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

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

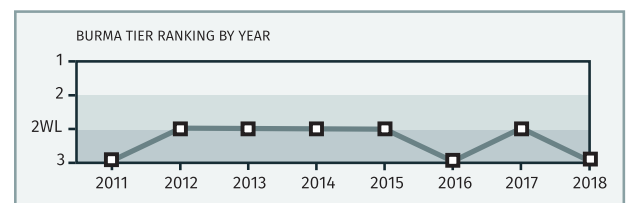
TRAFFICKING PROFILE

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

Tibetan women to sex trafficking in Burkina Faso and Sri Lankan citizens transiting Burkina Faso allegedly en route to forced labor in a third country.

BURMA: TIER 3

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



RECOMMENDATIONS FOR BURMA

Cease all unlawful recruitment and use of children by armed forces and make efforts to end the practice among non-state groups, including by supporting the UN's efforts to enter into child demobilization agreements with EAGs; cease arresting, detaining, and punishing victims—including minors absconding from Tatmadaw service—for acts committed while subjected to trafficking; cease official involvement in compelling civilians to perform any type of forced labor, including by reforming the "self-reliance" policy that drives the demand for forced labor and child soldier conscription; strengthen efforts to identify, prosecute, and convict individuals—including Tatmadaw and other government officials and civilian brokers—complicit in sex and labor trafficking, including the unlawful recruitment and use of child soldiers, and apply stringent penalties, including jail time; implement formal procedures to proactively identify victims among vulnerable groups and refer them to service providers, with an emphasis on communities displaced by

conflict; strengthen efforts to prioritize and significantly increase government funding for victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; enhance law enforcement and justice sector efforts to retain suspected traffickers under pre-trial detention during court proceedings to reduce their risk of flight and the prevalence of convictions in absentia; amend the anti-trafficking law to ensure that a demonstration of force, fraud, or coercion are not required to constitute a child sex trafficking offense; in partnership with civil society groups and regional authorities, develop and implement oversight mechanisms to prevent forced labor in precious gemstone mining, with a focus on jade mining in Kachin State; and provide legal status to stateless persons in Burma to decrease their vulnerability to exploitation.

PROSECUTION

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

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

The Anti-Trafficking in Persons Division (ATIPD) maintained dedicated anti-trafficking task force (ATTF) police throughout

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

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

The power and influence of the Tatmadaw limited the ability of civilian police and courts to address cases of adult forced labor and child soldier recruitment and use by the armed forces. There was no evidence that any soldiers accused of trafficking crimes had ever been prosecuted in civilian courts, nor had the government ever prosecuted a civilian for child soldier recruitment, despite the prevalence of civilian recruitment brokers. The Ministry of Defense (MOD) reported taking unspecified disciplinary action against 19 Tatmadaw personnel for child soldier recruitment in 2017; this was a decrease from 36 personnel punished in 2016, despite the verification of more cases during the reporting period. The MOD did not

report punitive measures for Tatmadaw personnel guilty of subjecting adults to forced labor. In past years, most of these cases reportedly culminated in reprimands, fines, or decreases in pension—penalties significantly less than those prescribed by criminal law.

PROTECTION

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

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

have further discouraged child soldiers from coming forward and accessing protective services.

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

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

Trafficking victims frequently declined to cooperate with authorities due to the lack of adequate victim protection or compensation programs, language barriers, a lengthy and opaque trial process, fear of repercussions from their traffickers, and general mistrust of the legal system. A cumbersome investigative process required victims to give statements multiple times to different officials, increasing the likelihood of re-traumatization. Restrictions on contact between victims and prosecutors further impeded case-relevant communication and further obfuscated the court process for some victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship

or retribution. Authorities reportedly arrested sex trafficking victims for prostitution due to inadequate efforts to screen for indicators of trafficking during anti-prostitution interventions.

PREVENTION

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

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

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

The government reported conducting an awareness-raising campaign through 2,300 separate activities involving print, television, radio, billboards, roadshows, and other media—particularly in high-vulnerability states—and to train members of community-based watch groups and students on trafficking.

It launched an updated national campaign to raise awareness about the recruitment and use of child soldiers and educate the public on reporting such cases, including by ordering the replacement of 182 billboards informing people of their rights. Authorities continued to release information on the prosecution of traffickers via government-supported and private media throughout the country. The ATIPD maintained a hotline and social media account with information on trafficking, including updated law enforcement statistics, but did not report the extent to which the public employed either of these mechanisms. The government did not make significant efforts to punish labor recruiters or brokers for illegal practices that increase migrants’ vulnerability to exploitation abroad. The police did not report any cases of child sex tourism during the reporting period. Authorities partnered with an NGO to raise awareness about child sex tourism. The government did not take steps to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

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

Within Burma, men, women, and children from predominantly ethnic minority areas—including the estimated 106,000 persons displaced by conflict in Kachin and northern Shan states and at least 150,000 displaced persons in Rakhine state—are at increased risk of trafficking. In Kachin, displaced women and girls are especially vulnerable to trafficking, including forced concubinage, via forced or fraudulent marriages to Chinese men arranged by deceptive or coercive brokers. Rohingya individuals are particularly vulnerable to labor trafficking in Rakhine state, including forced labor perpetrated by government authorities. Many women and girls among the estimated 687,000 Rohingya who fled from conflict in Rakhine to neighboring Bangladesh since August 2017 have been subjected to sex trafficking in Bangladesh and India. Ethnic Rakhine are reported to be victims of forced labor on the margins of conflict between the Tatmadaw and EAGs in Rakhine State.

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

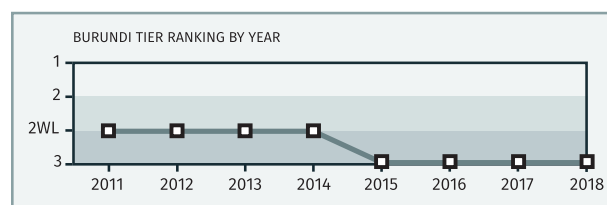
Some Tatmadaw personnel, civilian brokers, border guard officials, and EAGs continue to recruit or use child soldiers, particularly in conflict-affected ethnic areas. Civilian recruiters in some cases coerce or offer incentives to children or their families through false promises about working conditions,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

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

BURUNDI: TIER 3

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Burundi remained on

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



RECOMMENDATIONS FOR BURUNDI

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

PROSECUTION

The government's law enforcement efforts remained insufficient. Burundi's 2014 anti-trafficking law criminalized forced labor and sex trafficking. Prescribed penalties under the law ranged from five to 10 years imprisonment and were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the government revised the criminal code to integrate formally the penalties of the 2014 anti-trafficking law into the criminal code. Labor laws did not provide protection for domestic workers or