have data available for 2018.

CPS data did not differentiate between sex and labor trafficking, nor did the government provide data on the range of sentencing of convicted traffickers or percentage of convicted traffickers serving prison time. Notable sentences during the reporting year included a UK citizen sentenced to 18 years in prison for trafficking five Nigerian women in Germany, the first conviction under extraterritorial jurisdiction provisions in the MSA; a perpetrator of cyber-sex trafficking of minors sentenced to 32 years in prison; and a Romanian national sentenced to a 20-year prison term for sex trafficking.

The government provided a wide variety of anti-trafficking training to law enforcement officers, prosecutors, and justice officials at multiple levels and required new police recruits and detectives to complete training modules on trafficking. The national-level College of Policing continued offering 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 CPS had 14 Complex Case Units in jurisdictions across England and Wales that provided initial specialized advice in investigations and prosecutions wherever human trafficking offenses had been committed. During 2018, the CPS conducted mandatory training for all prosecutors on prosecuting trafficking. Police forces in England and Wales used Anti-Slavery Commissioner guidelines and manuals in their training.

The National Crime Agency (NCA) heads EURPOL's EU Policy Cycle (EMPACT) Trafficking in Human Beings Group, and in 2018, coordinated law enforcement specialists from 22 countries to conduct operations focusing on labor exploitation and child trafficking, leading to 282 arrests across the EU. The Gangmasters and Labour Abuse Authority (GLAA) conducted over 100 operations against labor exploitation and trafficking in 2017-2018, with more than 80 operations in non-agricultural sectors. The GLAA made over 100 arrests on labor charges, including for labor trafficking, which resulted in six convictions in 2018, with additional prosecutions pending. Northern Ireland and Scottish authorities collaborated with Romanian police to investigate organized crime groups responsible for sex trafficking of women across Europe.

PROTECTION

The government increased protection efforts. Through the NRM, authorities referred 6,993 potential trafficking victims for care nationwide in 2018, a 36 percent increase from 5,142 in 2017. Potential victims came from 130 nationalities. The number of identified victims who were UK citizens doubled in the past year (to 1,625 in 2018), in part due to increased awareness among the public and authorities about "County Lines" gang recruitment of children as couriers of drugs across the country. Potential victims who were exploited as minors increased by 48 percent to 3,137, compared to 2,118 in 2017. The Home Office attributed the increase to increased visibility of the NRM, intensified training among professionals and first responders to spot trafficking indicators, and increased public awareness of child trafficking. The MSA also included a "duty to notify" requiring government agencies to report potential victims encountered to authorities via the NRM, and also in cases where a potential adult victim declines consent to notification. Police who refer a potential victim must record a potential crime. All Border Force (BF) officers received training on trafficking indicators and identified more than 1,100 potential victims, compared to 500 in 2017. The BF also established protocols for airline crew to immediately notify BF through the trafficking hotline when they suspect a passenger is a victim of trafficking.

The NRM was the framework for identifying and providing care and support for victims. A first responder, such as police, BF, local authorities, and specified NGOs typically generated referrals. The Home Office instituted a single case management unit in the Home Office to handle all NRM referrals to increase administrative efficiency, improve comprehensive attention to victims, and consolidate the work of units in the NCA and UK Visas and Immigration. Upon receipt of a referral, that unit conducted a preliminary review for "reasonable grounds" of trafficking. If found, the next step was review for final determination of "conclusive grounds." A "reasonable grounds" decision triggered provision of victim support and protection measures, whereby the victim started a minimum 45-day reflection period with access to services such as accommodation, health care, and counseling, and also decided whether to assist in the investigation and prosecution of the perpetrator. At the end of the reflection period, a victim had 45 additional days of transitional support. The MSA required a final determination of victim status within 45 days in England and Wales, although in many cases the government extended this deadline. Scotland's law provided a 90-day timeframe, and Northern Ireland remained at a single 45-day period. First responders assisted potential victims in reaching a "place of safety" immediately through an NGO. The Home Office maintained a detailed database online with disaggregated information, including source of referral, nationality, jurisdiction, handling the referral, type of trafficking, and disposition of review. While acknowledging improvements, NGOs continued to warn of victims being re-trafficked while waiting for final determination of victim status. NGOs cited over 2,000 potential victims had waited more than one year for their determination of status.

The government provided £20 million ($25.61 million) under a three-year NGO contract for 2015-2018 to coordinate the provision of care for adult victims in England and Wales under the NRM, and extended the contract through 2020. The Scottish government provided £1 million ($1.28 million) total to the two NGOs providing victim protection and support, an increase from £800,000 ($1.02 million) in 2017. While government funding of NGOs in Scotland tripled between 2014 and 2017, adequate funding remained a challenge in the face of rapidly growing numbers of identified victims. The National Crime Agency continued its "Vulnerable Persons Team," which granted assistance to avoid re-victimization after completion of an investigation. Similarly, the Wales Anti-Slavery Leadership Group's "Survivor Care Pathway" provided a long-term post-NRM individualized plan for survivors. 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 continued to hire and train survivors in partnership with an NGO, a model the government promoted for expansion.

Survivors who returned voluntarily to their country of origin were eligible upon departure for up to £2,000 ($2,560) support toward reintegration. Foreign victims who assisted with investigations were eligible for residency up to one year, and depending on personal circumstances, including where needed for assistance in investigations or court cases, increased to a total of 30 months. Although authorities otherwise typically deported foreign victims after leaving the period of support under the NRM. As a result, some foreign victims were reluctant to seek assistance or opted to petition for asylum instead of entry into the NRM, given the potential for longer residency in the UK.

Children received care through children's services offices in local jurisdictions. The MSA also provided for the appointment of Independent Child Trafficking Advocates (ICTA) as an additional source of support and advocacy for trafficked children. The government provided £2 million ($2.56 million) to expand the ICTA service to one-third of all local authorities, as the next step to full rollout across England and Wales. Local authorities highlighted concerns over the high number of children who either left or were missing from care or foster homes and were especially vulnerable to trafficking by gangs. NGOs estimated up to two-thirds of all child victims go missing within 72 hours of placement for care and up to 20 percent remain missing. The MSA review committee recommended implementation of the ICTA system nationally, along with sufficient duration for providing services to child victims, in addition to requiring police to track cases of missing children until they are located, regardless of timeframe. Scotland and Northern Ireland also required appointment of independent legal guardians for child victims of trafficking and trained them on the support services available.

Victims had a statutory defense for unlawful acts their traffickers compelled them to commit and courts allowed victims during hearings to testify by video, behind a screen, or with the public removed from the courtroom. Courts could confiscate assets of traffickers and compensate victims through a reparation order, but only after conviction of the trafficker. NGOs noted victims found this remedy difficult to access given the small number of legal aid providers available to file such claims. Foreign overseas domestic workers (ODW) could legally change employers during the six-month period of their visa. Workers on the ODW visa identified as trafficking victims could apply for a two-year visa as a domestic worker, although NGOs contended workers who had suffered abuse would be unlikely to want to return to the same sector. Foreign nationals identified as trafficking victims could apply for discretionary leave to remain in the UK if supporting the investigation, seeking compensation through a civil claim against the perpetrator, or in some cases based on personal circumstances. Foreign victims could petition for asylum, based on risks faced if returned to their country of origin.

PREVENTION

The government increased prevention efforts. The Prime Minister continued to chair a national coordinating task force first established in 2016. The Home Office published its 2018 annual report in October, with detailed data on anti-trafficking efforts across the UK, as well as outlining achievements and remaining challenges in fully implementing the MSA. Total direct government spending to fight human trafficking, on both the domestic and global fronts, increased significantly to £61 million ($78.1 million) for 2018/2019 from £39 million ($49.94 million) for 2017/2018. The government appointed a new Anti-Slavery Commissioner in February 2019. Due to the nine-month gap between commissioners, the office did not publish an annual report for 2018. At the time of his resignation, the prior (and first-ever) commissioner encouraged greater independence of the position to monitor and evaluate government efforts to fight trafficking, and called it vital for the position's continued and future success.

The government-commissioned committee reviewing the effectiveness of the MSA issued interim reports recommending increasing the independence of the role of the anti-slavery commissioner, improving the corporate reporting on transparency in supply chains, and expanding protections for children under the ICTA system across all regions of the UK. The Church of England and the Catholic Church promoted a joint awareness program alerting parishioners to trafficking indicators in their daily life, initially focusing on reporting to police signs of human trafficking in car wash services. Through an app, congregants reported 930 such cases to police in 2018. In October, the Scottish government launched "Trafficked in Plain Sight," with 1,700 Internet ads alerting the public to signs of sex and labor trafficking. In the last quarter of 2018, a national telephone and online helpline in England and Wales received 1,735 calls and 363 online reports, collectively indicating 1,326 potential victims. Scotland and Northern Ireland provided similar hotlines.

The Joint Slavery and Trafficking Analysis Centre within the NCA researched and developed best practices in cybercrime, child protection, immigration crime, financial crime plus providing effective models for training and awareness building. The MSA required organizations with annual revenue exceeding £36 million ($46.09 million) to publish an annual statement detailing efforts to ensure its operations and supply chains are free of human trafficking. Many companies developed toolkits, ran training programs, and signed agreements with suppliers toward maximizing supply chain transparency. Critics noted inconsistent quality of the corporate statements and the lack of a penalty for non-compliance, an issue under consideration by the MSA evaluation committee. An August 2018 report by the Anti-Slavery Commission cited inadequate reporting on trafficking in supply chains in the agricultural sector, with only 50 percent of larger companies publishing a statement outlining their anti-trafficking compliance. The government established the Modern Slavery Police Transformation Unit, with 80 specialists working in the Joint Slavery and Trafficking Analysis Centre (JSTAC), a multi-agency team of analysts providing detailed intelligence assessments about trafficking patterns and cases. The government, along with Australia, Canada, New Zealand, and the United States, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains.

The government funded a wide range of anti-trafficking programs globally, including continued implementation of programs under the £33.5 million ($42.89 million) Modern Slavery Fund first announced in 2016. Through the Child Trafficking Protection Fund, the government supported organizations protecting children both domestically and overseas, including programming in Vietnam, a significant source country for child victims in the UK. The government continued to lead efforts in both bilateral and multi-lateral contexts. In September, the prime minister hosted a three-day summit during the UN General Assembly for prosecutors, officials, and law enforcement officers from around the world, including significant victim

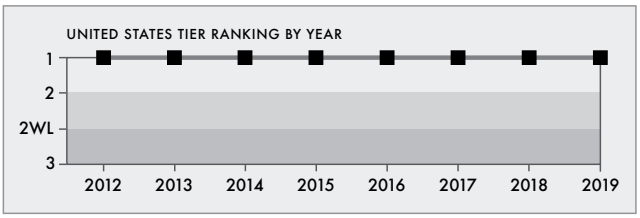
source countries of Nigeria and Romania. The government also led a high-level event calling for greater collaboration between governments, the private sector, civil society and survivors to implement the prime minister's Call to Action to End Forced Labour, Modern Slavery and, Human Trafficking, endorsed by nearly 90 countries. In April 2019, the government announced a £5.5 million ($7.04 million) grant to support British Commonwealth countries in their trafficking prevention efforts. The UK's Commonwealth Parliamentary Association works with Commonwealth countries to pass human trafficking legislation, using a tailored approach suited to each country's needs and capacity. The government committed £20 million ($25.61 million) in cooperation with the United States, other governments, and private donors, to target programs in coordination under the Global Fund to End Modern Slavery.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the United Kingdom. The government reported 6,993 potential victims came through the national referral system, with the latest government estimates of up to 13,000 trafficking victims present in the UK. Potential victims comprise 130 nationalities; 45 percent were minors, 61 percent male, 39 percent female, and four victims were transgender. The largest source countries were the UK, Albania, and Vietnam, and 28 percent of potential victims asserted their exploitation occurred entirely outside of the UK. Of all victims in 2018, 57 percent were for labor trafficking, 28 percent for sex trafficking, and eight percent were not categorized. One-fourth to one-third of victims are children. Children in the care system and unaccompanied migrant children are particularly vulnerable to trafficking. Victims included 1,419 British children in 2018. Most identified victims were 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. Youth trafficked by gangs are forced to act as drug couriers from larger cities into rural areas across the UK. 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. These efforts included increasing the number of convictions; increasing the amount of funding for victim services and number of victims served; continuing to seek and incorporate survivor input on human trafficking programs and policies; and launching new public outreach measures to more sectors. Although the government meets the minimum standards, it opened, charged, and prosecuted fewer cases, issued fewer victims trafficking-specific immigration options, and granted fewer foreign national victims of trafficking eligibility to access benefits and services. Anti-trafficking advocates reported a lack of sustained effort to address labor trafficking and to strengthen oversight of employment-based and other nonimmigrant visa programs, and continued to report that victim services were not always provided equitably.



PRIORITIZED RECOMMENDATIONS:

Increase investigation and prosecution of labor trafficking cases. • Increase the number of requests by federal law enforcement officials for Continued Presence and conduct targeted training to ensure such officials apply for Continued Presence in a timely manner and in all appropriate circumstances. • Shorten processing times and improve training for adjudicators to reduce obstacles for victims to appropriately obtain trafficking-related immigration benefits. • Proactively identify potential trafficking victims among populations vulnerable to human trafficking. • Increase the number of trafficking investigations and prosecutions. • Seek to ensure immigration enforcement does not hinder human trafficking criminal law enforcement or victim protections. • Increase equitable access to comprehensive victim services across the country and improve access to short-term and/or transitional housing for all victims. • Encourage state, local, and tribal authorities to implement policies not to prosecute victims for the unlawful acts their traffickers compelled them to commit. • Remove the restriction on victim assistance funding for legal representation of victims in vacatur and expungement cases for the unlawful acts their traffickers compelled them to commit. • Mitigate vulnerabilities in employment-based or other nonimmigrant visa programs in the United States, including by increasing oversight of labor recruiters to ensure compliance with federal, state, and local regulations. • Increase training of prosecutors and judges on mandatory forfeiture and restitution for trafficking victims. • Increase survivor engagement, including by more systematically incorporating survivor input when forming policies, programs, and trainings. • Increase prevention efforts, including through outreach to and intervention services for marginalized communities. • Strengthen efforts to reduce the demand for commercial sex and labor trafficking. As described in the Methodology section of this report, these recommendations were drawn from input from multiple anti-trafficking stakeholders, including NGOs and advocates, as well as from government agencies and reports, on the degree to which the United States meets the minimum standards set forth in the TVPA.

PROSECUTION

The government's prosecution efforts were mixed. The government increased the number of convictions, but the number of investigations and prosecutions decreased. The TVPA, as amended and codified at Title 18 U.S. Code sections 1581, et seq., 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 the attempt to violate these provisions, as well as obstruction of the statutes' enforcement and the financial benefit from these acts. Additionally, a criminal statute on fraud in foreign labor contracting prohibits the use of fraud

to recruit workers abroad to work in the United States or on a U.S. government contract performed outside the United States, on U.S. property, or on military installations outside the United States. During the reporting period, the U.S. Congress passed several laws that address human trafficking and related crimes, including laws amending and reauthorizing the TVPA and a law creating additional grounds for civil action against and expanding criminal liability of websites and technology platforms that intentionally promote or facilitate prostitution, with aggravated penalties for cases in which the defendant recklessly disregards that the conduct contributes to sex trafficking.

Advocates called for adoption of federal vacatur legislation. Regarding the new legislation addressing civil and criminal liability of websites and technology platforms, some advocates supported the law's expanding civil causes of action for survivors and state governments and expanding criminal liability of such platforms by removing prior legal exemptions. Other advocates, however, reported concerns that the legislation increased vulnerabilities to sex trafficking for individuals engaged in commercial sex, citing a greater reliance on predatory third parties by such individuals.

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. DOJ, DHS, and DOS also support victims by engaging law enforcement victim assistance specialists during trafficking investigations and prosecutions, including by connecting identified victims to victim service providers. DHS expanded by 70 percent the number of victim assistance specialists and forensic interview specialists working alongside human trafficking investigators nationwide. DOJ, in coordination with DHS and the Department of Labor (DOL), continued to develop complex human trafficking investigations and prosecutions through the Anti-Trafficking Coordination Team (ACTeam) Initiative. In addition, DOJ provided $23.1 million in fiscal year (FY) 2018 to 17 state and local law enforcement agencies and 17 victim service providers that make up 17 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 increase from $2.8 million for two ECM task forces funded in FY 2017. Several federal agencies participated in other human trafficking task forces nationwide consisting of federal, state, and local law enforcement, as well as victim service providers.

The federal government reports its law enforcement data by fiscal year. In FY 2018, DHS opened 849 investigations related to human trafficking compared to 833 in FY 2017. DOJ formally opened 657 human trafficking investigations, a significant decrease from 783 in FY 2017. (The FY 2017 number from DOJ [783] represents a correction to the number cited last year [782].) DOS reported opening 148 human trafficking-related cases worldwide during FY 2018, a decrease from 169 in FY 2017. The Department of Defense (DoD) reported investigating two human trafficking cases involving U.S. military personnel compared to one in FY 2017. (The FY 2017 number from DoD [one] represents a correction to the number cited last year [11].)

DOJ initiated a total of 230 federal human trafficking prosecutions in FY 2018, a significant decrease from 282 in FY 2017, and charged 386 defendants, a significant decrease from 553 in FY 2017. Of these prosecutions, 213 involved predominantly sex trafficking and 17 involved predominantly labor trafficking, compared to 266 and 16 in FY 2017, respectively. At least one of these cases involved both.

During FY 2018, DOJ secured convictions against 526 traffickers, an increase from 499 convictions in FY 2017. Of these, 501 involved predominantly sex trafficking and 25 involved predominantly labor trafficking, compared to 471 and 28 in FY 2017, respectively.

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 three months to life imprisonment, with more than 70 percent of cases exceeding sentences of five years.

DOJ, DHS, and other enforcement partners initiated interagency efforts to identify, analyze, and address factors contributing to decreases in trafficking prosecutions. Besides outreach to NGOs, these efforts included updated training for law enforcement officers and prosecutors to increase victim identification capabilities and enhance access by victims to legal protections that support their cooperation as witnesses in investigations and prosecutions. DOJ and DHS also held a listening session with NGOs in response to concerns raised about reduced access to protections for foreign national trafficking victims.

DOJ and DHS continued to partner with Mexican law enforcement counterparts to dismantle human trafficking networks operating across the U.S.-Mexico border by exchanging leads, intelligence, and case-based mentoring. DOJ seized and shut down a major online advertiser that facilitated sex trafficking. DOJ established a working group on mandatory restitution in June 2018 and developed training materials for U.S. attorneys, including information about requesting transfers of forfeited assets for victim compensation. The Federal Bureau of Investigation, a component of DOJ, moved into one new section the units that investigate human trafficking, including sex trafficking cases involving adult victims and all labor trafficking cases, violent crimes against children, and other violent crimes. 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 (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. Treasury collaborated with DHS on developing leads that helped law enforcement take actions against human traffickers. Treasury also has sanctions authorities, which it could use to target the finances of international human traffickers worldwide. The Department of Health and Human Services (HHS) inspectors general, in partnership with law enforcement, piloted an initiative to find children missing from foster care, including those at risk of human trafficking.

Advocates called for federal prosecutors to seek, and for courts to award, mandatory restitution for both sex and labor trafficking cases, citing concerns about the low number of cases in which it was ordered. While one NGO noted the number of defendants convicted of a crime that triggered mandatory restitution ordered to pay restitution increased from 24.5 percent in 2017 to 40.1 percent in 2018, this same NGO reported that federal courts did not order mandatory restitution for the majority of convicted defendants. Advocates also called for increased training of prosecutors and judges on mandatory restitution

and noted that victim witnesses lack independent legal counsel to assist in obtaining restitution on their behalf.

Advocates reported that very few labor trafficking cases referred to law enforcement were investigated, and called for increased efforts to identify, investigate, and prosecute labor trafficking cases.

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, 44 states had laws allowing survivors to seek a court order vacating, expunging, or sealing criminal convictions entered against them that resulted from unlawful acts traffickers compelled them to commit, and at least 34 states had "safe harbor" laws, which are meant to prevent child sex trafficking victims from being prosecuted for commercial sex.

Advocates continued to report trafficking victims were arrested at the state and local levels for the unlawful acts their traffickers compelled them to commit, including commercial sex, drug trafficking, and possession of false identification documents, and even in some states with "safe harbor" laws, child victims were arrested. Survivor advocates noted authorities disproportionately penalized child sex trafficking victims from communities of color for unlawful acts their traffickers compelled them to commit and also reported concern with the lack of victim identification and services available for such penalized survivors, including within the foster care system.

Advocates reported concerns with the limited degree of relief available under some state vacatur laws for trafficking victims with criminal records, noting four states where relief only applied to child trafficking victims. One NGO report found that some states imposed substantive criteria or procedural requirements that created an undue burden in terms of time, financial expense, and difficulty required for survivors to successfully vacate their criminal convictions. Advocates called on states to strengthen existing vacatur and expungement laws, collect data on the use of such laws, and provide additional resources to conduct targeted outreach to survivors.

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. Data from 2017 collected from participating jurisdictions are publicly available. State participation reached approximately 78 percent of U.S. states. In 2017, participating jurisdictions reported a total of 545 human trafficking offenses resulting in arrest or solved for crime reporting purposes, a decrease from 654 in 2016. There is no other 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. A U.S. military police officer who exploited victims' opioid addictions was convicted of sex trafficking. A U.S. naval officer was charged with sex trafficking. A municipal law enforcement officer pled guilty to a charge of sex trafficking involving a 14-year-old.

The U.S. government continued to build the capacity of law enforcement, judges, military personnel, and labor inspectors, among others, to more effectively respond to human trafficking cases. DOJ and DHS conducted training on indicators of human trafficking and the victim-centered approach to investigations, and provided training on best practices in investigating human trafficking cases. DHS provided human trafficking training to more than 95 law enforcement agencies at its federal training center and to foreign law enforcement, prosecutors, and victim service providers from 53 countries. DHS also updated and relaunched its advanced investigators training, which included a focus on investigating forced labor cases. The Department of the Interior (DOI) provided training to federal, state, local, and tribal law enforcement officers; tribal leaders and community members; and service providers on human trafficking in Indian Country. DOS trained its agents and analysts who investigate and support human trafficking cases to identify networks and engage with survivors using a victim-centered approach. Some federal agencies engaged with survivors to incorporate their input in the development of victim-centered training for law enforcement and prosecutors.

PROTECTION

The U.S. government's protection efforts were mixed. While the government increased funding for victim assistance for trafficking victims compared with the previous year, it decreased the number of trafficking-specific immigration options issued to victims, including T nonimmigrant status and Continued Presence, and granted fewer Certification and Eligibility Letters providing access to benefits and services to foreign national victims of trafficking. The government did not publicly release the FY 2017 status report for its strategic action plan on victim services.

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 victim assistance organizations that provided trafficking-specific services. Comprehensive victim assistance funded by the federal government included 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.

DOJ provided funding for victim-centered services for both foreign national and domestic 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. HHS issued Certification and Eligibility Letters for foreign national victims to be eligible for benefits and services to the same extent as refugees, provided grant funding for comprehensive case management for foreign national and domestic trafficking victims, and funded capacity-building grants for community-based organizations and child welfare systems to respond to trafficking.

During FY 2018, DOJ provided $31.2 million for 45 victim service providers offering comprehensive and specialized services across the United States. This represents a significant increase from 18 providers receiving $16.2 million in FY 2017. DOJ also provided $2.7 million for training and technical assistance to help service providers and court stakeholders meet the needs of survivors. DOJ provided $1.2 million in new funding to increase the availability of trauma-informed services and address barriers to assisting labor trafficking victims. DOJ provided $1.8 million to support mentoring and comprehensive victim services for domestic victims of child sex trafficking and commercial sexual exploitation compared to $1.9 million in FY 2017. From July 1, 2017 to June 30, 2018, DOJ grantees providing victim services reported 8,913 open trafficking client cases, including 4,739 new clients, an increase from 8,003 open client cases and 4,349 new clients reported the previous year and a respective 5,655 and 3,195 the year before that. DOJ's grantees reported that

72 percent of clients served during the reporting period were U.S. citizens or lawful permanent residents and 28 percent were foreign nationals. Grantees reported that 66 percent of clients served were victims of sex trafficking, 20 percent were victims of labor trafficking, five percent were identified as victims of both sex and labor trafficking, and the form of trafficking for nine percent was unknown. During the reporting period, DOJ issued a new policy that prohibited FY 2018 victim assistance funding from being used to represent survivors in vacatur and expungement cases.

NGOs and survivor advocates called for DOJ to reverse this policy, expressing significant concern because survivors with criminal records often face barriers to employment, housing, financial aid for higher education, and other needs essential to their safety and recovery.

HHS awarded $7.5 million in FY 2018 for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, an increase from $6.6 million in FY 2017. Through this program, HHS supported 98 NGOs that served 1,612 victims of trafficking and qualified family members in 48 states and U.S. territories, an increase from 1,531 individuals served the previous year. In FY 2018, HHS awarded $3.2 million, compared to $3.4 million in FY 2017, for the provision of case management services to domestic victims of human trafficking in 12 states, which served 1,149 victims of trafficking through collaborative partnerships with 175 service providers, an increase from 636 victims served the previous year. HHS also provided $2.3 million to address human trafficking in the child welfare system in FY 2018, the same amount as the previous year.

A Certification Letter enables foreign national adult victims to be eligible to apply for federal and state benefits and 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 eligibility for federally funded benefits and services to the same extent as refugees when credible information indicates a foreign national child is or may be a victim of trafficking. HHS issued 412 Certification Letters to foreign national adults in FY 2018, representing a decrease from 448 in FY 2017, and issued 466 Eligibility Letters to foreign national children in FY 2018, a decrease from 507 in FY 2017. (The FY 2017 figures [448 and 507, respectively] represent corrections to the numbers cited last year [466 and 509, respectively].) Of the 412 foreign national adult victims certified in FY 2018, 69 percent were labor trafficking victims, 22 percent were sex trafficking victims, and eight percent were victims of both sex and labor trafficking. More than half of all adult victims certified in FY 2018 were female. Out of 466 foreign national minor victims certified in FY 2018, 67 percent were labor trafficking victims, 27 percent were sex trafficking victims, and six percent were victims of both labor and sex trafficking. Slightly more than half of all foreign national minor victims were male.

During the year, HHS child protection specialists continued to provide training and technical assistance to identify foreign national child trafficking victims. When children are placed in the care and custody of HHS, they are screened for human trafficking. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include long-term assistance. HHS assisted 87 new foreign national child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2018, but the total number of victims served was not available. In FY 2017, the program served 139 victims total. (The FY 2017 number [139] represents a correction to the number cited last year [141].) This program requires states to provide such child victims with the same assistance, care, and services available to foster children.

NGOs called for expanded services for unaccompanied foreign national children without lawful immigration status upon their release from HHS care and custody.

NGOs and survivor advocates continued to express concern that despite federally funded programs to provide comprehensive services for all victims of trafficking, comprehensive services were not always provided. Specifically, advocates reported a significant lack of services available for men, boys, and LGBTI individuals and noted continued concern that some federal funding opportunities no longer highlight the need for services for LGBTI individuals. NGOs and survivor advocates continued to report insufficient access to emergency shelter, transitional housing, and long-term housing options for trafficking victims. Advocates called for more culturally appropriate services and increased availability of victim-centered, trauma-informed, and survivor-informed services for trafficking victims. Advocates also continued to call for improvements to education, job training, and job placement for survivors.

DHS provides trafficking-specific immigration options through Continued Presence, which is a temporary immigration designation, and T nonimmigrant status, which is a temporary immigration benefit commonly referred to as the T visa. Both immigration options strengthen the ability of law enforcement agencies to investigate and prosecute human trafficking by encouraging victims to come forward. To qualify for Continued Presence, an individual must be identified by law enforcement as a victim of human trafficking who may be a potential witness in the investigation or prosecution of the trafficker. To qualify for a T visa, applicants must demonstrate that they (1) are victims of a severe form of trafficking in persons; (2) are physically present in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a port of entry because of trafficking; (3) have cooperated with reasonable requests from law enforcement, unless they are younger than the age of 18 or unable to cooperate due to trauma suffered; and (4) would suffer extreme hardship involving unusual and severe harm upon removal from the United States. T visa applicants may sponsor certain family members, including certain extended family members who face a present danger of retaliation. T nonimmigrants and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. T nonimmigrant status is granted for a period of four years and may be extended under certain limited circumstances. After three years, or upon the completion of the investigation or prosecution, T nonimmigrants may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship. DHS granted T nonimmigrant status to 580 victims in FY 2018, a significant decrease from 672 victims in FY 2017, and granted T nonimmigrant status to 698 eligible family members of victims in FY 2018 compared to 690 family members in FY 2017. The processing time for T visas was between 16 months to 23.5 months in FY 2018.

NGOs continued to report increased obstacles to obtaining a T visa, noting a continuing rise in the number of requests for additional evidence by adjudicators, including requests that referred to outdated regulations. NGOs also reported increased T visa denials that they believed improperly interpreted relevant statutes and regulations, such as denials based on

unlawful acts traffickers compelled victims to commit. NGOs called for improved training for adjudicators that includes detailed guidance on current regulations and a trauma-informed approach. NGOs also expressed concern with lengthy T visa processing times, citing increased vulnerabilities for survivors who lack legal status or whose time-limited support services expire.

DHS manages all requests from federal, state, and local 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 2018, DHS issued Continued Presence to 121 trafficking victims, who were potential witnesses, a significant decrease from 160 in FY 2017. This is the first full reporting period in which DHS had the authority to grant Continued Presence for two years and extensions for up to two years, which accounts for the 31 such extensions granted in FY 2018 compared to 113 extensions in FY 2017. DHS launched a Continued Presence training video to promote consistent messaging that encourages federal, state, and local law enforcement requests.

Advocates reported concern with the low number of Continued Presence requests made by law enforcement and called for enhanced collaboration between DHS and DOJ to prioritize an increase in the number of requests submitted by federal law enforcement working on cases in the field. NGOs reported delays in processing requests for Continued Presence and continued to call for law enforcement to request Continued Presence expeditiously pursuant to DHS policy. NGOs also called for targeted training of law enforcement in geographic areas with the lowest numbers of requests and for granting federal victim assistance specialists the authority to request Continued Presence.

Based on an executive order, DHS updated its policy on issuing notices to appear (NTAs) to applicants and petitioners who are removable upon denial of an immigration benefit. An NTA is an administrative document that, when filed with the immigration court, initiates removal proceedings for foreign nationals. As of November 2018, DHS may issue NTAs to individuals following the denial of a T visa or denial of adjustment of status from a T visa to permanent resident status, if such individuals are unlawfully present at that time of denial. Under this policy guidance, officers retain the discretion, on a case-by-case basis, to recommend the exercise of prosecutorial discretion to not issue an NTA if the officer determines there is appropriate evidence to warrant such an action.

DHS also published a proposed revision to its fee waiver determination process for certain immigration applications and petitions, including filings related to the T visa, whereby individuals seeking fee waivers will no longer be able to qualify solely with proof of receipt of a means-tested benefit. They are still permitted, however, to apply based on significant financial hardship or with proof of income at or below 150 percent of the federal poverty level.

DHS also issued a notice of proposed rulemaking to change current regulations used to determine an applicant's inadmissibility to the United States based on the likelihood of becoming a public charge, i.e., depending on public resources for basic needs. At the close of the reporting period, DHS was evaluating public comments regarding whether this inadmissibility ground would apply to T nonimmigrants seeking lawful permanent resident status.

Advocates reported an increasing number of foreign national survivors are afraid to report their cases to law enforcement, pursue immigration options, or seek services due to heightened immigration enforcement policies, which have resulted in increased fear of deportation or removal of victim witnesses. Advocates called for DHS to exempt individuals denied T visas from being referred to immigration courts for removal proceedings. Advocates noted the updated policy appeared to increase the risk for survivors who cooperated with law enforcement against their traffickers, including the risk that they would face retribution in their home country, if deported. NGOs also reported increased denials of fee waivers for T visa applicants, which placed a heightened financial burden on survivors, citing cases in which detained and homeless survivors as well as an unaccompanied foreign national child without lawful immigration status were denied fee waivers. NGOs expressed concern with DHS's proposed revisions to the fee waiver determination process impeding access to immigration benefits, noting the TVPA permits survivors to apply for a waiver. Advocates called for DHS to withdraw its proposed public charge rule, reporting that, because of the proposed rule, survivors are afraid to access public assistance programs to which they are entitled. NGOs further noted the TVPA exempts survivors from the public charge rule.

Another immigration benefit available to certain human trafficking victims is U nonimmigrant status (commonly referred to as the U visa) for victims of certain qualifying crimes, including human trafficking, who are helpful in the investigation or prosecution of the qualifying criminal activity and meet other specific eligibility requirements. DHS is unable to accurately delineate the number of U visas issued based on the specific underlying crimes for which they were issued.

In FY 2018, a DOS program reunified 262 family members with identified victims of trafficking in the United States, compared with 272 in FY 2017. This program assisted one survivor to return home.

The U.S. government continued to provide and fund 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. DHS adjudicators receive specific training on the adjudication of humanitarian applications and petitions.

DHS screens certain individuals for human trafficking, including unaccompanied foreign national children without lawful immigration status and some detained individuals, and, in cases where potential victims were identified, referred cases to law enforcement for further investigation. In the case of adult foreign nationals apprehended, interdicted, or in detention pending deportation, DHS does not mandate screening of such individuals for trafficking indicators.

Advocates continued to report immigration officials detained a small number of individuals with pending applications for trafficking-specific immigration benefits. One NGO called for standardized trafficking screening within the judicial and penal system to identify potential victims, especially minor victims, and called on the government to better identify and address the needs of domestic victims of child sex trafficking.

PREVENTION

The U.S. government maintained efforts to prevent trafficking. Federal agencies conducted numerous educational and training activities for their own personnel, state, local, and tribal officials, and other stakeholders. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons included the presidentially-appointed survivor advisory council in its meeting and reported publicly on agency accomplishments and future efforts.

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 to seek and incorporate survivor input into policies and programs. HHS awarded $1.75 million to an NGO to operate the national human trafficking hotline. In FY 2018, the hotline received 116,940 calls, texts, chats, online tips, and emails, identified 10,658 potential human trafficking cases, and provided resources and referrals to 9,365 potential victims. The hotline also received information on more than 5,600 potential traffickers and more than 42 types of businesses facilitating human trafficking. Of the potential human trafficking cases identified, the hotline reported 3,434 cases to law enforcement and received information that at least 1,009 investigations were opened as a result. More than 6,000 individuals identified themselves through calls, texts, or web chats as potential victims of trafficking seeking help, with texting being the most common method of communication. HHS awarded $2 million in FY 2018 for the identification and referral of domestic and foreign national victims of human trafficking for services in 10 communities, identifying 558 victims of trafficking. The U.S. government operated other tip lines that received calls or messages related to suspected human trafficking cases. U.S. embassies and consulates worldwide continued to provide the "Know Your Rights" pamphlet to applicants for temporary work and exchange visitor visas in an effort to help visa applicants better understand their rights and raise awareness of human trafficking. DOS updated the related "Know Your Rights" video with input from survivors so that it would more effectively reach its target audience. In FY 2018, the pamphlet generated 294 calls to the national hotline, a significant decline from 714 calls generated in FY 2017.

In 2018, DHS held more than 1,300 training and engagement events with NGOs and law enforcement. DHS continued its nationwide human trafficking awareness Blue Campaign and incorporated input from trafficking survivors and other partners to develop new educational awareness products, including toolkits for the transportation sector and faith-based communities. Under the law, HHS established a national advisory committee composed of trafficking survivors and other subject matter experts focused on child sex trafficking in the United States. In January 2019, the committee submitted preliminary recommendations to DOJ and HHS for improving federal and state responses to child sex trafficking. In FY 2018, HHS published new survivor-informed public awareness materials to reach faith and community-based partners and health professionals. In FY 2018, HHS supported 61 training and technical assistance activities, compared to 32 in FY 2017, reaching 8,506 training participants. These activities included online training designed to improve health care providers' awareness of and response to human trafficking. For the second year, HHS continued its leadership academy composed of survivors and anti-trafficking professionals that developed recommendations for improving services. DOL worked with an NGO to train state authorities to identify and refer cases of labor trafficking in agriculture. The Department of Transportation (DOT) and DHS continued to train airline personnel and in FY 2018 had 20 active partnerships with airlines and aviation industry organizations. Under the law, DOT established a new advisory committee on human trafficking composed of representatives from NGOs, transportation sectors, and labor associations that will develop recommendations for DOT and best practices for the state and local departments of transportation, private industry, NGOs, transportation authorities, and other transportation stakeholders. In FY 2018, the Equal Employment Opportunity Commission (EEOC) participated in 188 outreach events that addressed human trafficking, reaching more than 9,370 individuals, including state and local government partners, and continued efforts to increase public awareness about human trafficking with its human trafficking resource guide. The EEOC also conducted training on identifying and developing trafficking-related charges of discrimination. DOS launched a consultant network of survivors and other subject matter experts to inform its anti-trafficking policies and programs. DOS also added a human trafficking module to its orientation program for U.S. chiefs of mission and updated its human trafficking course for consular staff. The U.S. Agency for International Development (USAID) created a new strategy for promoting and prioritizing survivor empowerment through its programs. Congress made available more than $95 million in FY 2018 foreign assistance resources to DOS and USAID to support anti-trafficking initiatives in more than 45 countries.

NGOs continued to call for a more comprehensive approach to address the factors and conditions that increase vulnerabilities, including by promoting fair wages and access to social services. Advocates also called for additional research into the prevalence and characteristics of human trafficking in the United States, especially for labor trafficking and other trafficking cases involving men, boys, and LGBTI individuals, to improve targeted prevention efforts.

DOL, DHS, and DOS screen and approve employers and workers for temporary worker programs to ensure compliance with program requirements, including worker protections. To reduce workers' vulnerability to exploitation, including human trafficking, the United States bars employers participating in these programs or their agents 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 requires that the terms of employment be disclosed. DOL seeks to ensure employer compliance through audits and investigations and does not accept temporary labor certification applications if the employer discloses it charges a prohibited fee to the worker.

NGOs reported weak oversight of employment-based and other nonimmigrant visa programs, noting human trafficking cases involving workers in the United States on these programs. They also called for more training of government agencies and law enforcement to distinguish between labor violations and labor trafficking. Advocates continued to call for enhanced protections for workers in temporary worker programs, including regulatory changes to uncouple employment visas from an employer or sponsor and to protect individuals in certain temporary worker programs to the same extent as other workers. In addition, NGOs called for increased transparency and accountability for temporary worker programs and for agencies to develop a more accessible system to share visa and job-related information with workers in real time, including the names of employer petitioners.

For the H-2A program, DOL maintains an online list of certified

and debarred U.S.-based farm labor contractors but does not maintain a list of foreign farm labor recruiters. For the H-2B program, DOL maintains and updates quarterly an online list of foreign labor recruiters; this list does not certify or indicate recruiters' compliance with the recruitment fee ban.

In FY 2018, DOL issued 11,319 H-2A and 7,420 H-2B temporary labor certifications compared to 9,797 and 6,599 in FY 2017, respectively, and debarred 35 employers for substantially violating material terms or conditions of such temporary labor certifications. DHS, which adjudicates employer petitions for such workers, 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.

NGOs continued to report that formal and informal recruiters and agents charged workers prohibited fees and noted weak government enforcement of the recruitment fee ban. One NGO stated the H-2B list was not published frequently enough or in a format that allowed workers to verify recruiters and reported this outdated or incomplete information aided unscrupulous recruiters with creating more plausible, but false, offers. An NGO noted an H-2A farm labor contractor who pled guilty to visa fraud was not debarred and continued to participate in the program.

Another NGO reported that lack of oversight, coupled with the government's practice of denying visas to applicants who reported paying recruitment fees, disincentivized applicants from reporting violations to authorities. NGOs called for the formalization of the labor recruitment process, such as through the creation of registration requirements and a government-run public registry of authorized labor recruiters.

DOS continued its oversight of the Exchange Visitor Program (EVP or J-1 Visa program), which includes the Summer Work Travel (SWT), Camp Counselor, Intern, and Au Pair programs. DOS continued to monitor exchange visitors to help safeguard their health, safety, and welfare and to identify and investigate program fraud and abuse. DOS conducted outreach throughout 2018 to raise program sponsors' awareness of their administrative oversight and reporting obligations to DOS with respect to the health, safety, and welfare of exchange visitors. DOS requires EVP sponsors to provide all exchange visitors with the "Know Your Rights" pamphlet during orientation sessions. DOS conducted field monitoring across all EVP categories in 2018, visiting 1,103 exchange visitors in 311 sites in 21 states, the District of Columbia, and the U.S. Virgin Islands. DOS also continued community outreach efforts in 22 states with significant SWT populations, which included outreach with local host organizations and exchange visitors to raise awareness about human trafficking. DOS continued to liaise with law enforcement on criminal investigations relating to the EVP. In February 2019, a federal court allowed to proceed a certified class of workers in the SWT, Intern, and Trainee programs who alleged they were forced to work in violation of the TVPA; DOS previously removed the party named in the lawsuit as a designated sponsor of the SWT, Intern, and Trainee programs. DOS is not party to the lawsuit.

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. An NGO report released during the reporting period found that, between 2014 and 2017, national human trafficking hotline data included allegations involving 25 au pairs of physical and verbal abuse, and withholding of identity and immigration documents. NGOs reported the need for additional steps to reduce the risks of exploitation in the SWT program, noting concerns with exorbitant program fees and exploitative work conditions. NGOs called for further reforms of the Au Pair and SWT programs, such as requiring program participants to receive contracts detailing the scope and conditions of work.

During the reporting period, lawsuits in Colorado, Georgia, Texas, Washington, Maryland, and California remained pending against privately owned and operated detention facilities contracted by DHS. These lawsuits allege that the contractors forced immigration detainees to work in violation of the TVPA during their federal immigration detention. DHS is not party to the lawsuits, nor are any of its component agencies.

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, and announced the expansion of the program to two new cities and selected the New York metropolitan region as one of them. On January 8, 2019, the government amended the TVPA to require DOS to suspend the A-3 or G-5 visa privileges of any foreign mission or international organization in certain circumstances, including in cases where there is an unpaid default or final civil judgment related to human trafficking against the employer assigned to the embassy.

NGOs called for an expansion of the In-Person Registration Program to additional cities and for DOS to suspend domestic worker visa privileges of any foreign mission or international organization that has not adequately addressed allegations of abuse of any domestic worker, as required by the TVPA.

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 2018, DOL continued enforcement activities in industries including agriculture, landscaping, hotels, seafood, and reforestation.

During the reporting period, the EEOC, which enforces federal employment discrimination statutes, continued to investigate charges on behalf of and seek compensation for victims of trafficking. In FY 2018, the EEOC received eight new charges of discrimination linked to human trafficking. It also resolved 35 similar pending charges and recovered more than $244,000 in monetary benefits for charging parties through the administrative process. As of September 20, 2018, the EEOC had 10 pending charges linked to human trafficking. While the EEOC filed no new employment discrimination lawsuits linked to human trafficking in FY 2018, it continued to litigate a previously filed case.

Federal law also allows a trafficking victim to independently file a civil cause of action, and during the reporting period individuals filed such cases. The number of civil cases increased during the reporting period, with most brought by foreign national plaintiffs alleging forced labor.

The government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD, in partnership with local law enforcement, investigated 117 cases in FY 2018 of service members allegedly violating DoD's prohibition on procuring commercial sex, a significant increase from 10 investigations the previous year. DOJ continued

to prosecute individuals for sex trafficking who pay or attempt to pay for commercial sex involving children.

NGOs called for increased efforts to address the demand for all forms of human trafficking.

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. Three defendants were convicted of federal child sex tourism charges in FY 2018 compared to nine 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 and notify destination countries.

DOJ and other federal law enforcement agencies did not receive allegations of forced labor or recruitment fees required of third-country nationals working on certain U.S. government contracts abroad, and there were not any federal criminal prosecutions of employers or labor contractors for such violations in connection with U.S. government contracts abroad in FY 2018.

During the reporting period, federal law was amended to prohibit the charging of any recruitment fees on federal contracts by federal contractors and grantees, or by any entity in their supply chains, and the government finalized a definition of "recruitment fees" in the Federal Acquisition Regulation in order to strengthen protections against trafficking in federal contracts. The government did not publish finalized guidance for federal contractors on anti-trafficking risk management best practices and mitigation considerations during the reporting period. DoD took action against noncompliant employers or labor contractors from U.S. programs resulting in nine non-compliance requests, four cure notices, one show cause letter, one contractor personnel termination, six contractor employee debarments and one subcontractor debarment, and one contract termination. DHS had zero contract suspensions or debarments related to human trafficking in FY 2018. The government, along with the governments of Australia, Canada, New Zealand, and the United Kingdom, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains.

DHS enforced the law that prohibits the importation of goods, mined, produced, or manufactured, wholly or in part, under forced labor conditions, including forced child labor. DHS issued two Withhold Release Orders from April 1, 2018, to March 31, 2019, for shipments of goods on grounds they were produced by forced labor. The government continued to enforce a law that extends this prohibition to any imports produced by North Korean nationals. In October 2018, pursuant to Congressional directive, DOJ launched an interagency task force to address legal and jurisdictional issues related to human trafficking in fishing in international waters. The government signed but the U.S. Congress has not yet ratified a trade agreement that requires the parties to prohibit the importation of goods produced by forced labor. DOL released French and Spanish language versions of its mobile application that provides companies and industry groups with practical guidance on how to identify risks of forced labor in their supply chains and mitigate or remediate abuses.

In FY 2018, DOI delivered awareness training to 335 officers, criminal investigators, and gaming employees and conducted 18 trainings for 178 attendees, including DOI law enforcement, tribal and state victim and social service providers, tribal council members, and tribal community members. DHS sought input from survivors to produce a new educational poster series and video to raise awareness among American Indian and Alaska Native communities. DHS also produced a webinar for law enforcement on how to better recognize and respond to American Indian and Alaska Native victims of human trafficking. In FY 2018, for the first time, Congress set aside $133 million to support tribes and strengthen services for victims of crime, including human trafficking. DOJ and DOI partnered to expand access to DOJ's national crime information databases to more tribal governments. Incorporating feedback from tribes, DOJ re-launched a program to create four new positions focused on facilitating collaboration between tribal and federal judicial authorities on criminal cases, including sex trafficking. HHS produced webinars and conducted an in-person pilot of its training module adapted to focus specifically on American Indian and Alaska Native populations to increase public awareness, identify victims, connect victims to services, and prevent human trafficking. The federal interagency ad hoc working group, which focused on increasing the effectiveness and coordination of the government's anti-trafficking efforts for American Indian and Alaska Native communities, released a resource guide on U.S. government entities combating human trafficking in such communities.

U.S. INSULAR AREAS

Trafficking in persons occurs 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. DOJ and DHS held public awareness events in USVI and continued to participate, along with local authorities in Puerto Rico, in the crimes against children task force.

HHS provides services to foreign national victims of trafficking in American Samoa, Guam, CNMI, Puerto Rico, and USVI, and two DOJ grantees provided comprehensive and legal services to victims of all forms of trafficking in CNMI during the reporting period. In FY 2018, the HHS-funded national hotline received no calls from U.S. territories compared to 19 in FY 2017. In FY 2018, HHS provided grant-funded training and technical assistance in Puerto Rico. In addition, in FY 2018, DOJ and HHS provided training and technical assistance to support the development of multidisciplinary anti-trafficking task forces in Puerto Rico and the USVI.

As part of the prosecution statistics previously mentioned, DOJ filed four new human trafficking cases and convicted nine defendants in CNMI and Puerto Rico within the reporting period.

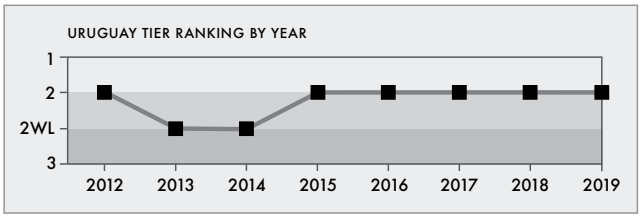
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign national victims in the United States,

and traffickers exploit victims from the United States abroad. Traffickers compel victims to engage in commercial sex and to work in both legal and illicit industries, including in hospitality, traveling sales crews, agriculture, janitorial services, construction, restaurants, care for persons with disabilities, salon services, massage parlors, retail, fairs and carnivals, peddling and begging, drug smuggling and distribution, child care, and domestic work. Individuals who entered the United States with and without legal status have been identified as trafficking victims. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in FY 2018 were the United States, Mexico, and the Philippines. Populations in the United States vulnerable to human trafficking include: children in the child welfare and juvenile justice systems, including foster care; runaway and homeless youth; unaccompanied foreign national children without lawful immigration status; American Indians and Alaska Natives, particularly women and girls; individuals with drug addictions; 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 disabilities; LGBTI individuals; and participants in court-ordered substance use diversion programs. Advocates reported a growing trend of traffickers targeting victims with disabilities and an increase in the use of online social media platforms 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Uruguay remained on Tier 2. These efforts include adopting comprehensive anti-trafficking legislation, finalizing the 2018-2020 national action plan, and establishing the national council to prevent and combat trafficking. However, the government did not meet the minimum standards in several key areas. Law enforcement officials and labor inspectors did not proactively and systematically identify victims and the government did not have adequate victim services. Efforts to prosecute and convict alleged traffickers were insufficient; the government did not convict a trafficker for the second consecutive year and has only convicted five traffickers in the past six years combined.



PRIORITIZED RECOMMENDATIONS:

Provide adequate services, including shelters, for all victims, including those outside the capital. • Increase training for law enforcement officials, labor inspectors, coast guard, prosecutors, judges, and social workers to proactively identify and assist victims of sex and labor trafficking, to include screening of victims among foreign workers and those in prostitution. • Increase funding for victim services, including long-term assistance and reintegration. • Vigorously investigate and prosecute forced labor, forced adult prostitution, and child sex trafficking. • Hold traffickers accountable with sentences commensurate with the seriousness of the crime. • Train law enforcement officials, judges, and prosecutors on the irrelevance of the initial consent into prostitution, as well as forms of coercion beyond physical restraint. • Provide funding for the implementation of the anti-trafficking law and the national action plan. • Conduct proactive inspections aboard foreign-flagged vessels in Uruguayan waters and the port to screen foreign workers for trafficking indicators. • Develop and operationalize a data collection system to maintain official statistics on anti-trafficking law enforcement and victim identification efforts. • Enhance international cooperation to investigate cases and protect foreign victims, including children. • Increase public awareness campaigns to inform the public about trafficking and about services available to potential victims. • Consider legislation requiring foreign fishing vessels to register in country and abide by Uruguayan labor laws. • Revise the definition of trafficking under Uruguayan law to align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government decreased prosecution efforts. Article 78 of the 2008 immigration law criminalized sex trafficking 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. The penalties were increased by one-third to one-half if the trafficking offense involved a child victim. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, and coercion as aggravating factors rather than as essential elements of the crime. In 2018, the government adopted anti-trafficking law 19.643, which provided minimum standards for victim protection, prevention, and investigation, and created a comprehensive institutional response to combat trafficking.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and did not maintain a system for tracking court cases. In 2018, the government initiated 17 trafficking investigations (10 in 2017), including three for labor trafficking and 14 for sex trafficking. The government reported four prosecutions (23 in 2017), one for sex trafficking, two for sex and labor trafficking, and the other unknown. The government did not convict any traffickers, compared to zero in 2017; over the last six years, the government has only convicted five traffickers, out of 43 investigations and 52 prosecutions. The gender unit in the Attorney General's Office focused on investigating and prosecuting crimes related to trafficking and the exploitation of children. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. Government authorities reported difficulty prosecuting trafficking crimes due to victims' initially consenting to involvement in prostitution and, in most cases, the absence of physical constraint. The government did not report training law enforcement officials, judges, or prosecutors on the irrelevance of initial consent into prostitution or ways to deal with cases that include coercion beyond physical restraint. The government increased efforts to train law enforcement officials responsible for victim identification and investigation; yet an international organization assessed that, in practice, law enforcement officials did not employ systematic procedures to

identify victims proactively. During the reporting period, the government failed to cooperate with a foreign government on a case involving four minor victims of trafficking. The government offered some training to strengthen law enforcement and border officials' capacity to identify victims; most notably it conducted two training modules for law enforcement officials, reaching more than 2,300 individuals.

PROTECTION

The government maintained inadequate protection efforts. The Ministry of Social Development (MIDES) was the principal provider of services for victims of all crimes, but specialized services for victims of trafficking did not exist in Uruguay. The National Institute for Children and Adolescents Affairs (INAU) was responsible for assisting child and adolescent victims. In 2018, 95 victims were identified; it was unclear who identified the trafficking victims or how many were victims of sex trafficking versus forced labor. MIDES reported assisting 72 victims of trafficking (71 in 2017), more than half of whom were foreign victims. INAU reported assisting 23 child victims of sex trafficking. The government had victim protection protocols and written referral mechanisms on assisting victims. Civil society and government agencies worked together to provide services for female victims; however, some organizations expressed concern about the lack of formality in victim referral. The new anti-trafficking law created an interagency response system that established a referral route for cases. The government and civil society continued to operate a 14-member mobile team of psychologists, social workers, and lawyers that responded to cases located in the interior of the country. Government officials had some facilities that could temporarily house victims; however, civil society expressed concerns about the suitability of these facilities, as they did not meet the needs of victims. The government provided services similar to those given to other vulnerable populations, such as the homeless, refugees, and citizens on welfare. Civil society reported government services focused mostly on psycho-social and legal assistance, while long-term services, such as housing, vocational support, and job placement were insufficient. Civil society reported challenges finding shelter for trafficking victims, particularly for those identified outside the capital. NGOs reported cases where social workers have used their personal funds to provide food for victims. The Ministry of Labor did not report identifying any victims.

The government did not identify or allocate funding for the implementation of the new law or the national action plan. The new law established a reflection period of up to 180 days for foreign victims to decide whether to stay in the country, return to their country of origin, or resettle in a third country. However, during the year, the government did not assist four foreign potential child trafficking victims who needed immediate administrative assistance to return to their country of origin.

PREVENTION

The government increased prevention efforts. The government finalized the 2018-2020 comprehensive national action plan. The new law established the creation of a national council composed of high-level participants that is responsible for the implementation of recommendations from international organizations and institutional oversight on the implementation of law 19.643 and the national action plan. The interagency committee maintained its more technical role and met monthly. The government conducted three awareness campaigns commemorating national and international days in the fight against trafficking, reaching 189 individuals. The government operated a free, 24-hour hotline directing victims to police or MIDES; the government did not report how many calls involved trafficking cases. MIDES launched a cellphone app version of the hotline to promote use among younger audiences. 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.

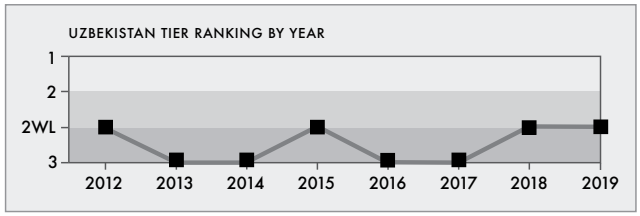
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Uruguay, and traffickers exploit victims from Uruguay abroad. 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, mainly 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. Migrants from Cuba were vulnerable to trafficking in border cities. Foreign workers aboard Taiwan- and Chinese-flagged fishing vessels in Uruguay's waters and docked at the Montevideo port may be subjected to abuses indicative of forced labor, including unpaid wages, confiscated identification, and physical abuse, and rumors of murder at sea were common. Since 2013, one dead crewmember per month from these vessels has been recorded. Citizens of other countries, including China and the Dominican Republic, may transit Uruguay en route to other destinations, particularly Argentina. Domestic workers employed in the less-monitored interior of the country are at greater risk of trafficking.

UZBEKISTAN: TIER 2 WATCH LIST

The Government of Uzbekistan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included taking substantive actions towards ending its use of forced adult labor during the annual cotton harvest, including by increasing remuneration to pickers, partially demobilizing some public sector workers, continuing to allow full unimpeded access to international third-party monitors, incorporating independent human rights activists into monitoring plans, and continuing to uphold the ban on child labor in the harvest. The ILO assessed a further decrease in the use of forced labor from the 2017 harvest. The government's high-level commitment to ending forced labor remained noteworthy; the President and Cabinet of Ministers called attention to government-compelled forced labor in public work projects and issued a decree against mobilization of civil servants for these projects. It increased support to vulnerable labor migrants, including trafficking victims, by creating a budget line item and allocating funds to provide assistance. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Government-compelled forced labor remained during the 2018 cotton harvest. The government did not consistently implement its ban on the mobilization of public sector employees. It identified

fewer victims of trafficking and identified a disproportionately low number of transnational trafficking victims compared to the estimated size of that population. The government investigated and prosecuted fewer suspected traffickers for the fifth consecutive year. Therefore Uzbekistan remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Continue substantive actions to end government-compelled forced labor, including during the annual cotton harvest, through such measures as eliminating cotton production quotas, increasing remuneration, and improving working conditions for workers in the cotton harvest. • Improve procedures for identifying trafficking victims to ensure they are systematic and proactive. • Increase efforts to investigate and prosecute suspected traffickers, respecting due process. • Train law enforcement officials on proper handling of trafficking cases. • Ensure victim identification and protection measures are not tied to the prosecution of a trafficker and allow all first responders to officially identify potential trafficking victims and refer to care. • Fully implement commitments to neither mobilize teachers nor medical workers in forced labor. • Increase efforts to ensure all citizens are aware of their "right to refuse" participation in the cotton harvest or other work outside their professional duties, and the requirement to pay for replacement workers, 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. • Revise the definition of human trafficking within the criminal code to more closely align with the definition in the UN TIP Protocol. • Eliminate the practice of requesting fees for replacement pickers or contributions from businesses and entrepreneurs to support the harvest. • 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. • 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 unlawful acts traffickers compelled them to commit, including for illegal border crossing and losing personal identification documents. • Amend the criminal code to protect the identities of trafficking victims. • Encourage prosecutors to proactively seek victim restitution in criminal cases. • Monitor private employment agencies for recruitment fees and ensure they are paid by employers rather than prospective job applicants.

PROSECUTION

The government demonstrated decreased law enforcement efforts; for the fifth consecutive year, investigations, prosecutions, and convictions declined. Article 135 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of three to five years' imprisonment for offenses involving an adult victim and eight to 12 years' imprisonment for those involving a child victim, 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. 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. Forced labor violations were considered as administrative violations for first offenses with fines levied by the labor inspectorate; repeat offenses were considered criminal. However, the criteria for designating repeat offenses was unclear in the administrative code. The government conducted 123 investigations and prosecuted 168 cases for crimes related to trafficking in 2018, compared to 609 investigations and 314 prosecutions in 2017 and 651 investigations and 361 prosecutions in 2016. Authorities reported convicting 230 defendants for crimes involving trafficking and sexual exploitation in 2018, compared to 451 in 2017; however, the government did not provide sufficient detail to determine if the reported statistics met the definition of trafficking under international law. Of the 230 convicted perpetrators, 116 convictions carried a prison sentence, 54 involved house arrest, six carried a sentence of correctional labor, three were required to pay fines, and three were granted amnesty. The government did not provide information for the additional 48 sentences. Officials reported instances of the mishandling of trafficking cases; while most were due to negligence or insufficient training, two officials were prosecuted for mishandling cases. The government did not provide additional details. Officials noted the challenge of collecting sufficient evidence to pursue criminal cases when the trafficker, witness, or victim was located abroad. NGOs noted that some victims reached financial settlements outside of the justice system, in some cases with the facilitation of low-level officials.

The Ministry of Interior (MOI) maintained an investigatory unit dedicated to trafficking crimes. Judges processing trafficking cases were not sufficiently trained; an NGO reported judges did not use a victim-centered approach, and victims often experienced re-traumatization. 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, and participated in regional anti-trafficking conferences. Despite official complicity in forced labor offenses, including in the cotton harvest and other sectors, the government did not report criminal investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period. Uzbek law treated them as administrative violations rather than criminal offenses. The government reported issuing administrative fines to 206 officials in 2018, compared to 14 officials in 2017 and to nine in 2016, for forced labor violations. A senior government official characterized trafficking as a social problem resulting from economic vulnerabilities, rather than a criminal concern.

PROTECTION

The government decreased already weak 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 208 victims of trafficking-related crimes in 2018, a decrease from 440 in 2017, 714 in 2016, and 924 in 2015. Of the 208 victims, 125 were female and 83 were men; traffickers subjected 100 to sex trafficking and 100 to forced labor. 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. A Tashkent-based NGO identified and assisted 579 trafficking victims, including 524 men, 53 women, and two children, in 2018 (676 in 2017 and 327 in 2016), the vast majority of whom were in Kazakhstan or Russia when traffickers exploited them; police referred 171 victims to NGOs. NGOs filed 457 applications to initiate criminal cases on behalf of victims, resulting in seven criminal cases and one administrative case. Uzbekistan's diplomatic missions abroad helped repatriate 15 victims, a decrease from 40 victims in 2017 and 109 in 2016, by issuing travel documents, and worked with IOM to provide food, clothing, and transportation to victims to facilitate their repatriation to Uzbekistan. NGOs in destination countries noted that Uzbek diplomatic missions did not proactively assist in the repatriation of their citizens. 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 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 majority of identified victims were reluctant to contact or cooperate with law enforcement because of their distrust in authorities and fear for their safety or the safety of their families due to corruption in law enforcement agencies.

The government allocated approximately 666 million soum ($80,140), an increase from 540 million soum (approximately $64,980) in 2017, to operate its Tashkent-based trafficking rehabilitation center for men, women, and children with official victim status. The government assisted 195 victims at this facility in 2018, 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 pressured 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 opened 130 centers to assist vulnerable women, including trafficking victims; these centers were managed and funded by regional governments, some of which coordinated with local anti-trafficking organizations; the new centers were not well-staffed or funded, and the staff did not have sufficient training to identify and assist victims. NGOs reported good cooperation with the government; in 2018, the government continued to provide in-kind support to local NGOs for the provision of victim assistance, such as food and clothing. The government discontinued tax benefits for NGOs, but did provide one NGO free use of a government-owned building. These NGOs provided critical services because officials referred victims to them, and those who did not wish to pursue a criminal case were therefore ineligible to access the state-run shelter. The law did not exempt transnational sex and labor trafficking victims from facing a criminal penalty for illegally crossing the border, which deterred some victims from reporting their trafficker. 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; the government reported that no cases were filed in 2018.

PREVENTION

The government increased prevention efforts. The government took steps to modify its agricultural policies that created pressure for the government to force people to work, including by increasing wages to pickers to 144 percent above 2017 rates for the first pass, fulfilling its commitment to not mobilize students, and partially implementing its commitment not to mobilize teachers and medical workers. The 2018 harvest marked the fifth consecutive year the government conducted a nationwide campaign to raise public awareness of its prohibition of child labor in the cotton harvest. The government continued to uphold its ban against the use of child labor in the annual cotton harvest; children were virtually absent from the fields and there were no reports of systemic mobilization. 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 more than 400 roadside billboards 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 set cotton production quotas and demand farmers and local officials fulfill these state-assigned quotas, leading to the mobilization of adult forced labor. Farmers who were unable to fulfill their quotas risked losing the rights to farm their government-leased land. In addition to children, the central government emphasized the ban on mobilization of teachers and medical workers. NGOs reported that, for the first time, the government did not systemically mobilize health and education workers during the spring cotton fieldwork season, although limited reports of technical staff being in the field continued. The government previously coerced these employees to perform fieldwork without pay and under threat of penalty, including dismissal from their jobs. The government identified some instances of forced labor during the weeding and planting season, which resulted in formal reprimands to two regional governors. The ban on the use of these groups was successful for the first half of the harvest; during the first ten days of the harvest there were no reports of systemic mobilization. Observers credited the increased remuneration for attracting more voluntary pickers in the first weeks of the harvest, including a large number of otherwise unemployed pickers. After the first picking round of the harvest, voluntary laborers decreased, as cotton became less plentiful and the weather worsened; reports of forced labor, including of education and medical institution employees, increased. In order to fill the void left by education and health institution employees, the government increasingly mobilized other public employees, such as, among others, those at factories, grain mills, utility companies, banks, law enforcement agencies, and soldiers, as well as prisoners. Government officials instructed some forcibly mobilized pickers to lie about how they came to be in the fields. Local government officials in some areas required public sector

employees to pick cotton, or pay for a replacement worker through an unregulated, informal system, creating a penalty for not participating in the forced labor system and a lucrative means of extortion for corrupt officials. In some cases, local governments pressured private businesses to provide pickers or pay fees to support the harvest, although it was not always clear if the fees funded payment of local administrative costs, or were a means of extortion. NGOs reported that many of the voluntary pickers preferred to be hired as replacement pickers by those seeking to avoid the cotton fields, which enabled them to earn income beyond the picking wages.

For a fourth consecutive year, the government agreed to allow the ILO to monitor the cotton harvest for child and forced labor, allowed ILO monitors unimpeded access to the cotton fields for observations and to interview laborers, and allowed the ILO to publish the results of a survey of the prevalence of child and forced labor during the 2018 harvest. The ILO assessed that approximately 170,000 pickers of an estimated 2.5 million member workforce were forced laborers; however, some experts believe this number was incomparable to previous years' assessments due to significant changes in the ILO's methodology. Some experts criticized the ILO's new methodology and assessed that the ILO findings underestimated the level of forced labor in the harvest; however they generally agreed that the government was making concerted efforts to reduce forced labor. For the first time, the government granted the ILO access to data acquired through the government's Cotton Harvest Feedback Mechanism—which included telephone hotlines and messaging apps dedicated to receiving reports of labor violations that received 2,006 complaints related to forced labor during the reporting period—and allowed the ILO to observe how it addressed such complaints. The government assigned 200 labor investigators across the country to look into reports of forced labor. The ILO reported that these complaints resulted in fines to 206 officials, but the government did not share additional details on the total number of fines levied, or total number of forced labor victims, including children, identified through this mechanism; compared to 2017, when 362 calls related to forced labor complaints resulted in the identification of 641 persons forced into the fields, including eight confirmed child labor cases, 42 lawsuits, 116 administrative citations, and fines totaling 220.5 million soum ($26,530). Observers reported concerns about the effectiveness of the feedback mechanism, stating that some pickers had concerns about reprisals or the effectiveness of investigations. Unlike previous years, the government included independent human rights activists in plans to monitor the harvest, conduct field interviews, participate in awareness raising activities, and review cases gathered through the Cotton Harvest Feedback Mechanism. Isolated reports of harassment and temporary detention of independent civil society monitors continued. Media, including state media outlets, continued to report on forced labor practices, problems, and violations without penalization or censorship.

The government continued to implement ILO recommendations, reduced land allocated for cotton cultivation, and worked toward the mechanization of the harvest. In addition to the three clusters piloted in 2017, in 2018, the government opened 13 private textile-cotton clusters—which processed cotton from cultivation to finished textile products. However, these private clusters were still subject to quotas set by the central government. Independent observers identified forced labor on cluster farm lands.

In an April 2018 public address, the President ordered an end to forced labor in public works projects, specifically of teachers, doctors, and students, noting that it betrayed the country's path of reform. At a Cabinet of Ministers meeting in April, Ministers were encouraged to use a special fund under the Ministry of Employment and Labor Relations to recruit unemployed individuals for public works, instead of compelling civil servants and students to perform public works. The government allocated 714 billion soum ($85.92 million) to this fund in 2018. In May 2018, the Cabinet of Ministers issued a decree on the eradication of forced labor, instructing government officials to immediately end all forms of compulsory labor of civil servants and students, encouraging Ministries to cooperate with civil society to monitor for abuses, and for the justice sector to ensure perpetrators are held accountable. NGOs reported the ban's limited success; local governments continued to compel civil servants into forced labor in public works projects, including street sweeping, garbage collection, city greening and beautification work, and collection of scrap metal. An NGO reported that farmers continued to face silk cocoon production quotas; there were uncorroborated reports that school directors in Jizzakh and Syrdarya removed children from school and forced them to harvest silk cocoons. The government continued to call for *hashar*, or volunteer work days, throughout the country; some local leaders characterized cotton picking and street cleaning as *hashar*. NGOs reported that citizens felt they could not refuse to participate.

In September 2018, the Cabinet of Ministers passed a resolution providing additional support to labor migrants abroad, including victims of forced labor, and allocated a budget of 200 billion soum ($24.07 million) for assistance to labor migrants. The Uzbek Agency for Foreign Labor Migration continued 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 Agency opened a representative office in Gwangju, South Korea in September; more than 2,250 Uzbek citizens worked in South Korea under a bilateral temporary work agreement. The government reported 34 migrants used these centers before departures for work in Russia. In October 2018, the government signed an agreement with Russia on the organized recruitment of Uzbek citizens for temporary employment in Russia. The government also signed employment agreements with Turkey and Japan in 2018 and 2019. The government reported that 300 Uzbek citizens found temporary employment in Turkey. As of September 2018, private companies, including foreign and local, had official permission from the government to recruit Uzbek citizens for jobs abroad and within Uzbekistan. Although the companies were required to obtain licenses, the government did not report the number of licenses granted nor any monitoring of recruitment fees charged to job applicants.

Inspections only took place in response to complaints or following advance notice, limiting the inspectorate's ability to identify active instances of forced labor. The labor inspectorate conducted 2,006 inspections in 2018; the inspectorate did not provide additional information on cases, or report screening for trafficking indicators, or referring for criminal investigation. The labor inspectorate is not empowered to bring criminal charges for first time violations of the law against forced labor.

The Ministry of Internal Affairs chaired an interagency counter-trafficking commission that analyzed the causes of trafficking in the country and worked to increase public awareness. A 2018 independent survey of human trafficking in Uzbekistan found that 76 percent of respondents believed victims were responsible for being trafficked. 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 interagency commission on combatting human trafficking maintained a 24-hour hotline; in 2018 the line received 511 phone calls, of which 72 were identified as trafficking victims. An NGO maintained a foreign donor-funded hotline. The NGO received 5,889 phone calls; among these calls were 198 allegations of human trafficking and 211 requests for repatriation. The organization facilitated the repatriation of 442 people and referred 457 assistance requests to law enforcement. The government did not conduct efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

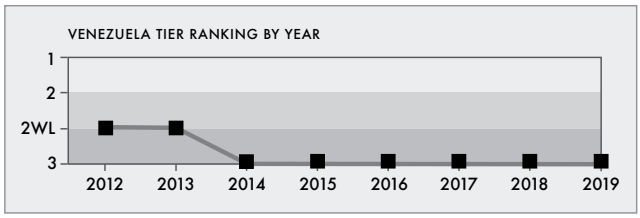
As reported over the past five years, human traffickers exploit domestic victims in Uzbekistan, and traffickers exploit victims from Uzbekistan abroad. The government continued to demand farmers and local officials fulfill state-assigned cotton production quotas or face penalties, which caused some officials to compel participation in the annual cotton harvest. The ILO and observers noted that the systemic mobilization of child labor was eliminated in the 2017 harvest, although anecdotal reports of the use of child labor continue. Government-compelled forced labor of adults, including employees of schools and medical facilities, remained during the 2018 cotton harvest; NGOs reported a decrease in the use of forced laborers, citing no evidence of systemic mobilizations during the first ten days of the harvest, and uneven implementation on the prohibition on teachers and medical workers. The government forced other groups of public employees to work in the cotton harvest at increased rates. International reports indicate some adults who refused to pick cotton, did not pay for a replacement worker, or did not fulfill their daily quota could face the loss of social benefits, termination of employment, or other forms of harassment. Some employees and market vendors could choose to hire a replacement picker directly, pay a fee for the mobilizer to find a replacement picker, or pay a fine rather than pick cotton, a coercive system that penalized those who chose not to participate in the harvest, and created a lucrative means of extortion for corrupt managers and officials. Private companies in some regions mobilized employees for the harvest under threat of increased government inspections of and taxes on their operations.

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 uncorroborated reports that they removed children from school to harvest the cocoons. Despite an April 2018 government prohibition, there continued to be instances of local officials forcing 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. Officials occasionally compelled labor by labeling these tasks as *hashar*, voluntary work for the community's benefit.

Traffickers exploit Uzbek women and children in sex trafficking in the Middle East, Eurasia, and Asia, and also internally in brothels, clubs, and private residences. Children in institutions were vulnerable to sex trafficking. Traffickers subject Uzbek men, and to a lesser extent women, 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. An NGO noted that Uzbek citizens who had traveled with official employment contracts to Russia under a 2017 migrant labor agreement were vulnerable to forced labor, as the employers in Russia failed to properly register the migrants with the authorities, forced them to live in barracks, and underpaid or did not pay them at all. As the attractiveness of the Russian labor market decreases for Central Asian labor migrants, Uzbek labor migrants are increasingly looking to Turkey; Uzbek labor migrants there are vulnerable to trafficking, as there are 30,000 registered Uzbek citizens, but only 2,000 work legally with work visas.

VENEZUELA: TIER 3

The Government of Venezuela does not fully meet the minimum standards for the elimination of trafficking and is not making any efforts to do so; therefore Venezuela remained on Tier 3. Despite the lack of significant efforts, in 2018 the Venezuelan government led by then-President Nicolas Maduro conducted a training for officials to begin the development of a victim protection protocol. However, the government did not report assisting any victims and it did not investigate, prosecute, or convict any traffickers.



PRIORITIZED RECOMMENDATIONS:

Provide specialized services for all trafficking victims, including victims identified abroad who are returning to the country. • Strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor and convict and punish traffickers. • Educate Venezuelans fleeing the country on the risks of human trafficking and where and how to seek services. • Train all migration and law enforcement officials operating in border crossings on trafficking indicators. • Work in partnership with civil society organizations and other service providers to assist victims. • Implement formal procedures and training for identifying victims among vulnerable populations, such as persons in prostitution, and for referring victims for care. • 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. • 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. • Improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government maintained insufficient law enforcement efforts. Venezuelan law criminalized labor trafficking and some forms of sex 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 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. Authorities did not report investigating, prosecuting or convicting anyone for trafficking; however, media reports indicated 99 individuals were indicted for trafficking crimes. In addition, press reports also indicated that the government conducted an anti-trafficking operation that led to the arrest of at least 32 possible traffickers that were allegedly forcing victims into live streaming sexual acts. The organized crime office (ONCDOFT) continued to be the lead investigative entity for trafficking crimes; however, the government did not report any training or operations during 2018.

PROTECTION

The government did not report making efforts to identify or protect victims. According to media sources, the ONCDOFT continued to operate a 24-hour hotline to receive reports of suspected trafficking cases; however, several of the numbers provided were often inactive. Media reports indicated that authorities began convening technical working groups to develop formal procedures for victim protection. It was unclear if the government formalized any mechanisms by the end of the reporting period. Authorities did not report identifying trafficking victims among vulnerable populations or referring victims to services. In previous reporting years, victim referrals to different government entities, including ONCDOFT 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. Historically, victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. It was unclear if these services were available during the reporting period. It reportedly also 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. International media sources continued to report on the increased number of Venezuelan victims identified abroad, many repatriated or deported back to Venezuela; it was unclear what assistance the government provided upon their return. According to government websites, authorities conducted some training activities for government officials on the development of a protection protocol for victims.

PREVENTION

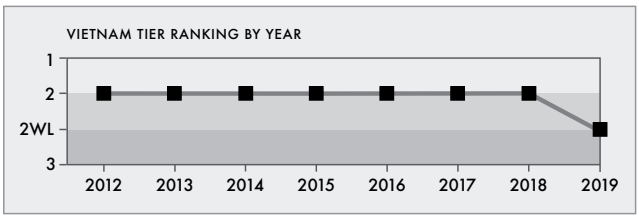
The government maintained inadequate prevention efforts. No permanent anti trafficking interagency body existed, and the government did not have an anti trafficking plan or strategy. According to an international organization, ONCDOFT conducted limited awareness activities for immigration authorities and families in communities along the Venezuelan border with Colombia. The government did not report conducting any other 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, human traffickers exploit domestic and foreign victims in Venezuela, and traffickers exploit Venezuelan victims abroad. As the economic situation continued to spiral into critical deterioration, more than 3.7 million Venezuelans have fled Venezuela to neighboring countries. The UN estimates approximately 5.3 million Venezuelans will have fled the country by the end of 2019. Traffickers have exploited Venezuelan victims in Aruba, Colombia, Costa Rica, Curacao, Dominican Republic, Ecuador, Guyana, Macau, Mexico, Panama, Peru, Spain, Suriname, and Trinidad and Tobago. Venezuelan women and girls were particularly vulnerable to sex trafficking in Colombia and Ecuador. Venezuelan men are increasingly vulnerable to forced labor in destination countries, including islands of the Dutch Caribbean. Venezuelan boys are vulnerable to forced criminality and forced recruitment by dissident illegal armed groups in Colombia. Traffickers subject Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, to sex trafficking and child sex tourism within the country. Traffickers, often relatives of the victims, exploit Venezuelan children in forced labor for domestic service within the country. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Foreign nationals living in Venezuela subject Ecuadorians, Filipinos, and other foreign nationals to forced labor in domestic servitude. Venezuelan officials have noted an increase of sex trafficking in the informal mining sector.

VIETNAM: TIER 2 WATCH LIST

The Government of Vietnam does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included disseminating implementing guidelines for Articles 150 and 151 of the penal code, operating large-scale awareness campaigns in communities vulnerable to trafficking, and government facilitated trainings for Consular officers, police, and other relevant agencies to combat trafficking. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. It identified significantly fewer victims than in previous years. Law enforcement efforts were impeded by the delayed release of formal implementation guidelines on Articles 150 and 151 of the penal code. A lack of interagency coordination and unfamiliarity among some provincial officials with anti-trafficking law and victim protection continued to impede anti-trafficking efforts. There were continued reports of forced labor of individuals detained in government-run drug treatment centers. Despite continued reports of official complicity, the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses. Therefore Vietnam was downgraded to the Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Train officials on implementing guidelines for Articles 150 and 151 of the penal code, with a focus on identifying and investigating forced labor and internal trafficking cases, including cases involving male victims. • Cease subjecting Vietnamese confined to drug treatment centers to forced labor and allow independent verification that the practice has ended. • Coordinate and effectively implement policies across government agencies 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. • Expand training for social workers, first responders and the judiciary on victim-centered approaches to working with victims of trafficking, including trauma-informed care. • Vigorously prosecute all forms of trafficking and convict and punish traffickers, including in cases involving forced labor or complicit officials. • Fully prohibit all worker-paid recruitment fees and predatory recruitment practices for workers migrating abroad or to Vietnam, including by strengthening efforts to monitor labor recruitment companies and third-party sub-brokers and prosecuting predatory or illegal sub-brokerage networks. • Amend the penal code to criminalize sex trafficking of 16- and 17-year-old children, 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. • Increase national funding available to provincial level authorities to provide services to reintegrated victims of trafficking.

PROSECUTION

The government decreased law enforcement efforts. Article 150 of the penal code criminalized labor trafficking 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) ($862 to $4,310). Article 151 criminalized labor trafficking 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 ($2,160 to $8,620). 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 applies to children between the ages of 16 and 17 years old, and requires a demonstration of force, fraud, or coercion to constitute a sex trafficking offense; it therefore did not criminalize all forms of child sex trafficking. Civil society reported that this led to confusion on how to treat cases involving 16- and 17-year-old children —especially for cases involving labor trafficking—and resulted in victims being treated as adults in nearly all cases. In September 2018, the Supreme People's Court issued a circular detailing the trial procedures dealing with cases involving victims under the age of 18, designed to make court proceedings more child-friendly. Insufficient time has passed since the close of the reporting period to evaluate if the circular sufficiently addressed the legal discrepancy in the treatment of 16- and 17-year-old children in sex trafficking cases as adults.

While Articles 150 and 151 came into effect during the previous reporting period, the government did not circulate implementing guidelines until January 2019, which did not take effect until March 2019. Delays in issuing implementing guidelines may have contributed to fewer investigations and prosecutions of trafficking cases during the reporting period. For the seventh consecutive year, the government did not prosecute any suspected traffickers under labor trafficking provisions of the anti-trafficking law. According to the Ministry of Foreign Affairs (MFA), the Ministry of Public Security (MPS) and Vietnam Border Guards (under Ministry of Defense)—often in cooperation with foreign partners—identified 211 trafficking cases (350 in 2017, 234 in 2016) involving 276 alleged offenders (over 500 in 2017, 308 in 2016). The *procuracies* (prosecutor's office) reported initiating the prosecution of 194 defendants for trafficking offenses (245 in 2017, 295 in 2016, 442 in 2015, 472 in 2014) and the court system secured 213 convictions (244 in 2017, 275 in 2016); sentences ranged from less than three years to 20 years' imprisonment, however some prison sentences were suspended. 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. During the reporting period, the government signed a bilateral anti-trafficking agreement with the United Kingdom to improve law enforcement coordination, and with the Republic of Korea to enhance cooperation between judicial officials, including training Vietnamese prosecutors.

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. The Vietnamese government commenced a large scale restructuring of the MPS, merging its Staff Department (C42) responsible for anti-trafficking policies and procedures with the Criminal Police Department (C45) responsible for trafficking operations. While the merging of these departments could potentially improve the flow of information and interagency coordination, civil society reported this reshuffle, coupled with extremely high turnover within the MPS, significantly slowed law enforcement efforts. Police continued efforts to mainstream trafficking content into the training curriculum for new recruits; the MPS organized 12 trainings for 500 police officers, and in cooperation with an international donor, organized trainings on child sexual assault, including child sex trafficking. The government reported that the Supreme People's Procuracy and Supreme People's Court have revised their trainings to address trafficking crimes for victims under the age of 16. Despite ongoing reports of official complicity, the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses.

PROTECTION

The government decreased efforts to protect victims. In 2018, authorities reported identifying 490 victims of trafficking (670 victims in 2017, 1,128 victims in 2016). The government 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. Some officials cited an increase in forced labor and noted incomplete data collection and poor interagency cooperation led to low victim identification. Social protection officials demonstrated a lack of familiarity with migrant worker vulnerability to trafficking, often considering them simply illegal workers. Some officials continued to conflate trafficking with smuggling, which precluded the identification of victims who voluntarily migrated abroad. 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 it 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. Local and provincial government officials at times did not demonstrate a clear understanding of victim identification, including in some cases by conflating it with the confirmation of official identity documents. Foreign victims, including children, remained at high risk of deportation without screening or referral to protective services. NGOs reported the victim identification process remained overly cumbersome and complex, requiring sign off from multiple ministries before victims could be formally identified and assisted.

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. National authorities did not devote adequate funds for victim protection, encouraging provincial governments to use their own funds for trafficking programs to further decentralize this responsibility, and relied heavily on civil society to provide protection services with limited in-kind support. In 2018, the government reported assisting all 490 identified victims (500 in 2017, 600 in 2016) with initial psychological counseling, healthcare consultations, and legal and financial assistance; the government reported providing an unspecified number of victims with reintegration assistance, including small business loans. There were no government shelters designated exclusively for male or child victims, although existing shelters assisted all victims as needed. The Ho Chi Minh City Department of Labor, Invalids, and Social Affairs 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. The Ministry of Labor, Invalids, and Social Affairs (MoLISA) and government-affiliated Women's Unions often referred victims to NGOs depending on their individual needs. 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 Union, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, including one dedicated to trafficking victims. Local and provincial government officials at times employed practices that could be re-traumatizing to victims of trafficking. Contrary to international best practices, a shelter confined victims for multiple years and limited residents' freedom of movement. Psycho-social services for victims remained underdeveloped, with training needed on trauma-informed approaches for all actors engaging with victims, including social workers, front-line officers, and the judiciary. Civil society organizations reported assisting 167 victims of trafficking.

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 healthcare to Vietnamese citizens subjected to trafficking abroad. The government reported repatriating over 386 Vietnamese victims in 2018 (138 in 2017). Some diplomatic personnel reportedly lacked sufficient training to adequately assist victims, and NGOs abroad reported some overseas missions were unresponsive to foreign government and NGO attempts to connect them with Vietnamese victims. The government encouraged trafficking victims to assist in judicial proceedings against traffickers and offered them some protection and compensation, including child-friendly courtrooms and not requiring victims to be present at trial; however, the government did not report the extent to which they applied these measures. The law protected victims from prosecution for unlawful acts traffickers coerced them to commit, but NGOs reported victims were less likely to come forward about their abuses in a judicial setting due to fears they may face arrest or deportation, and returned victims were afraid of being arrested for crossing the border without documentation. Civil society reported Vietnamese victims who migrated via irregular means, were involved in criminal activity as a result of their trafficking, or had criticized the Vietnamese government feared reprisals from Vietnamese government authorities, were less likely to seek support, and were vulnerable to re-trafficking. International observers reported government officials often blamed Vietnamese citizens for their exploitative conditions abroad or suggested victims inflate abuses to avoid immigration violations. 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); however, civil society reported progress under the NAP slowed due to the MPS reorganization. The government continued a five-year assessment on NAP implementation benchmarks. Authorities did not allocate sufficient funding to carry out the plan for a fourth year and a lack of inter-ministerial cooperation generally hampered effective implementation. While the government completed the resolution providing guidance to the application of Articles 150 and 151, because it did not come into effect until March 15, it was too late to impact implementation of the articles during the reporting period. The MFA organized training courses on human trafficking prevention and combatting in the forms of periodic consular affairs training courses for officials prior to their postings to Vietnamese representative missions abroad. The Ministry also held workshops on international migration and human trafficking prevention to improve the capacity of desk officers at the ministry and localities in Vietnam. The Ministry of Information and Communication and the Vietnam Women's Union organized public awareness campaigns focused on high-risk groups such as female migrant and agricultural workers, construction workers, and communities sending migrant labor abroad, as well as targeting schools in high-risk communities. Authorities reported distributing 25,000 copies of awareness materials in border areas and 900 handbooks in particularly vulnerable communities. During the reporting period, the Ministry of Information and Communications directed state-run media to air more than 700 documentaries and news stories to raise public awareness on trafficking. Civil society reported while the government made efforts to translate campaign materials into regional languages to increase awareness, many at-risk populations found the information abstract and difficult to understand. MoLISA operated a 24-hour hotline for trafficking victims; authorities reported receiving approximately 2,010 calls to this hotline (2700 in 2017) and referring 30 cases to NGO and government services (65 cases referred in 2017). The government continued to support more ethnic minority's languages on the hotline including English. However, civil society reported callers have difficulty when speaking with an operator with a different regional dialect.

Reports continued of poor migration management and poor regulation of the labor broker industry leading to debt

bondage and exploitation of Vietnamese citizens abroad. MoLISA conducted an inspection, in coordination with public security agencies, and discovered 91 cases related to violations in the recruitment of labor for overseas employment and found 55 organizations and individuals without relevant permits. Violators received administrative sanctions. MoLISA collaborated with media agencies in publishing 300 news articles on rules and policies for migrant workers, organized training courses for officials and labor-recruiting businesses, and addressed laborers complaints. The Vietnam General Confederation of Labor (VGCL), the national trade union under the direction of Vietnam's Communist Party, took steps to prevent exploitation of Vietnamese workers abroad. In partnership with an NGO, the VGCL began working to form an association of migrant Vietnamese workers in South Korea to better inform Vietnamese migrant workers about their rights and services available. Despite these efforts, unscrupulous third-party recruiting organizations often placed migrant workers in debt. Despite the government entering into a Memorandum of Cooperation with the Government of Japan in 2017 to improve protections for Vietnamese participants in Japan's Technical Intern Training Program (TITP), there were continued reports of severe exploitation of Vietnamese workers. NGOs and the media in Japan reported Vietnamese workers pay $7,000 to third party brokers in Vietnam before entering the TITP program and then often must pay $4,000 to $5,000 if they break their contracts, trapping them in debt bondage. International observers noted Vietnamese government officials sometimes considered the exploitation of Vietnamese workers abroad to be the host countries' responsibility and beyond their purview. The government continued efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported for the last five years, human traffickers exploit domestic and foreign victims in Vietnam and traffickers exploit victims from Vietnam abroad. 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 trap workers in debt bondage. Traffickers subject victims to forced labor in construction, fishing, agriculture, mining, logging, and manufacturing, primarily in Angola, Japan, Laos, Malaysia, Republic of Korea, Taiwan, and the United Arab Emirates; 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. Large-scale Vietnamese infrastructure investment projects in neighboring countries such as Laos may exploit Vietnamese and foreign workers. Traffickers exploit Vietnamese women and children in 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 Malaysia, Republic of Korea, Singapore, Taiwan, and Thailand. Some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars—including to China, Cyprus, Japan, Korea, Malaysia, Saudi Arabia, Singapore, and Taiwan—are subjected to domestic servitude or sex trafficking. 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. During the migration process European gangs and traffickers often exploit Vietnamese victims in forced labor and sexual exploitation before they reach their final destination.

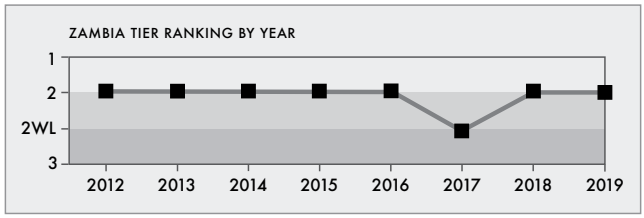
Within the country, traffickers exploit Vietnamese men, women, and children—including street children and children with disabilities—in forced labor, although little information is available on these cases. Traffickers exploit children and adults in forced labor in the garment sector, where workers are coerced to work through threats and intimidation. There were reports of children as young as six producing garments under conditions of forced labor in small privately owned garment factories and informal workshops, and that children as young as 12 worked while confined in government-run rehabilitation centers. Traffickers force children into street hawking and begging in major urban centers. Traffickers subject some children to forced or bonded labor in brick factories, urban family homes, and privately run rural gold mines. Sex traffickers target many children from impoverished rural areas, and a rising number of women from middle class and urban settings. Traffickers increasingly exploit girls from ethnic minority communities in the northwest highlands, including in sex trafficking and domestic servitude, by 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. North Korean restaurants operating in Vietnam may exploit North Korean workers in forced labor.

Although the government reports it no longer subjects drug users to forced labor in rehabilitation centers, international organizations and media report authorities continue the practice. 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. In August 2018, there were reports that 200 individuals who escaped a government-run drug treatment center claimed authorities forced them to work eight hours a day without compensation and subjected them to punishment, including beating, if they "misbehaved." Vietnamese law allows for obligatory manual labor for prisoners, which allows forced labor to be used as a means of punishment for political and religious dissidents. Prisoners reportedly work in agriculture and manufacturing, and there have been reports of prisoners of conscience working in hazardous industries such as cashew processing. Complicit Vietnamese officials, primarily at commune and village levels, facilitate trafficking or exploit victims by accepting bribes from traffickers, overlooking trafficking indicators, and extorting money 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 but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Zambia remained on Tier 2. These efforts included investigating more potential trafficking cases; expanding the availability and quality of shelters in multiple locations throughout the country; and providing regularization of immigration status and temporary residency for all foreign

victims. The government referred all identified victims to care and coordinated with five governments to repatriate foreign national victims. The government also finalized an updated national action plan, launched a nationwide awareness-raising campaign, and hosted cross-border bilateral meetings with a neighboring country to discuss challenges and successes in responding to trafficking. However, the government did not meet the minimum standards in several key areas. The government slightly decreased the number of trafficking prosecutions and convictions, and identified fewer trafficking victims. It did not consistently screen potential victims of trafficking in cases that appeared to be smuggling.



PRIORITIZED RECOMMENDATIONS:

Improve efforts to implement the National Referral Mechanism (NRM) to proactively identify trafficking victims and refer them to protective services. • Amend the trafficking law to define child sex trafficking as not requiring force, fraud, or coercion and to define trafficking as a crime that does not require movement. • Expand training for police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes. • Screen vulnerable migrant populations, such as refugees and asylum-seekers, for trafficking indicators. • Establish a network of translators to ensure provision of translation services for foreign victims in order to deliver comprehensive legal and protective services. • Compile and make public information on trafficking cases and trends.

PROSECUTION

The government demonstrated mixed anti-trafficking law enforcement efforts. The Anti Trafficking Act of 2008 criminalized sex trafficking and some forms of labor 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, in coordination with an international organization, convened two workshops to review Zambia's existing anti-trafficking act and began drafting amendments to bring the law in line with international standards.

The Zambia Police Service investigated 13 potential trafficking cases, the Department of Immigration initiated 28 investigations, and the Ministry of Labor and Social Security (MLSS) investigated 38 potential forced child labor cases for a total of 79 investigations, compared to 22 in 2017. In particular, the investigations by MLSS represented an improvement from past government efforts to carry out mediation in suspected forced child labor cases. The government prosecuted and convicted two traffickers in two cases under the Anti-Trafficking Act of 2008, who were awaiting sentencing at the close of the reporting period, compared with four prosecutions and four convictions during the previous reporting period. Three prosecutions involving three defendants from 2017 remained ongoing at the close of the reporting period. 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 at least 1,021 officials using these modules. The national police academy trained an unknown number of new recruits on trafficking. The government continued to participate in the Southern African Development Community regional data collection tool by uploading information on trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. A trafficking case from 2016, in which two Zambian children were exploited in Botswana, remained ongoing in Botswana during the reporting period.

PROTECTION

The government demonstrated increased victim protection efforts. The government identified 17 victims during the reporting period, compared to 41 potential victims identified during the previous reporting period when data included trafficking-related crimes. Of the victims identified, 14 were children and three were adults; 13 were female and four were male. Traffickers exploited one woman in sex trafficking and 16 victims in domestic servitude. For the second consecutive year, the government referred all victims it identified to protective services using the NRM to guide the referral process and employ a victim-centered approach. The Department of Social Welfare conducted home studies and counseling with each child's family prior to reunifying child victims with their families. The government reunified 10 Zambian victims with their families and provided all victims with reintegration assistance, including one foreign national resettled in Zambia. The Department of Social Welfare, in partnership with an international organization, coordinated with Nigeria, Ethiopia, Uganda, Zimbabwe, and Mozambique to repatriate six victims and ensured victims received protective services upon arrival in their home countries. The government is updating its current standard victim identification form to better guide front-line officials in proactively identifying trafficking victims.

The government partnered with international organizations to offer routine assistance to victims, including medical care and counseling. The Ministry of Community Development and Social Services operated one 40-person shelter for victims of trafficking and victims of sexual abuse in Luapula province and another in Central Province, both of which accommodated male victims of trafficking. The government coordinated with an international organization to refurbish a government-run shelter in Sesheke, a border area known to have a high prevalence of trafficking, which expanded its ability to provide protective services for women and children. In addition, it opened a gender-based violence shelter in Chongwe for women and girls, which could also provide protective services for trafficking victims. Shelters across the country, especially outside Lusaka and Copperbelt Provinces, were heavily constrained by a lack of funding. The government significantly increased funding to respond to trafficking cases; the Department of Immigration reported spending 50,000 Zambian kwacha ($4,200) for victim assistance in 2018, which was used for transportation and temporary sheltering. The Department of Social Welfare provided 1.04 million Zambian kwacha ($87,110) to its designated shelters, homes, and schools to support victims of various forms of violence, including

human trafficking. Government officials, in partnership with international organizations, offered court preparation assistance and repatriation or regularization of immigration status. Foreign victims of trafficking were provided with the same protective services as Zambian nationals. The Department of Immigration provided regularization of immigration status and temporary residency for all foreign victims in accordance with the anti-human trafficking act. Regularization of stay was not dependent on the victim's cooperation with law enforcement, and the government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution. Availability of translators was a barrier to providing timely and comprehensive care for victims. Despite progress since the previous reporting period, the government did not consistently screen potential victims of trafficking in cases that appeared to be smuggling; individuals who reportedly consented to being smuggled, including potential trafficking victims, were sometimes detained, charged, or deported without being screened for trafficking indicators. The government worked with an international organization to increase the capacity of front-line responders to screen for trafficking indicators in such situations.

PREVENTION

The government increased efforts to prevent trafficking. The government launched an updated national action plan covering 2018-2021 on trafficking and mixed and irregular migration. The national inter-ministerial committee and its secretariat, which was charged with oversight of national anti-trafficking efforts, met regularly with non-governmental stakeholders to assess trafficking trends and report on anti-trafficking efforts. The anti-trafficking inter-ministerial committee met quarterly and the secretariat met once a month to coordinate with government and non-government stakeholders on anti-trafficking efforts. The inter-ministerial committee, in coordination with an international organization, jointly funded and launched an awareness campaign in the seven districts most vulnerable to trafficking. The campaign educated the public on the methods and means traffickers used to fraudulently recruit victims, how to report potential trafficking cases, protective services available to victims, and the economic and social consequences of trafficking in their communities. The committee also presented the campaign during an agriculture and commercial expo in Lusaka to engage companies and individuals involved in agriculture and other related industries.

The government continued its partnerships in the region through routine coordination of anti-trafficking efforts with Zimbabwe and South Africa. It participated in four and hosted two cross-border bilateral meetings with Zimbabwean government officials to discuss challenges and successes in responding to trafficking and mixed migration issues. The Employment Act set forth requirements for the regulation of labor brokers, and the Ministry of Labor validated such brokers upon production of adequate legal documentation. The Ministry of Labor conducted inspections and investigations of labor brokers on a regular basis throughout the country to regulate recruitment practices and prevent fraudulent job offers that may lead to exploitation. The Employment Act prohibited labor brokers from charging prospective employees for any services rendered. The government effectively enforced these policies during the reporting period. During 2018, MLSS employed 160 labor inspectors, compared to 134 employed the previous year. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training to its diplomatic personnel. The government trained peacekeepers on anti-trafficking prior to deployment.

TRAFFICKING PROFILE

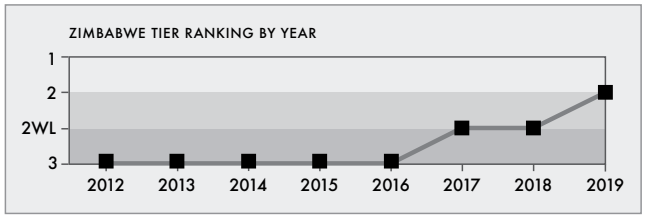
As reported over the past five years, human traffickers exploit domestic and foreign victims in Zambia, and traffickers exploit victims from Zambia abroad. Most trafficking occurs within the country's borders and involves traffickers exploiting women and children from rural areas in cities in domestic 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 village families are also at risk of trafficking because sending children to the city for work is perceived to confer status. Truck drivers exploit Zambian boys and girls in sex trafficking in towns along the Zimbabwean and Tanzanian borders, and miners exploit them in Solwezi. Traffickers exploit Zambian boys in sex trafficking in Zimbabwe and exploit women and girls in 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.

Traffickers exploit women and children from neighboring countries in forced labor and sex trafficking in Zambia. Traffickers lure Rwandan women to Zambia with promises of refugee status, coerce them into registering as Democratic Republic of the Congo nationals seeking refugee status in Zambia, and subsequently exploit them in sex trafficking and threaten them with physical abuse and reporting them to immigration officials for fraudulent refugee claims. 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, mining, and service sectors.

ZIMBABWE: TIER 2

The Government of Zimbabwe does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Zimbabwe was upgraded to Tier 2. These efforts included sentencing a trafficker and increasing cooperation and coordination with NGOs to identify victims. The anti-trafficking inter-ministerial committee (ATIMC) finalized and adopted a National Referral Mechanism (NRM), which outlined Standard Operating Procedures (SOPs) on victim identification and referral. It also drafted and adopted implementing regulations, which gave legal force to key procedures set out in the NRM, empowered provincial operational task forces, and defined clear roles and responsibilities for front-line responders. The government conducted an evaluation of its 2016-2018 National Action Plan (NAP) to identify lessons learned, which informed the drafting of its new 2019-2020 action plan. However, the government did not meet the minimum standards in several key areas. The draft amendments to the 2014 Trafficking in Persons Act remained pending at the close of the reporting period; the government prosecuted and convicted fewer trafficking cases compared to the previous year; and there was a backlog of trafficking cases dating back to 2016. The government identified

fewer trafficking victims and did not provide adequate funding to its NGO partners on which it relied to provide protective services to victims.



PRIORITIZED RECOMMENDATIONS:

Amend the anti-trafficking law to criminalize all forms of trafficking in line with the 2000 UN TIP Protocol. • Increase efforts to proactively investigate and prosecute trafficking crimes, including complicit government officials and internal trafficking cases. • Provide financial or in-kind support to NGO service providers. • Expand training for law enforcement on investigative techniques. • Allocate adequate funding for law enforcement to proactively carry out investigations. • 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 NAP to combat trafficking. • Develop mutual legal assistance treaties (MLATs) and other agreements to facilitate information gathering and sharing with foreign governments.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts, although it did make efforts to improve international case cooperation or increase sophistication in case management. 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 were 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. The government, in partnership with an international organization, finalized a draft Trafficking in Persons (TIP) Act Amendment Bill and the inter-ministerial committee convened a final legislative workshop in February 2019 to adopt the bill; however, it remained pending passage by Parliament at the close of the reporting period.

The government increased cooperation and information sharing with NGOs and international organizations during the reporting period, which resulted in more detailed law enforcement data. The government investigated two potential cases of forced labor, compared to investigating two potential cases of forced labor in the previous reporting period. The government reported prosecuting two trafficking cases in 2018, compared with 14 prosecutions in 2017. One case involved an alleged trafficker facing more than 20 counts of trafficking for luring victims to Kuwait and exploiting them in forced labor and sex trafficking during the previous reporting period. Partnering with an international organization, the government increased coordination with a foreign government to locate the defendant abroad, request his extradition to Zimbabwe, and indicted him under the 2014 TIP Act. Both prosecutions remained ongoing at the close of the reporting period. The government reported convicting one trafficker, compared with three convictions during the previous reporting period. The trafficker was on trial since 2017 for exploiting numerous Zimbabweans in forced labor and sex trafficking in Kuwait as early as 2016. Several victims testified against the trafficker and the government convicted her of five counts of trafficking and sentenced her to 50 years' imprisonment—the most severe sentence ever handed down to a trafficker since the government's first trafficking conviction in 2007. Out of as many as 20 cases initiated in 2016 involving Zimbabwean victims exploited in Kuwait, only three have been prosecuted, while the others remained under investigation at the close of the reporting period.

Although some delays were beyond the control of criminal justice actors, particularly in cases where the alleged trafficker resided outside of the country, the government lacked relevant agreements with foreign governments such as MLATs, which slowed law enforcement cooperation and the judicial process. Unlike sexual offense cases, which were typically expedited in the courts, trafficking cases were not treated with the same urgency and often languished on the docket for years. A senior Detective Inspector trained Zimbabweans and other government participants at an annual INTERPOL training seminar. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. However, civil society organizations reported widespread judicial corruption; these allegations extended beyond magistrates and judges to senior government officials, who allegedly undermined judicial independence including by giving farms and homes to judges. The government partnered with neighboring governments and an international law enforcement organization to increase investigative capacity of law enforcement through an intelligence-driven operation. As a result of this cooperation, officials in two countries arrested suspected traffickers and identified 87 victims.

PROTECTION

The government demonstrated increased protection efforts by adopting a national referral mechanism and referring all identified victims to care. The government reported identifying 10 victims and an international organization reported identifying 21 additional victims, for a total of 31 potential trafficking victims identified, compared with 87 total victims identified by officials and partners in 2017. In addition, a local NGO-operated hotline responded to one verified case of trafficking during the reporting period. Of those 10 victims identified by the government, eight were female and two were male. The government did not identify any victims exploited within Zimbabwe. The government referred all victims to care, as compared to the previous year when it repatriated some victims and referred others to care. The government referred the eight female victims to an NGO that operated 11 shelters for women in eight of 10 provinces throughout the country; they received

protective services including counseling and medical care. Of these victims, two female victims were identified in Kuwait and one female victim was identified in China; all victims were exploited in both sex and labor trafficking. The Ministry of Public Service, Labor and Social Welfare (MPSLSW) partnered closely with the Zimbabwean embassies in both China and Kuwait to repatriate all three victims. Traffickers exploited four victims, two males and two females, in labor trafficking, in China. An international organization identified another 21 Zimbabwean victims, 19 female and two male, 17 of these victims were exploited in Kuwait and four were exploited in China. The MPSLSW partnered with an international organization to provide reintegration assistance and resources to begin income-generating projects to all 21 victims identified abroad by the organization. NGO shelters were capacitated to provide shelter for both male and female victims of gender-based violence, trafficking, and domestic violence. The NGOs that provided protective services did not receive funding from the government and struggled to operate without such support. 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 have not been established since the passage of the law.

The government, in partnership with an international organization and other stakeholders, developed and adopted an NRM, which outlined SOPs in the identification, referral, and assistance of trafficking victims. The ATIMC drafted and adopted implementing regulations, which gave legal force to key procedures set out in the NRM, empowered provincial operational task teams, and defined clear roles and responsibilities for front-line responders. In partnership with an international organization, the government trained task force members on international and regional anti-trafficking legal frameworks, trafficking indicators, investigations and prosecutions, the NRM, and the South African Development Community (SADC) data collection tool. During the reporting period, the technical steering committee on the protections of victims of trafficking, led by the MPSLSW, met to oversee the protection and provision of reintegration assistance and services provided to victims of trafficking. The MPSLSW had a system whereby each potential trafficking case reported was handled jointly by an NGO and a Department of Social Welfare caseworker. The government encouraged victims to cooperate in the investigation and prosecution of trafficking cases and at least 10 victims testified during the reporting period. During the reporting period the government provided all 10 witnesses with transport, accommodation, and meals during while they provided testimony in court. The government implemented a comprehensive system for victim-witnesses, which included police units, courts, health services, and a referral system that were more victim-centered. Police officers were trained to obtain forensic reports, direct victims to medical care, and explain the judicial process. Courts had a separate room for victims to testify away from their alleged perpetrators and victims could choose to testify via video. Prosecutors, probation officers, and magistrates were trained to treat victims sensitively, handle cases quickly, and refer victims to post-trial support services. Health service providers were trained to collect evidence for criminal investigations, prepare medical affidavits, and offer immediate and long-term psycho-social support and health care. Despite having this framework in place, there have been cases in which traffickers gained access to victims or their families during court proceedings to compromise the witnesses' testimony. The government did not have legal alternatives to removal to countries in which victims would face retribution or hardship; however, no foreign victims were identified during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. The ATIMC met quarterly and led the implementation of the NAP. The government conducted an evaluation of the 2016-2018 NAP to take stock of completed activities and lessons learned, which informed the drafting of an updated NAP for 2019-2020 that included input from 13 government ministries. In 2018, the ATIMC adopted guidelines for engagement between the government and civil society actors, which will establish a National Coordinating Forum, set to provide a platform for such engagement. In partnership with international organizations, the ATIMC developed the capacity of its seven provincial task teams with targeted trainings. Together, they trained members of the provincial task teams on international and regional anti-trafficking legal frameworks, trafficking indicators, victim-centered investigations and prosecutions, Zimbabwe's NRM, the 2014 Trafficking in Persons Act, and the NAP. The government organized and funded a commemoration of the World Day Against Trafficking in Persons in Bulawayo and distributed materials with anti-trafficking messages to the public at the event. The government set up anti-trafficking booths at the annual Zimbabwe International Trade Fair and the Harare Agricultural Show, which drew thousands of participants; officials distributed educational materials and hosted focus group discussions. Although the government funded awareness-raising activities, it did not allocate adequate resources to fully implement the NAP during the reporting period and relied on funds from international organizations to implement some of the activities. The government continued to participate in the SADC regional data collection tool by uploading information about trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. The government continued to screen companies that employed foreign nationals and it prohibited proxy employment permit applications. The government did not provide anti-trafficking training to its diplomatic personnel. 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, human traffickers exploit domestic and foreign victims in Zimbabwe, and traffickers exploit victims from Zimbabwe abroad. Traffickers exploit women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia in forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Traffickers subject Zimbabwean men, women, and children 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 traffickers exploit them in domestic servitude or other forms of forced labor. Some children, particularly orphans, are lured with promises of education or adoption. Traffickers recruit girls for child sex trafficking in Victoria Falls. Traffickers subject children to forced labor in the agricultural and mining sectors and force them to carry out illegal activities, including drug smuggling. There were reports of traffickers subjecting children from Mozambique 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.

Traffickers lure Zimbabwean women and men 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 sex trafficking. Traffickers exploit women 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 traffickers luring Zimbabwean students to Cyprus and elsewhere 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, where traffickers subject them to labor and sex trafficking. Some migrants are transferred to criminal gangs that subject them to abuse, including sex trafficking in Musina, Pretoria, Johannesburg, or Durban. Traffickers exploit some Zimbabwean men, women, and children in South Africa to months of forced labor without pay, on farms, at construction sites, in factories, mines, and other businesses. Traffickers transport men, women, and children, predominantly from East Africa, 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 traffickers exploit them and, in some cases, coerce them into prostitution. Traffickers force Chinese nationals 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 fourth consecutive year. The Libyan Government of National Accord (GNA) struggled to govern large swaths of Libyan territory, as it did not exercise control in several parts of the country. The judicial system was not fully functioning, 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 reporting year, there were continued reports that criminal networks, militia groups, government officials, and private employers exploited migrants, refugees, and asylum seekers in sex and labor trafficking. Endemic government corruption and militias' influence over government ministries contributed to the GNA's inability to effectively address trafficking.

GOVERNMENT EFFORTS

Lack of institutional capacity, as well as lack of Libyan law enforcement, customs, and military personnel, especially along its borders, hindered authorities' efforts to address human trafficking crimes. Libyan law criminalized some forms of sex trafficking, but did not criminalize labor trafficking. Articles 418, 419, and 420 of the penal code criminalized some forms of sex trafficking involving women, and prescribed penalties of up to 10 years' imprisonment and a fine between 100 and 500 Libyan *dinars* ($72-$361), which were sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape. However, inconsistent with international law, the definition of trafficking within these provisions required transnational movement of the victim and 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. Article 425 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.

Libya's criminal judicial system was not fully functioning in 2018. 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 reporting period. Libyan police forces were not adequately staffed or funded. In late 2018, the MOI formed a Human Rights Office, which was granted arrest authority and the responsibility to investigate human rights abuses, including human trafficking crimes, perpetrated by police officers. To improve law enforcement capacity, the GNA—in partnership with international organizations—provided anti-trafficking training to several hundred police officers in Tripoli in December 2018. The Ministry of Justice (MOJ) did not report statistics on prosecutions or convictions of trafficking offenders, including government officials who were allegedly complicit in trafficking crimes or government-aligned militias and other armed groups that recruited and used child soldiers. In January 2019, the Office of the Attorney General issued arrest warrants for 35 individuals allegedly involved in human trafficking and migrant smuggling crimes. The Attorney General's Office reportedly continued to investigate 205 people, for whom it issued arrest warrants in the previous reporting period, on allegations of human trafficking and other crimes related to a widely publicized 2017 case. However, it did not report additional information about this case.

International observers reported rampant complicity of government officials involved in human trafficking and migrant smuggling operations, including Libyan Coast Guard officials, immigration officers, security officials, Ministry of Defense (MOD) officials, members of armed groups formally integrated into state institutions, as well as officials from the MOI and MOI's Department to Combat Irregular Migration (DCIM). Several credible sources continued to report that DCIM prison officials and detention camp guards forced detained migrants and refugees to work in DCIM-run detention centers and on farms and construction sites. According to an international organization, the Special Deterrence Force, which nominally operated under the MOI, was involved in the trafficking of detained migrants and benefited from extortion payments sent by the migrants' family members for the migrants' release. Additionally, during the reporting period, the MOD 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 northwestern Libya; this allegiance allowed the armed group to continually shift its activities from committing smuggling and trafficking crimes, to policing migrants for the government. In June 2018, the UN and the United States sanctioned a top regional leader of the Libyan Coast Guard's Unit in the city of Zawiya and the leader of the Shuhada al-Wadi militia, who ran the GNA-controlled

Nasr migrant detention center, for alleged involvement in human trafficking and migrant smuggling. The GNA removed the Coast Guard official from his position, but it did not initiate further investigation or prosecute either official for these allegations. The GNA was supportive of these sanctions and issued public statements of condemnation against the trafficking and smuggling of migrants.

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, refugees, and asylum seekers, women and girls in prostitution, child victims of sexual abuse, and children recruited and used by armed groups. The government also did not provide permanent or temporary residency status to trafficking victims. Female victims of trafficking and other crimes faced sexual harassment and assault and degrading treatment by predominantly male law enforcement and judicial officials in Libya. The government continued to operate rehabilitation centers for women in prostitution and victims of sex trafficking and other forms of sexual abuse; however, these centers reportedly operated as de facto prisons, and international observers documented incidents of abuse in these centers.

The government regularly arrested, detained, and otherwise punished victims for unlawful acts traffickers compelled them to commit, such as immigration and prostitution violations. DCIM operated more than 20 official detention centers across the country where it arbitrarily and indefinitely detained approximately 5,000 male, female, and child migrants throughout the reporting period; the number of migrants in the detention centers decreased substantially from 20,000 migrant detainees reported at the end of 2017 due to a concerted effort by international organizations and donor states to repatriate the migrants throughout 2018. Nevertheless, these detention facilities suffered from massive overcrowding, lack of basic infrastructure, dire sanitation problems, and food shortages. Detained migrants—including trafficking victims—had no access to medical care, legal aid, and other forms of protective services. DCIM guards subjected detainees to severe abuse, forced labor, unlawful killings, and rape and other forms of sexual violence. No DCIM detention centers employed female guards, except for the Tariq al-Sekka detention center, where in January 2018 it hired an unknown number of female personnel to staff a section of the center reserved for women and child migrants. An international organization reported the climate of impunity for sexual violence, and lack of safeguards in these centers created an environment where women and girls in detention were highly vulnerable to sexual exploitation. In 2018, the Director of the DCIM issued instructions to 26 DCIM-run detention centers with explicit directions to treat detained migrants humanely, which included issuing information to migrants about their rights under Libyan law. Despite these directives, many militia groups in charge of detention centers around the country did not observe these directives and procedures, in part because they benefited from involvement in trafficking crimes. The Director also ordered the closure of five DCIM-run centers where gross human rights violations reportedly occurred.

The government did not have formal procedures to safely and humanely refer or transfer to protective care identified trafficking victims, including those detained, arrested, or in custody. However, during the reporting period, the government cooperated with international organizations and NGOs to provide assistance to refugees and migrants, a population highly vulnerable to trafficking, in official government-run detention centers. In December 2018, the MOI and an international organization jointly opened a transit center for migrants and refugees in Tripoli, which was managed by a relief organization, to provide more humane conditions for as many as 1,000 detainees; however, the GNA did not have policies in place to identify potential trafficking victims among the population in this facility. Libyan authorities continued to cooperate with international organizations to repatriate, resettle, or evacuate migrants, which likely included unidentified trafficking victims. The GNA processed the necessary permits and facilitated exit visas to allow an international organization to conduct more than 16,000 flights to repatriate migrants in 2018; it also allowed the evacuation of 4,080 refugees and asylum seekers. The government did not, however, provide foreign trafficking victims with legal alternatives to their removal to countries where they could face hardship or retribution.

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. While the government's efforts to close some detention facilities prevented migrants in those locations from further exploitation, migrants in other DCIM-run detention centers remained highly vulnerable to trafficking. During the reporting period, the Ministry of Foreign Affairs (MFA) improved regional cooperation on migration issues to which trafficking was inextricably linked in Libya with the African Union, and established a regional mechanism to discuss migration issues in Libya, Chad, Niger, and Sudan. The MFA also continued to co-chair a migration working group with an international organization, which focused on developing a migration management strategy and writing an inter-ministerial study on border security. During the reporting period, the GNA continued to coordinate with the Italian government to disrupt human trafficking and migrant smuggling operations, substantially reducing 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 severe security and human rights conditions and an increased risk of trafficking for migrants forced to remain in Libya. In turn, the Italian government and other European governments documented how some European and international NGOs working to assist migrant populations partnered with smuggling groups inside Libya in order to help these migrants cross the Mediterranean. The GNA did not have a national coordinating body responsible for combating human trafficking. 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. However, in December 2018, the Criminal Investigation Department within the Ministry of Interior partnered with an international organization to train police officers on document forgery, including those used by traffickers and migrant smugglers. 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, human traffickers exploit domestic and foreign victims in Libya. 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; inhumane detention; and child soldiering. Credible reports since 2013 indicate numerous armed groups and militias, some of which are used as combat forces or security enforcement by the government, recruit and use children; an international organization documented incidents in 2018 in which local armed groups forcibly recruited boys aged 13-15 years old. Children associated with armed groups in Libya are also reportedly exposed to sexual violence. Uncorroborated media reports in 2018 also claimed that ISIS trained and used children in suicide attacks, to fire weapons, and make improvised explosive devices.

Migrants in Libya are extremely vulnerable to sex and labor trafficking, including those seeking employment in Libya or transiting Libya en route to Europe. As of December 2018, an international organization documented at least 663,445 migrants in 100 municipalities in Libya. The country continued to serve as a significant departure point for migrants, including unaccompanied minors crossing the Mediterranean from North Africa; however, the numbers of sea departures from Libya to Italy substantially decreased throughout 2018. Elements of the GNA Libyan Coast Guard reportedly work 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. A fear of GNA Libyan Coast Guard units, who return migrants rescued at sea to detention centers in Libya where they may be subjected to forced labor, led some migrants to refuse the help of these units at sea. Various 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. Highly organized trafficking and migrant smuggling networks that reach into Libya from Niger, Nigeria, Chad, Eritrea, Ethiopia, Somalia, Sudan, and other sub-Saharan and Sahel states subject migrants to forced labor and sex trafficking through fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, debt-based coercion, 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 trafficking. In May 2018, 100 migrants from Eritrea, Ethiopia, and Somalia—some of whom may have been trafficking victims—escaped a camp in Bani Walid where they were reportedly tortured.

Several credible sources continue to report that migrants 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 DCIM 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 some cases, detained migrants were forced to work in exchange for their release from prison. 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. Furthermore, 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 to serve in other non-combat roles.

There is a reported high prevalence of sexual assault and other forms of sexual violence and exploitation of female migrants either along the migration routes to Libya or once inside Libya, including in GNA-run and militia-run detention facilities; perpetrators of sexual violence against female migrants include various armed groups, smugglers, traffickers, and GNA officials. Prostitution rings reportedly subject sub-Saharan women and girls to sex trafficking in brothels, particularly in the towns of Ubari, Sebha, and Marzouq in southern Libya; Nigerian women and girls and Ivoirian women are at increased risk of forced prostitution in Libya. 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 2018.

SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the 17th consecutive year. The country continued to face protracted conflict, insecurity, and ongoing humanitarian crises during the reporting period. The Federal Government of Somalia (FGS) controlled its capital city, Mogadishu, and Federal Member State (FMS) governments retained control over most local capitals across the country. The self-declared independent region of Somaliland and the Puntland FMS 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, and maintained operational freedom of movement in many other areas in south-central Somalia, which it used as a base to exploit the local population by collecting illegal taxes, 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 demonstrated a slightly improved capacity to address most crimes; however, there was demonstrated minimal efforts demonstrated in all regions on prosecution, protection, and prevention of trafficking.

GOVERNMENT EFFORTS

The FGS, Somaliland, and Puntland authorities sustained minimal 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, prosecutorial personnel, and judicial officials remained understaffed, undertrained, and lacked capacity to effectively enforce anti-trafficking laws. 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 did not pass it by the close of the reporting period due to continued disagreements on various provisions. 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. Neither the FGS nor authorities in Puntland and Somaliland reported on law enforcement efforts. 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. During the previous reporting period, the Somali Police Force (SPF) under the FGS reportedly investigated one potential trafficking case involving South Sudanese traffickers, but it did not report the verdict of the case; in Puntland, authorities prosecuted 23 child sex trafficking cases, three of which resulted in convictions and five-year prison sentences plus a fine. 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 criminal action against military officials for the unlawful recruitment and use of children during the year. During the reporting period, the Criminal Investigations Department of the SPF established an anti-trafficking and migrant smuggling unit, which was staffed by six police officers and mandated to investigate potential cases of trafficking to be referred for prosecution. The unit, supported by an international organization, investigated 43 potential trafficking cases during the year.

The FGS lead anti-trafficking official was the Special Envoy for Children's and Migrants' Rights, who steered a small staff under the Office of the Prime Minister. According to a foreign government donor estimate, the Special Envoy had a roughly $5.5 million budget during the reporting period. The inter-ministerial Trafficking and Smuggling Task Force ostensibly served as the national 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. Although the Ministry of Internal Security reportedly led the task force, interdepartmental competition hampered its progress. It did not report progress on development of its national action plan on trafficking efforts for the second consecutive year. International organizations sponsored all trainings during the reporting period, as the FGS and Somaliland possessed negligible capacity to fund or facilitate their own. Between August and September 2018, an international organization conducted three general human trafficking courses—one in Mogadishu and two in Garowe—which reached a total of 50 officials. In October 2018, the same entity ran three additional courses for a total of 42 people, two of which targeted investigators and one that pertained to the Maritime Police Unit. According to another international organization, immigration officials hosted two separate trafficking trainings during the reporting period that reached 125 officials and aimed to specifically help officials at border points accurately identify trafficking victims. 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, and relevant government bodies lacked the resources and expertise critical to the collection and analysis of such data. Furthermore, the FGS did not possess the financial means necessary to provide direct protective services for trafficking victims or auxiliary support to organizations assisting these victims. Trafficking victims in Somaliland received assistance at an international organization-run Migration Response Center (MRC) in Hargeisa and at the Hargeisa Orphanage Center, managed by the government, until they can be reunited with their respective families. Neither facility was dedicated solely to trafficking victims but instead intended broadly for the vulnerable transiting migrant population. However, an international organization responsible for screening at MRCs noted trafficking victims comprised a large proportion of individuals who received assistance there. In the previous reporting period, Puntland authorities developed and operationalized a regional referral mechanism for trafficking victims, with support from an international organization; the extent to which officials employed it during the current period was unclear. Victim care varied significantly across the country, and some specialized care (e.g. mental health counseling) was unavailable due to a dearth of qualified practitioners in-country. Beyond the scope of an international organization's migrant response centers, victims had limited access to protective provisions. In 2018, the FGS facilitated the repatriation of 585 returnees to Somalia, a marked increase from 24 Somali migrants it worked to repatriate from Libya, with auxiliary support from the EU, in 2017. 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 minimal efforts to prevent trafficking during the year. The FGS held several trafficking-related awareness campaigns, including one entitled "Telling the Truth", which aimed to engage returnees and trafficking survivors to tell their stories at universities and through dialogue with community leaders. 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 commercial sex acts or forced labor. The

government did not provide anti-trafficking training for its diplomatic personnel. Somalia was not a party to the 2000 UN TIP Protocol.

The dire security situation and restrictions on movement continued to hamper detailed child soldier reporting during the year. Even so, during the year, there were continued reports of the Somali National Army (SNA) and allied militias, such as the Ahlu Sunna Wal Jama'a (ASWJ), clan militias, unknown armed elements, the African Union Mission in Somalia (AMISOM), and al-Shabaab unlawfully recruiting and using child soldiers (between ages eight and 17), with the latter entity committing the vast majority of violations. UN officials documented the recruitment and use of more than 1,850 children between April and December 2018, and 80 percent of such cases were attributed to an upsurge in recruitment by al-Shabaab militants. Al-Shabaab's recruitment techniques included school raids, infiltration of madrassas and mosques, and harassment and coercion of clan elders. Somali press frequently reported accounts of increasingly aggressive al-Shabaab indoctrination at schools, abductions, and forceful recruitment of students into its ranks. In addition, in 2018 al-Shabaab reportedly conducted numerous "handing-over" ceremonies in the presence of village and clan elders, during which the terrorists forced communities to "volunteer" hundreds of their children to fight among its ranks. Al-Shabaab militants subjected children in military camps to weapons and bomb making training, malnutrition, severe physical punishment, and compulsory religious education and used them on the front-lines as direct participants in hostilities. The terrorist organization also enslaved an indeterminate number of young girls and exploited them in sexual servitude. Children identified in SNA units were reportedly observed wearing SNA uniforms and wielding weapons and were primarily used for guarding military bases and other support roles. Reports continued of child soldiers who defected from al-Shabaab after being forcibly recruited and who subsequently joined government-affiliated armed forces. An international organization reported peacekeeping forces of the AMISOM abducted, recruited, or used two children during the year.

The government continued to implement the 2012 action plan to end the unlawful recruitment and use of children by the SNA, although efforts to do so remained incomplete; the FGS retained limited ability to command and control the SNA and allied militias, especially those outside of Mogadishu. However, during the reporting period, the SNA's Child Protection Unit (CPU) officers, in coordination with an international organization, conducted sensitization trainings, verification, and screenings of an unknown number of soldiers to address the use of children in its ranks. During the reporting period, the CPU visited SNA and SNA-affiliated units across five sites in South West, Hirshabelle, and Galmudug states, as well as two sites in the Mogadishu/Benadir region. Site visits included the Jazeera Military Training Camp in Mogadishu, SNA Sector 43 Headquarters in Kismayo, and Danab bases in Baledogle and Galkacyo. Trainings focused on child rights, principles of SNA command and control structure, and the importance of preventing child recruitment into the security forces. The CPU also developed radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. In August 2018, the president of Puntland officially pardoned children who were previously sentenced to imprisonment for their association with al-Shabaab following their capture in earlier years. Nonetheless, NGOs continued to report concerns about the arrest and detention by government forces of some children allegedly associated with al-Shabaab, and the lack of application of juvenile justice standards and the adherence to international obligations. In early 2019, an international organization reported it worked with local Somali organizations to provide services to more than 300 children who had been associated with armed forces. Reintegration activities included the provision of psycho-social assistance, "back-to-school" support programs, and vocational training.

Beyond the screening and training trips, the FGS continued to launch public awareness campaigns, with support from an international organization, to promote broad awareness of child protection issues and means of removing children from armed conflict. In November 2018, the FGS began drafting legislation on children's rights, and in October 2018, the FGS launched its Education Sector Strategic Plan (ESSP 2018-2020), which identified that children's lack of school access increased vulnerability for recruitment into armed groups. In early 2019, an international organization supported a consultative meeting on the Somalia strategy and operational framework on the prevention and response of child recruitment, release, and reintegration. The director general's level of relevant ministries endorsed the strategy, but it awaited parliamentary approval at the close of the current reporting period. Most Somalis lacked birth certificates, and in the absence of established birth registration systems or standardized methods for recruitment, verifying claims of child soldiering remained difficult. To increase transparency and accountability in the security sector and curb the recruitment and use of child soldiers in the SNA, during the reporting period the FGS undertook a process of biometric registration of SNA soldiers to validate their identities, force numbers, locales, electronic payment accounts, and registered weapons.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Somalia, and traffickers exploit victims from Somalia abroad. Information regarding trafficking trends and victims in Somalia remains challenging to obtain or authenticate. Four cross-border routes, mirroring migration flows, are most commonly used by traffickers: a northern route towards Europe via Libya; an eastern route to Europe via Turkey; a direct southern path to Kenya, Tanzania, or South Africa; and finally from south-central Somalia through Puntland onward to Yemen via the Bab el-Mandeb strait. During the reporting period, officials reported an uptick in trafficking cases along the eastern and southern trafficking routes. In Somaliland, some women act as recruiters and intermediaries who transport victims to Puntland, Djibouti, and Ethiopia for the purposes of domestic servitude or sex trafficking. Notwithstanding the unavailability of reliable figures, in previous reporting periods the FGS noted that, anecdotally, fewer Somalis arrive in their intended destination countries but rather become stranded in transit countries. Anecdotal evidence purports al-Shabaab continues to facilitate human trafficking crimes, using deception, infiltration of madrassas and mosques, and coercion of clan elders, to recruit and subsequently force victims—including children and hailing most heavily from south-central Somalia and Kenya—into sexual slavery, military support roles, direct combat, and marriages to al-Shabaab militants.

IDPs, certain marginalized ethnic minorities, people residing in al-Shabaab territory, and youth aged 18-35 remain the most vulnerable to sex trafficking and forced labor. In particular, Somali youth working in the informal sector are at high risk of trafficking as they are often driven by familial or economic pressure to seek employment opportunities abroad. These

economic migrants sometimes incur debts under the trafficking scheme dubbed "go now, pay later" or through economic exploitation. According to an international organization, traffickers extort payments from the respective families left behind or exert threats if they refuse or are unable to do so. In general, the predominant factors that compel migrants to leave Somalia are poverty, insecurity, and natural disasters. An international organization reported that, as of March 2019, it registered more than 800,000 refugees and 2.6 million IDPs from Somalia. Some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may be subsequently exploited in forced labor or sex trafficking. While many children work within their own households or family businesses, some traffickers may force children into labor in agriculture, domestic work, herding livestock, selling or portering *khat*, crushing stones, or in the construction industry. 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. In addition, at the conclusion of the reporting period, Puntland officials documented it assisted approximately 7,500 migrants and Somali returnees coming primarily from Yemen, Saudi Arabia, and Ethiopia.

Most trafficking networks continue to be run by a combination of Somali, Djiboutian, Eritrean, and North African traffickers. Typically, traffickers employ deception as the predominant recruitment method, although al-Shabaab often uses coercion and force. 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, forced labor, or sex trafficking. Somali men experience conditions of forced labor in farming and construction 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. In previous years, 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.

SPECIAL CASE: YEMEN

Yemen remains a Special Case for the fourth consecutive year. The civil conflict and humanitarian crisis in Yemen continued during the reporting period. Information on human trafficking in the country has been increasingly difficult to obtain since March 2015 when much of the Republic of Yemen Government (ROYG) took refuge against the Houthi onslaught in Riyadh, and stopped controlling significant portions of the country. NGOs reported vulnerable populations in Yemen were at an increased risk of human trafficking due to large-scale violence driven by protracted armed conflict, civil unrest and lawlessness, and worsening economic conditions. 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 vulnerable to trafficking. The international organizations and NGOs remaining in Yemen focused primarily on providing humanitarian assistance to the local population and lacked adequate resources and capacity to gather reliable data on trafficking. 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.

GOVERNMENT EFFORTS

Due to the protracted conflict and tenuous political situation, the government faced serious challenges to combat trafficking, including substantial internal security threats, weak institutions, systemic corruption, economic deprivation, food insecurity, social disintegration, limited territorial control, and poor law enforcement capabilities. The government made few discernible anti-trafficking law enforcement efforts, though senior ROYG officials have repeated their commitment to fighting trafficking. The absence of a law criminalizing all forms of trafficking and the government's conflation of trafficking and smuggling hindered government efforts to investigate and prosecute trafficking offenders. 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 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. In 2014, the government adopted a bill that it subsequently referred to the Parliament, which aimed to combat all forms of trafficking, protect and assist victims, generate societal awareness of the risks of trafficking in order to reduce the phenomenon, and promote national cooperation.

The legitimate government of the Republic of Yemen did not have full 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 continued reports of officials engaged in trafficking in both urban and rural areas, including the domestic servitude of children and women, sex trafficking of women, recruitment and use of child soldiers by the government of the Republic of Yemen Armed Forces, and forced labor of migrant workers. Prior to the conflict, the government did not effectively enforce anti-trafficking provisions and lacked resources and awareness of trafficking crimes.

The government did not have the access or capacity to identify and provide adequate protection services to trafficking victims among vulnerable groups, such as women in prostitution and migrant laborers, some of whom were transiting en-route to the Gulf States. As a result, the government was unable to ensure trafficking victims were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts traffickers

compelled them to commit, such as prostitution or immigration violations. Although formal standard operating procedures for proactive identification of trafficking victims existed, 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 and was financially unable to provide assistance to its nationals repatriated after enduring trafficking abroad. During the reporting period, militia forces—including some aligned with the legitimate government—continued to unlawfully recruit and use some child soldiers; however, 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 did not make efforts to prevent trafficking during the reporting period. The government established the National Committee to Combat Human Trafficking pursuant to Council of Ministers Decision No.46 of 2012; its members included governmental and non-governmental interlocutors. 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. The government did not provide anti-trafficking training to its diplomatic personnel and did not make efforts to reduce the demand for commercial sex acts or forced labor.

Since the escalation of armed conflict in March 2015, human rights organizations reported parties to the conflict continued their unlawful recruitment and use of child soldiers. However, verification of such cases became increasingly challenging during the reporting period due to intensified security threats against the monitors and communities of interest, in addition to more restrictive humanitarian access. As a result of its limited capacity and the ongoing conflict, the ROYG has not implemented a 2014 UN action plan to end the recruitment and use of child soldiers, although the government continued to express interest in revitalizing the discussion on implementation. Despite the Council of Ministers-issued Decision No.212 of 2012 endorsing the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups and a 1991 law requiring members of the armed forces to be at least 18 years of age, in addition to the 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 during the reporting period. Due to expansion of military activity by government and Houthi forces, tribal and coalition militias, and al-Qaeda in the Arabian Peninsula, during the year the recruitment, training, and mobilization of children as participants in the conflict intensified. An international organization reported armed groups used both boys and girls in combat and to guard checkpoints and military facilities during the reporting period. This is largely due to endemic customs and culture in which tribal leaders arm children to participate in local militias that may support the government, back the Houthi movement, act as an anti-Houthi force, or be part of an unaligned tribal, local, or regional group that protects the respective village from rival tribes or other outsiders. During the reporting period, verified cases of the unlawful recruitment and use of child soldiers occurred with some familial knowledge or consent, and monetary and material support were utilized as incentives for joining the army, and to a lesser extent forced enrollment via abductions. Recruitment continued to target schools across Yemen. According to an international organization, between April and December 2018, armed groups unlawfully recruited and used at least 96 children between the ages of 14-17, compared to 370 the previous reporting period; the sharp decline was due to highly restrictive humanitarian access to areas in which heavy fighting occurred, particularly in Al Khawkhah, Ad Durayhimi, Hays, Al Hudaydah and other port city districts, which impacted the documentation and verification of incidents during the reporting period. The majority of incidents were attributed to the Houthis and affiliated factions (62), and to a lesser extent by groups affiliated with the Yemeni government but outside its command and control, as well as the Popular Committees (34). As in years past, in 2018, Yemeni officials did not report demobilizing any child soldiers. In 2018, the Saudi-led coalition demobilized and referred to Yemeni officials an unspecified number of child soldiers alleged to have been recruited by the Houthis. 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, human traffickers exploit domestic and foreign victims in Yemen, and traffickers exploit victims from Yemen who reside abroad. The ongoing conflict, lack of rule of law, economic degradation, pervasive corruption, and fractional territorial control have disrupted some trafficking patterns and exacerbated others. Prior to the conflict, Yemen was a transit point and destination for women and children, primarily from the Horn of Africa, who were exploited in sex trafficking and forced labor. International organizations reported—despite the perilous Gulf of Aden boat crossing—an estimated 150,000 migrants entered Yemen via Djibouti in 2018, many of whom were vulnerable to trafficking, thereby underscoring the need for proactive screening of potential victims and child soldiering among migrants. Ethiopians and Somalis traveled voluntarily to Yemen with the hope of employment in Arabian Gulf countries, but traffickers exploited some women and children among this population in sex trafficking or domestic servitude in Yemen, and traffickers forced some to work on *khat* farms and in other industries. Other workers migrated based on fraudulent offers of employment as domestic workers in Yemen, where traffickers subsequently exploited them in sex trafficking or forced labor. Prior to the conflict's escalation and the government's departure in March 2015, Saudi Arabia allegedly deported Yemeni migrant workers and returned them to Yemen through the al-Tuwal and al-Buq border crossings. Most deportees 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. During the reporting period the country's civil war continued to generate a substantial flow of persons fleeing outward from Yemen to Djibouti. The Djiboutian government permitted thousands of Yemenis to enter freely and take refuge, some of whom had endured various types of exploitation, possibly including trafficking, in transit to Djibouti. However, given an uptick in refugee camp populations in Djibouti, austere and overcrowded conditions perpetuated trafficking vulnerabilities of Yemenis. 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, including as uniformed soldiers in combat and to guard checkpoints and military facilities. However, verification of such cases became increasingly challenging during the reporting period due to intensified security threats against the monitors and communities of interest, in addition to more restricted humanitarian access.

Past reports suggested traffickers forced some Yemeni children—mostly boys—to work in domestic service, begging, or in small shops after migrating to Aden or Sana'a, or to Saudi Arabia. Traffickers, employers, and some security officials also exploited some of these children in sex trafficking in Saudi Arabia. In hotels and clubs in the Governorates of Sana'a, Aden, and Taiz, traffickers reportedly exploited girls as young as 15 years old in commercial sex. Prior to the conflict, most child sex tourists in Yemen were from Saudi Arabia, with a smaller percentage originating from other Gulf nations. Some Saudi men used legally contracted "temporary marriages," authorized by relevant Islamic authorities, for the purpose of sexually exploiting Yemeni girls, some reportedly as young as 10 years old. Civil society organizations and media outlets continued to assess that trafficking of Yemeni children gradually increased since the civil war commenced, and children were disproportionately affected by its protracted escalation.

A note on Samoa and Vanuatu: For the first time, media reports from the reporting period indicated Samoa as a country of origin and Vanuatu as a country of destination for victims of trafficking. Information on the anti-trafficking efforts of these governments and the nature and scope of trafficking in persons in each country were insufficient to achieve a full assessment for the 2019 Report. The Department of State will continue gathering information in the coming year and assess what, if any, reporting is appropriate for the 2020 TIP Report.

In Senegal and other parts of West Africa, it is a traditional practice to send children to receive a religious education at Quranic schools. However, in some cases traffickers exploit this practice and compel the children to beg for the traffickers' own personal gain.

SECTION 108 OF THE TRAFFICKING VICTIMS PROTECTION ACT, AS AMENDED[5]

(a) Minimum standards

For purposes of this chapter, the minimum standards for the elimination of trafficking applicable to the government of a country of origin, transit, or destination for victims of severe forms of trafficking are the following:

(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.

(b) Criteria

In determinations under subsection (a)(4) of this section, the following factors should be considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons:

(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 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 a demonstrably increasing capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced such acts.

(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.

5.This section reproduces section 108 of the Trafficking Victims Protection Act of 2000 (Div. A, Pub. L. No. 106-386) as amended by the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425) and the Trafficking Victims Protection Reauthorization Act of 2017 (Pub. L. 115-427), on January 8 and 9, 2019, respectively.

(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 or enable 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 a demonstrably increasing capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts.

(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.

SECTION 110(b) OF THE TRAFFICKING VICTIMS PROTECTION ACT, AS AMENDED[6]

(b) Reports to Congress

(1) Annual report

Not later than June 1 of each year, the Secretary of State shall submit to the appropriate congressional committees a report describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 7106 of this title, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report shall, to the extent concurrent reporting data is available, cover efforts and activities taking place during the period between April 1 of the year preceding the report and March 31 of the year in which the report is made, and should include-

(A) a list of those countries, if any, to which the minimum standards for the elimination of trafficking are applicable and whose governments fully comply with such standards based only on concrete actions taken by the country that are recorded during the reporting period;

(B) a list of those countries, if any, to which the minimum standards for the elimination of trafficking are applicable and whose governments do not yet fully comply with such standards but are making significant efforts to bring themselves into compliance based only on concrete actions taken by the country (excluding any commitments by the country to take additional future steps during the next year) that are recorded during the reporting period;

(C) a list of those countries, if any, to which the minimum standards for the elimination of trafficking are applicable and whose governments do not fully comply with such standards and are not making significant efforts to bring themselves into compliance;

(D) information on the measures taken by the United Nations, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization and, as appropriate, other multilateral organizations in which the United States participates, to prevent the involvement of the organization's employees, contractor personnel, and peacekeeping forces in trafficking in persons or the exploitation of victims of trafficking;

(E) reporting and analysis on the emergence or shifting of global patterns in human trafficking, including data on the number of victims trafficked to, through, or from major source and destination countries, disaggregated by nationality, gender, and age, to the extent possible;

(F) emerging issues in human trafficking;

(G) a section entitled “Promising Practices in the Eradication of Trafficking in Persons” to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors; and

(H) for each country included in a different list than the country had been placed in the previous annual report, a detailed explanation of how the concrete actions (or lack of such actions) undertaken (or not undertaken) by the country during the previous reporting period contributed to such change, including a clear linkage between such actions and the minimum standards enumerated in section 7106 of this title.

(2) Special watch list

(A) Submission of list

Not later than the date on which the determinations described in subsections (c) and (d) are submitted to the appropriate congressional committees in accordance with such subsections, the Secretary of State shall submit to the appropriate congressional committees a list of countries that the Secretary determines requires special scrutiny during the following year. The list shall be composed of the following countries:

(i) Countries that have been listed pursuant to paragraph (1)(A) in the current annual report and were listed pursuant to paragraph (1)(B) in the previous annual report.

(ii) Countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report and were listed pursuant to paragraph (1)(C) in the previous annual report.

(iii) Countries that have been listed pursuant to paragraph (1)(B) pursuant to the current annual report, where—

(I) the estimated number of victims of severe forms of trafficking is very significant or is significantly

6.This section reproduces section 110(b) of the Trafficking Victims Protection Act of 2000 (Div. A, Pub. L. No. 106-386), as amended by the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425) and the Trafficking Victims Protection Reauthorization Act of 2017 (Pub. L. 115-427) on January 8 and 9, 2019, respectively.

increasing and the country is not taking proportional concrete actions; or

(II) 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, prosecutions and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials.

(B) Interim assessment

Not later than February 1st of each year, the Secretary of State shall provide to the appropriate congressional committees an assessment of the progress that each country on the special watch list described in subparagraph (A) has made since April 1 of the previous year.

(C) Relation of special watch list to annual trafficking in persons report

A determination that a country shall not be placed on the special watch list described in subparagraph (A) shall not affect in any way the determination to be made in the following year as to whether a country is complying with the minimum standards for the elimination of trafficking or whether a country is making significant efforts to bring itself into compliance with such standards.

(D) Countries on special watch list for 2 consecutive years

(i) In general

Except as provided under clause (ii), a country that is included on the special watch list described in subparagraph (A) for 2 consecutive years after December 23, 2008, shall be included on the list of countries described in paragraph (1)(C).

(ii) Exercise of waiver authority

The President may waive the application of clause (i) for up to 1 year if the President determines, and reports credible evidence to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, that such a waiver is justified because—

(I) the country has a written plan to begin making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking;

(II) the plan, if implemented, would constitute making such significant efforts; and

(III) the country is devoting sufficient resources to implement the plan.

(E) Congressional notice

Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall—

(i) provide a detailed description of the credible information supporting such determination on a publicly available website maintained by the Department of State; and

(ii) offer to brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on any written plan submitted by the country under subparagraph (D)(ii)(I), with an opportunity to review the written plan.

(F) Special rule for certain countries on special watch list that are downgraded and reinstated on special watch list

Notwithstanding subparagraphs (D) and (E), a country may not be included on the special watch list described in subparagraph (A)(iii) for more than 1 consecutive year after the country—

(i) was included on the special watch list described in subparagraph (A)(iii) for—

(I) 2 consecutive years after December 23, 2008; and

(II) any additional years after such date of enactment as a result of the President exercising the waiver authority under subparagraph (D)(ii); and

(ii) was subsequently included on the list of countries described in paragraph (1)(C).

(3) Significant efforts

(A) In general

In determinations under paragraph (1) or (2) as to whether the government of a country is making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, the Secretary of State shall consider—

(i) the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking;

(ii) the extent of noncompliance with the minimum standards by the government and, particularly, the extent to which officials or employees of the government have participated in, facilitated, condoned, or are otherwise complicit in severe forms of trafficking;

(iii) what measures are reasonable to bring the government into compliance with the minimum standards in light of the resources and capabilities of the government.

(B) Proof of failure to make significant efforts
In addition to the considerations described in clauses (i), (ii), and (iii) of subparagraph (A), in determinations under paragraph (1)(C) as to whether the government of a country is not making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, the Secretary of State shall consider, as proof of failure to make significant efforts, a government policy or pattern of—

(i) trafficking;
(ii) trafficking in government-funded programs;
(iii) forced labor (in government-affiliated medical services, agriculture, forestry, mining, construction, or other sectors);
(iv) sexual slavery in government camps, compounds, or outposts; or
(v) employing or recruiting child soldiers.

(D)[7] the extent to which the government of the country is devoting sufficient budgetary resources—

(i) to investigate and prosecute acts of severe trafficking in persons;
(ii) to convict and sentence persons responsible for such acts; and
(iii) to obtain restitution for victims of human trafficking;

(E) the extent to which the government of the country is devoting sufficient budgetary resources—

(i) to protect and support victims of trafficking in persons; and
(ii) to prevent severe forms of trafficking in persons; and

(F) the extent to which the government of the country has consulted with domestic and international civil society organizations that resulted in concrete actions to improve the provision of services to victims of trafficking in persons.

(4) Action plans for countries upgraded to tier 2 watchlist

(A) In general
Not later than 180 days after the release of the annual Trafficking in Persons Report, the Secretary of State, acting through the Ambassador-at-Large of the Office to Monitor and Combat Trafficking and the Assistant Secretary of the appropriate regional bureau, in consultation with appropriate officials from the government of each country described in paragraph (2)(A)(ii), and with the assistance of the United States Ambassador or Charge d'Affaires in each country, shall—

(i) prepare an action plan for each country upgraded from Tier 3 to Tier 2 Watchlist to further improve such country's tier ranking under this subsection; and
(ii) present the relevant action plan to the government of each such country.

(B) Contents
Each action plan prepared under this paragraph—

(i) shall include specific concrete actions to be taken by the country to substantively address deficiencies preventing the country from meeting Tier 2 standards, based on credible information; and
(ii) should be focused on short-term and multi-year goals.

(C) Briefings
The Ambassador-at-Large of the Office to Monitor and Combat Trafficking and all appropriate regional Assistant Secretaries shall make themselves available to brief the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives on the implementation of each action plan prepared under this paragraph.

(D) Savings provision
Nothing in this paragraph may be construed as modifying—

(i) minimum standards for the elimination of trafficking under section 7106 of this title; or
(ii) the actions against governments failing to meet minimum standards under this section or the criteria for placement on the Special Watch List under paragraph (2).

7.So in original. No subpar. (C) has been enacted.

SECTION 404(2) OF THE CHILD SOLDIERS PREVENTION ACT, AS AMENDED[8]

(2) Child soldier
Consistent with the provisions of the Optional Protocol to the Convention of the Rights of the Child, the term "child soldier"—

(A) means—
(i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces, police, or other security forces;
(ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces, police, or other security forces;
(iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces, police, or other security 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; and

(B) includes any person described in clause (ii), (iii), or (iv) of subparagraph (A) who is serving in any capacity, including in a support role such as a cook, porter, messenger, medic, guard, or sex slave.

8.This section reproduces section 402(2) of the Child Soldiers Prevention Act of 2008 (Title IV of Pub. L. 110-457), as amended by the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425) on January 8, 2019.

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 2018 and March 2019. A complete list that includes all of the countries covered by the 2019 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
Bosnia and Herzegovina	2002	2002	2003	1993	2018 (will enter into force on August 2019)	2000	2001	—
Cook Islands	—	—	—	2015	—	2015	2018 (will enter into force on August 2019)	—
Djibouti	2005	2011	2011	1978	2018	1978	2005	—
Grenada	2004	2012	2012	1979	—	1979	2003	2018 (will enter into force on November 2019)
Ireland	2010	—	2002	1931	2019 (will enter into force on February 2020)	1958	1999	2014
Israel	2008	2008	2005	1955	2018 (will enter into force on October 2019)	1958	2005	—
Malta	2003	2010	2002	1965	2019 (will enter into force on February 2020)	1965	2001	—
Marshall Islands	—	2019	—	—	—	—	2019 (will go into force March 2020)	—
Mozambique	2006	2003	2004	2003	2018 (will enter into force on June 2019)	1977	2003	—
Peru	2002	2002	2002	1960	—	1960	2002	2018 (will enter into force on November 2019)
Russian Federation	2004	2013	2008	1956	2019 (will enter into force on January 2020)	1998	2003	—
South Sudan	—	2018	2018	2012	—	2012	2012	—
Thailand	2013	2006	2006	1969	2018 (will enter into force on June 2019)	1969	2001	—

STOPPING HUMAN TRAFFICKING AND 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	102,736 (including 6,114 women)	3,795	20,967
TOTAL NUMBER OF MISSIONS	14	16	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	Department of Management Strategy, Policy and Compliance	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 2018	54 allegations were made against 92 military, police, and civilian personnel of 7 UN peacekeeping and special political missions. The majority of the allegations were in the Democratic Republic of the Congo, Central African Republic, South Sudan, and Liberia. The allegations affected 94 victims of which 16 were children younger than 18 years of age.	No reported allegations	No reported allegations – NATO relies on contributing countries to report allegations.
NEW INITIATIVES	101 Countries (including the United States) signed the *Voluntary Compact with the Secretary General of the United Nations on the Commitment to Eliminate Sexual Exploitation and Abuse.* The UN Victims' Rights Advocate (VRA), appointed in 2017, worked to resolve outstanding paternity and child support claims, and launched a centralized tracking tool for victim assistance, and a protocol for providing assistance to victims. VRAs were also established in high-incidence UN missions (Democratic Republic of the Congo, South Sudan, Central African Republic, and Haiti). The VRAs initiated a pilot mapping project to identify both system-wide and local capacities to assist victims.	To ensure that no activities of the OSCE executive structures or field operations—including the purchasing of goods and services—contribute to any form of trafficking in human beings, the OSCE adopted contract provisions forbidding suppliers and their staff from engaging in human trafficking. The OSCE is now mapping its own supply chains to assess risk and building the capacities of OSCE personnel through guidance.	
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 Global Report on Trafficking in Persons** http://www.unodc.org/unodc/data-and-analysis/glotip.html **Countering Trafficking in Persons in Conflict Situations (2018)** http://www.unodc.org/documents/human-trafficking/publications.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 **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 **Sharing Electronic Resources and Laws on Crime (SHERLOC):** https://www.unodc.org/cld/v3/sherloc/ **United Nations Security Council (UNSC)** http://unscr.com/en/resolutions/2388 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.ilo.org/sapfl/Informationresources/ILOPublications/Byregion/Global/lang--en/index.htm http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0	**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) **UNSC Resolutions:** UNSC Resolution on Trafficking in Persons in Conflict Situations 2331 (2016) and 2388 (2017) **ILO Conventions:** -C29 Forced Labour Convention (1930) -P029 Protocol of 2014 and Recommendation R203, supplementing the Forced Labour Convention (1930) -C105 Abolition of Forced Labour Convention (1957) -C182 Worst Forms of Child Labour Convention (1999) -C189 Domestic Workers Convention, and its Recommendation R201 (2011)	UN Special Rapporteur on Trafficking in Persons, Especially Women and Children UN Special Rapporteur on Contemporary Forms of Slavery UN 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)	

ORGANIZATIONS AND SELECTED LINKS OF INTEREST	FRAMEWORK DOCUMENT RELEVANT TO TIP	TIP FOCAL POINT
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
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) Declaration of the Seventh Ministerial Conference of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (2018) Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime	Bali Process Working Group on Trafficking in Persons
Commonwealth of Independent States (CIS) www.cis.minsk.by/ (in Russian only)	Agreement on the Cooperation of the CIS Member States in Combating Trafficking in Persons, Human Organs and Tissues (2005) Program of Cooperation between the CIS Member States against Trafficking in Persons for 2014–2018	N/A
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)
Council of the Baltic Sea States (CBSS) http://www.cbss.org/civil-security-the-human-dimension/tfthb/ www.childcentre.info/egcc/ The Guidelines against Labour Exploitation in the Baltic Sea Region (2014): http://www.cbss.org/guidelines-labour-exploitation-baltic-sea-region/ Guidelines to Prevent Abusive Recruitment, Exploitative Employment and Trafficking of Migrant Workers (2014): http://www.cbss.org/guidelines-prevent-abusive-recruitment-exploitative-employment-trafficking-migrant-workers-brief/	A Vision for the Baltic Sea region by 2020, CBSS Summit 2010 Human Trafficking 2016 – Baltic Sea Round-up Report	Task Force against Trafficking in Human Beings (TF-THB) Expert Group on Children at Risk Task Force Against Trafficking in Human Beings
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 8th General Report on GRETA's Activities (2018) https://www.coe.int/en/web/anti-human-trafficking/general-reports	COE Convention on Action Against Trafficking in Human Beings (2005)	Group of Experts on Action Against Trafficking in Human Beings (GRETA) Reports: https://www.coe.int/en/web/anti-human-trafficking/general-reports

ORGANIZATIONS AND SELECTED LINKS OF INTEREST	FRAMEWORK DOCUMENT RELEVANT TO TIP	TIP FOCAL POINT
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 ECOWAS Declaration on the Fight against Trafficking in Persons (2001) http://www.achpr.org/instruments/ecowas-declaration-against-trafficking-persons/ 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	Directive 2011/36/EU on Combating and Preventing Trafficking in Human Beings and Protecting its Victims https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32011L0036 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
League of Arab States (LAS) http://arableague-us.org/wp/	Arab Framework Act on Combating Trafficking in Persons (2008) Arab Initiative to Combat Trafficking in Persons, 2010 Comprehensive Arab Strategy for Combating Trafficking in Human Beings (CASCTHB), Council of Arab Ministers of Justice Resolution 15/2/2012	N/A
Organization of American States (OAS) http://www.oas.org/dsp/english/cpo_trata_dia_mundial.asp www.oas.org/dsp/english/cpo_trata.asp II Work Plan Against Trafficking in Persons in the Western Hemisphere 2015-2018: https://www.oas.org/ext/en/security/crime-prevention-network/Resources/Digital-Library/ii-work-plan-against-trafficking-in-persons-in-the-western-hemisphere-2015-2018	Work Plan to Combat Trafficking in Persons in the Western Hemisphere 2010-2012 (AG/RES. 2551 (XL-O/10) Second Work Plan against Trafficking in Persons in the Western Hemisphere 2015-2018 (RTP-IV/doc.4/14 rev. 1) http://scm.oas.org/IDMS/Redirectpage.aspx?class=XXXIX.4%20RTP-IV/doc.&classNum=4&lang=e Inter-American Declaration against Trafficking in Persons "Declaration of Brasilia" (2014) Hemispheric Efforts against Trafficking in Persons "Declaration of Mexico" (2018)	Coordinator Against Trafficking in Persons
Organization for Economic Cooperation and Development (OECD) The OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector: http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-Garment-Footwear.pdf OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: http://www.oecd.org/daf/inv/mne/mining.htm		OECD Task Force on Countering Illicit Trade

ORGANIZATIONS AND SELECTED LINKS OF INTEREST	FRAMEWORK DOCUMENT RELEVANT TO TIP	TIP FOCAL POINT
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 Model Guidelines on Government Measures to Prevent Trafficking for Labour Exploitation in Supply Chains: https://www.osce.org/secretariat/371771?download=true Uniform Guidelines for the Identification and Referral of Victims of Human Trafficking within the Migrant and Refugee Reception Framework in the OSCE Region: https://www.osce.org/secretariat/413123	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) https://www.osce.org/addendum?download=true 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/en	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

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, and 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, 2018. The rates can be found here: https://fiscal.treasury.gov/reports-statements/treasury-reporting-rates-exchange/historical.html

PHOTO CREDITS

Inside Front Cover: Pascal Maitre/Panos Pictures

Page iii: Lynn Johnson, National Geographic Image Collection

Page v: ©2019 Misty Keasler for Winrock International

Table of Contents: Image used with consent.

Page 2: Joe Penney/REUTERS

Page 5: Thomas Peter/REUTERS

Page 7: Robert Harding Picture Library/ National Geographic Image Collection

Page 8: Uzbek-German Forum for Human Rights

Page 9: UNICEF/UN069363/Romenzi

Page 10: Pete McBride, National Geographic Image Collection

Page 11: Jonas Gratzer/LightRocket via Getty Images

Page 12: Carlos Garcia Granthon/Fotoholica Press/LightRocket via Getty Images

Page 13: Top: Leif Coorlim/Courtesy CNN
Bottom: Audrey Guichon, © The Freedom Fund

Page 14-15: Shepard Sherbell/CORBIS SABA/Corbis via Getty Images

Page 17: ©2019 Misty Keasler for Winrock International

Page 18: STRINGER/AFP/Getty Images

Page 19: Cathal McNaughton/Reuters

Page 20: Madaree Tohlala/AFP Getty Images

Page 22: Sybille DESJARDINS for IOM Mauritania

Page 24: Ginny Baumann, The Freedom Fund

Page 26: AP Photo/Rodrigo Abd

Page 29: Jodi Cobb, National Geographic Image Collection

Page 30: Andrea Campeanu/REUTERS

Page 31: © UNICEF/UN0158701/Prinsloo

Page 32-33: George Steinmetz, National Geographic Image Collection

Page 34: AP Photo/Ajit Solanki

Page 36: AP Photo/Dake Kang

Page 37: Tom Stoddart Archive/Contributor

Page 39: Uzbek-German Forum for Human Rights

Page 42: © 2008 Kay Chernush | Artworks For Freedom

Page 47:Jodi Cobb, National Geographic Image Collection

Page 55: ©UNHCR/Dave Azia

Page 57: Enri Canaj/Magnum Photos

Page 528: © UNICEF/UN063817/Gilbertson VII Photo

Inside Back Cover: Kay Chernush | ArtWorks for Freedom

ACKNOWLEDGMENTS

A Nigerian woman stands outside a migrant center in Italy. Traffickers fraudulently recruited her for a job in Europe only to exploit her in sex trafficking once she arrived in Italy.

THE STAFF OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS IS:

Eric Abdullateef
Karen Vierling Allen
Julia F. Anderson
Lawrence Arbitman
Andrea Balint
Shonnie R. Ball
Kyle M. Ballard
MacKenzie Bills
Michelle Cooper Bloom
Christine Buchholz
Carla M. Bury
Mark Carlson
Cathleen L. Chang
Erin Chapman
Anna Cornacchio
Steven Davis
Alisha Deluty
Leigh Anne DeWine
Stephen D. Dreyer
Mary C. Ellison
Daniel Evensen
Charlotte Florance
Mark Forstrom
Connor Gary
Christy Gillmore
Adam Guarneri
Patrick Hamilton
Tegan Hare
Amy Rustan Haslett
Stephanie Haven
Caitlin B. Heidenreich
Sonia Helmy-Dentzel
Greg Hermsmeyer
Julie Hicks
Torrie Higgins
Megan Hjelle-Lantsman
Jennifer M. Ho
Renee Huffman
Veronica Jablonski
Harold Jahnsen
Maurice W. Johnson
Tyler Johnston
Kari A. Johnstone
Channing M. Jones
Nayab Khan
Emily A. Korenak
Kendra L. Kreider
Tenzing Lahdon
Renee Lariviere
Katherine Larson
Abigail Long
Drew Lucas
Jason Martin
Myrtis Martin
Monica Maurer
Joel Maybury
Kerry McBride
Rendi McCoy
Maura K. McManus
Ericka Moten
Ryan Mulvenna
Samantha Novick
Amy O'Neill Richard
Anna Patrick Fraser
Sandy Perez Rousseau
Andrew Pfender
Marissa Pietrobono
Justin D. Pollard
Alexis Ramdass
John Cotton Richmond
Laura Svat Rundlet
Chad C. Salitan
Haley L. Sands
Sarah A. Scott
Adrienne Sgarlato
Mai Shiozaki-Lynch
Julie Short Echalar
Jane Nady Sigmon
Soumya Silver
Ann Karl Slusarz
Justine Sobrio
Whitney Stewart
Desirée Suo Weymont
McKenzie Swain
Francesca J. Tadle
Atsuki Takahashi
James Taylor
Chaiszar Turner
Kathleen Vogel
Myrna E. Walch
Bianca Washington
Shelly Westebbe
Katie Wiese
Andrea E. Wilson
Ben Wiselogle
Kaitlyn Woods
Joshua Youle
Janet Zinn

Special thanks to Lamya Shawki El-Shacke and the creative services team at Global Publishing Solutions.

HUMAN TRAFFICKING. EXPOSED.

A portable mural exhibit created in partnership with teenage artist-apprentices at Groundswell Community Murals. During the project, the young artists learned about human trafficking and that their city of New York is not immune. They hope their work will spark dialogue and engagement in local efforts to support survivors of human trafficking.

ArtWorks for Freedom unleashes all forms of art to catalyze awareness and inspire creative actions to end human trafficking once and for all — telling authentic stories, changing people's lives.

www.artworksforfreedom.org

ARTWORKS for FREEDOM

UNITED STATES DEPARTMENT OF STATE PUBLICATION
OFFICE OF THE UNDER SECRETARY FOR CIVILIAN SECURITY,
DEMOCRACY, AND HUMAN RIGHTS
Designed by A/GIS/GPS, June 2019