

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

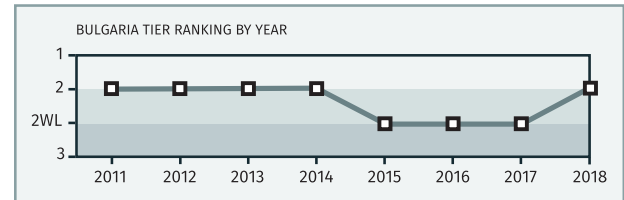
TRAFFICKING PROFILE

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

BULGARIA: TIER 2

The Government of Bulgaria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts compared to the previous reporting period; therefore Bulgaria was upgraded to Tier 2. The government demonstrated increasing efforts by allocating more funding for victim services and opening two new facilities in Sofia for trafficking victims, including a crisis center for child victims. Authorities identified more victims—more than doubling the number of labor trafficking victims it identified in 2016—and convicted more traffickers. The government also approved a five-year national anti-trafficking strategy for 2017-2021. However, the government did not meet the minimum standards in several key areas. Judges and prosecutors continued to lack

training on working with trafficking victims and cases, which had negative effects on witness protection, victim compensation, and sentencing for perpetrators. Courts continued to issue suspended sentences for most convicted traffickers. Officials' lack of knowledge of trafficking indicators hindered effective victim identification, especially among foreign nations and women exploited in prostitution. Corruption in law enforcement and the judiciary continued to hinder progress and investigations into complicit officials rarely led to criminal punishment.



RECOMMENDATIONS FOR BULGARIA

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

PROSECUTION

The government increased law enforcement efforts. Articles 159a-159d of the criminal code criminalized sex and labor trafficking and prescribed penalties of two to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2017, police initiated 81 investigations, prosecutors indicted 80 defendants, and courts convicted 59 traffickers; this is compared with 85 investigations, 73 prosecutions, and 35 convictions in 2016. Of the 59 convicted traffickers, only 18 (31 percent) received a prison sentence that was not suspended, a similarly low rate as in the previous four years. As in 2016, the government did not report the range of prison sentences imposed on convicted traffickers. Courts issued fines to 29 convicted traffickers in 2017, compared with eight in 2016 and 23 in 2015. Judges reportedly prescribed lesser penalties to sex traffickers if their victims had initially entered prostitution willingly, despite Bulgarian and international law deeming past experience in prostitution irrelevant when there was subsequent exploitation. In 2017, the government participated in six joint investigations with other foreign governments. Among the investigations, police from Bulgaria and Sweden targeted an organized crime group recruiting Bulgarians for forced begging in Sweden; the investigation resulted in 12 suspected traffickers arrested and charged. In addition, Bulgarian and Spanish authorities investigated an organized crime syndicate recruiting women for sexual exploitation; 31 suspected traffickers were arrested.

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

PROTECTION

The government increased efforts to protect victims. Based on open pre-trial investigations in 2017, the prosecution service identified 407 victims (323 of sex trafficking, 67 of labor trafficking, and 17 of forced servitude), compared with 365 victims (329 victims of sex trafficking, 31 of labor trafficking, and five of both sex and labor trafficking) in 2016. Forty-two of the identified victims were children (21 in 2016). Authorities identified five potential foreign victims from Burkina Faso, Nigeria, Guinea, Sierra Leone, and Thailand during the year, compared with one foreign victim in 2016. However, observers alleged law enforcement could not effectively identify victims, particularly labor trafficking victims and victims among third country nationals. Additionally, reports indicated police did not proactively search for signs of trafficking among women detained for prostitution, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. Law enforcement officials, prosecutors, investigators, and labor inspectors received training on trafficking, including on identification; those trainings were mostly funded by international grants and NGOs. Pre-trial authorities formally identified all trafficking victims, and the commission referred victims to services. The government co-funded projects with international donors, allocating 15 percent of the total costs. In 2017, the government spent 376,000 lev (\$230,530) for services and implementation of the annual national anti-trafficking and victim protection program with an additional 254,000 lev (\$155,730) from international donors. The government also co-funded 15 percent of the 390,000 lev (\$239,120) allocated for shelters and crisis centers in Sofia and Varna, including the crisis center for children in Sofia. The government opened two new NGO-operated facilities in Sofia for trafficking victims: a shelter and a center (in one facility) for temporary accommodation of adult victims and a crisis center for child victims. The government also contracted NGOs to operate two centers offering consultative services for trafficking victims and three shelters offering residential services. Furthermore, 23 publicly-run crisis centers offered social services to children and women victims of violence, including trafficking. The centers provided support, counseling, and accommodations to 144 trafficking victims. Child victims could stay in centers for up to six months at which point child

protection services could place them with relatives, a foster family, or another residential care institution. In March, the council on child protection began to institute a specialized service for referral and accommodation of unaccompanied minors with a view to providing them with care separately from adults. There were no specialized accommodation options or services for male victims.

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

PREVENTION

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

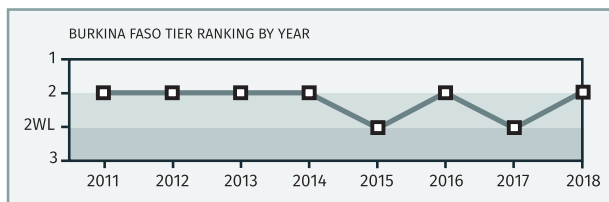
TRAFFICKING PROFILE

As reported over the past five years, Bulgaria is a source and, to a lesser extent, transit and destination country for men, women, and children subjected to sex trafficking and forced labor. Bulgaria remains one of the primary source countries of

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

BURKINA FASO: TIER 2

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



RECOMMENDATIONS FOR BURKINA FASO

Increase efforts to investigate, prosecute, and convict traffickers—including corrupt *marabouts* and traffickers posing as *marabouts* who exploit children in forced begging, and complicit officials—and apply terms of imprisonment as prescribed in the 2008 anti-trafficking law; increase funding for police and security force units charged with investigating trafficking crimes; increase funding and in-kind support for victim services, including long-term services and social reintegration; train law enforcement to identify victims among vulnerable populations, including women in prostitution and children in agriculture

and mining, and refer them to protective services; train law enforcement, prosecutors, and judicial officials on investigating and prosecuting trafficking cases, including cases that do not involve movement; investigate recruitment agencies suspected of fraudulently recruiting women for exploitation abroad; strengthen the system for collecting law enforcement and victim identification data; increase the availability of shelter and services for all victims, including adults; work with NGOs to raise awareness of trafficking, especially forced begging in Quranic schools and trafficking that does not involve movement; draft a national action plan to combat trafficking; and improve coordination among the anti-trafficking and child protection committees through funding, convening regularly, and sharing data.

PROSECUTION

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

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