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TRAFFICKING IN PERSONS REPORT

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shelter. The government also provided €7.5 million (\$8.4 million) to assistance centers that provided shelter and assistance to adult female and child victims of crime, including trafficking victims, compared with €6.8 million (\$7.64 million) in 2018. The government further provided €98,860 (\$111,080) to an NGO responsible for coordinating male trafficking victim care.

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 had the sole authority to officially identify a victim and refer to government assistance. Victims who refused to cooperate with police did not benefit from a temporary authorization to stay, but otherwise received the full range of assistance. In December 2019, Luxembourg, the Netherlands, and Belgium signed a declaration of intent to strengthen their joint efforts in combating trafficking in persons, particularly to protect non-EU victims exploited in a territory other than that of the country where they seek help and assistance. 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 of €2,000 (\$2,250) during the reporting period.

PREVENTION

The government maintained prevention efforts. The government's inter-ministerial trafficking committee, chaired by the Ministry of Justice met five times in 2019 (four in 2018), to coordinate anti-trafficking efforts and the national action plan. Some observers noted the government fragmented responsibilities between numerous ministries with little centralized communication, however, the government reported no issues. For example, three separate ministries coordinated funding for male, female, and child shelters. GRETA reported the national action plan, endorsed in 2016, is vague, lacked a timeframe on meeting objectives, and did not allocate any resources. In 2019, the government budgeted €15,000 (\$16,850) to fund awareness activities compared to the same amount in 2018. The Advisory Committee on Human Rights served as the independent rapporteur and produced its second biannual report in 2019. In 2019, the government trained an increased number of 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 and initiated a new campaign with the EU. The independent rapporteur reported the need to coordinate data collection across stakeholders. The government made efforts to reduce the demand for participation in international sex tourism by funding an NGO for local awareness campaigns focused on the prevention of child sex tourism. The government encouraged, but did not require, diplomats to attend anti-trafficking training. Labor laws allowed for recruitment fees but criminalized excessive amounts. In December 2019, the government adopted its 2020-2022 national action plan on implementing the UN Guiding Principles on Business and Human Rights, which seeks to prevent forced labor in private sector supply chains. The government did not make efforts to reduce the demand for commercial sex acts, but criminalized soliciting a sex trafficking victim. The government did not operate a victim assistance hotline.

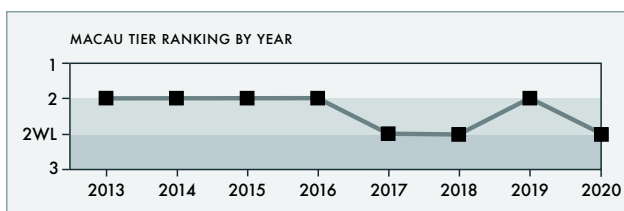
TRAFFICKING PROFILE

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. Increasingly, 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 WATCH LIST

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. These efforts included training numerous police, customs, and social welfare officials; convicting three sex traffickers; funding a campaign to raise awareness through advertisements on public transportation; and continuing to fund services available to victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Concerns remained that traffickers exploited victims in Macau, especially in commercial sex; however, the government investigated only one potential case, did not provide assistance to any victims, and did not initiate any prosecutions or sentence convicted traffickers to significant terms of imprisonment. Therefore Macau was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Significantly increase proactive victim identification, especially among vulnerable populations such as migrant workers and persons in commercial sex. • Significantly increase efforts to investigate, prosecute, and convict sex and labor traffickers, including those operating in casinos and other entertainment establishments. • Ensure victims are referred to and receive protective services. • Sentence convicted traffickers to significant prison terms. • Provide training on the use of the trafficking law to prosecutors and judges. • Increase efforts to screen for and identify labor trafficking and male victims. • Institute a minimum wage for foreign domestic workers.

PROSECUTION

The government's anti-trafficking law enforcement efforts remained static. 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. Authorities initiated one investigation in 2019, a decrease compared with one sex trafficking and two labor trafficking investigations in 2018. The government did not initiate any prosecutions, a decrease compared with two prosecutions in 2018. In two cases from 2015

and 2016, the government convicted three sex traffickers who were sentenced to suspended terms of imprisonment, compared with two sex trafficking convictions in 2018. However, authorities used procurement statutes and did not convict any cases under the trafficking statute. Judges reportedly believed a victims' initial consent was sufficient evidence to prove a trafficking crime did not occur, which led to trafficking cases being pursued under other crimes. The government reported that victims were often unwilling to participate as witnesses in cases against their traffickers, which also affected the success of trafficking prosecutions. Following a media report documenting the prevalence of sex trafficking in nightclubs and casinos, the government reported initiating an investigation into the allegations. The government continued to include a trafficking component in mandated training for new police and customs recruits and provided additional training when officials were promoted. Authorities did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses.

PROTECTION

Authorities maintained minimal efforts to protect trafficking victims. Although the government investigated one trafficking case, it did not report identifying or providing services to any victims in 2019, compared with one sex trafficking victim identified in 2018. 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, including persons in commercial sex and migrant workers. The social welfare bureau (SWB) provided a training on victim identification and service procedures for its emergency outreach team. Officials distributed questionnaires to suspected illegal workers to promote self-identification but did not identify any victims of forced labor through these efforts. In previous reporting periods, officials referred child victims to a government-funded NGO that offered shelter, counseling, and economic and medical assistance; however, authorities did not refer any victims to the shelter during the reporting period. SWB designated shelters for female and male trafficking victims but did not report providing shelter to any adult victims. The government allocated approximately 1.72 million patacas (\$215,875) for victim protection services, including allocations to NGOs for service provision at shelters, compared with 1.77 million patacas (\$221,250) allocated in 2018. In addition, the government reserved a budget of 39,600 patacas (\$4,950) under an agreement with an international organization for repatriation assistance, but it did not assist any victims through the agreement during the reporting period. The government operated and publicized a trafficking hotline for the public and potential victims to seek assistance; nonetheless, the government did not report identifying any victims through the hotline. There were no reports the government penalized victims for unlawful acts traffickers compelled them to commit; however, due to a lack of sufficient screenings, some potential victims may have remained unidentified within the law enforcement system. The government continued efforts to finalize a standard operating procedure for ensuring safe repatriation of foreign victims. The government offered temporary residency to non-resident victims, which allowed victims to seek employment while authorities pursued cases against their traffickers. In cases in which a victim faced retribution or hardship in their home country, authorities reported a policy that provided permanent residency on the basis of "well-founded humanitarian reasons," although no victims benefited from this policy.

PREVENTION

Authorities maintained efforts to prevent trafficking. The

interagency Human Trafficking Deterrent Measures Concern Committee, led by the security bureau, coordinated Macau's anti-trafficking efforts. The government allocated 3.24 million patacas (\$405,000) to the committee for anti-trafficking activities in 2019, compared with 3.7 million patacas (\$462,000) allocated in 2018. SWB funded a public awareness campaign on public transportation and funded an anti-trafficking awareness event for university students. The government ran trafficking awareness videos at all border checkpoints. The government disseminated television commercials, online videos, as well as pamphlets and posters in several different languages to raise awareness of trafficking. The Labor Affairs Bureau (LAB) designed a leaflet in three languages covering the prevention of forced labor, which the government planned to distribute in offices of the Immigration Department in 2020. Authorities held labor rights seminars for students and migrant workers, including those in the domestic helper and construction industries. There was no minimum wage established for foreign domestic workers, a situation which may have increased their vulnerability to labor trafficking. LAB adjudicated the labor dispute cases of 1,729 migrant workers and conducted inspections at 33 construction sites and 213 employment agencies for labor violations. The government did not make efforts to reduce the demand for commercial sex acts or provide anti-trafficking training to its personnel posted overseas.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Macau. Sex trafficking victims originate primarily from mainland China, Russia, and Southeast Asia. Traffickers recruit victims utilizing false advertisements for jobs such as singing and modeling, or work in casinos. Victims are compelled into commercial sex in massage parlors, illegal brothels, nightclubs, entertainment establishments in casinos, hotels, and private homes where they are closely monitored, threatened with violence, forced to work long hours, and sometimes have their identity documents confiscated. Migrant construction and domestic workers may be vulnerable to exploitation in forced labor. Some employment agencies overcharge migrant domestic workers recruitment fees and withhold workers' passports, potentially leading to debt-based coercion. 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 increasing efforts compared to the previous reporting period; therefore Madagascar remained on Tier 2. These efforts included convicting traffickers for the first time since 2016; funding the repatriation of victims of trafficking; and increasing the number of campaigns to raise awareness of human trafficking. The National Office to Combat Human Trafficking established a new hotline to report human trafficking and dedicated staff to receive incoming calls. The government, in partnership with an international organization, also established a new, specialized center for gender-based violence victims, including trafficking victims, in Antananarivo. However, the government did not meet the minimum standards in several key areas. The government investigated fewer trafficking cases, identified fewer victims, and provided protective care to significantly fewer victims during the reporting period. Despite continued reports of alleged complicity during the year, the government did not hold any complicit officials accountable and did not investigate reports of officials facilitating child sex