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continued operating listening centers in four locations—two on Grande Comore, one on Anjouan, and one on Mohéli. In 2021, the listening centers reported providing assistance to at least 186 women and children on Grande Comore, compared with at least 256 in 2020. The listening centers recorded these persons as victims of abuse; however, some of these victims may have been trafficking victims. There were no trafficking-specific shelters available to victims in the country. Due to the recent development of victim identification SOPs in late 2021, some victims may have remained unidentified within the law enforcement system during the reporting period. Comorian law allowed victims of crime, including trafficking, to receive restitution from the government or from traffickers through civil suits; however, there were no reports that trafficking victims received restitution. Despite requirements of the 2015 child labor law, the government did not establish a support fund for children vulnerable to trafficking.

PREVENTION

The government maintained efforts to prevent trafficking. The Secretary General continued to oversee the interagency Anti-Trafficking Task Force, composed of representatives of relevant government agencies, the listening centers, and international organizations, to lead the government's anti-trafficking efforts. The task force met regularly in 2021 to plan awareness campaigns, coordinate on trafficking cases, and develop plans to establish an anti-trafficking department within the government. The federal budget did not include a dedicated allocation for anti-trafficking programs led by the task force; however, the task force received funds on an ad hoc basis from the Ministry of Foreign Affairs and international organizations to conduct anti-trafficking activities. The government did not have a long-term, multi-year anti-trafficking NAP; however, the task force continued to implement the 2020 NAP, which delegated specific, short-term actions to relevant government agencies. The task force reported drafting an updated multi-year NAP but did not complete a final version by the end of the reporting period. For the first time in three years, the government, in partnership with international organizations, conducted awareness campaigns targeting local authorities, religious leaders, and the general public on Grand Comore; however, the government did not report conducting awareness campaigns targeting vulnerable populations on Anjouan or Mohéli. The government continued to fund two toll-free emergency lines for all three islands, which were used to report crimes to the listening centers; however, the government did not track call data related to potential victims of human trafficking.

The Ministry of Labor employed four labor inspectors who were responsible for implementing the 2015 child labor law prohibiting child trafficking; however, they did not receive training on the relevant trafficking laws and did not receive operational resources to conduct labor inspections of informal work sites, where children were especially vulnerable to forced labor. 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. In 2016, the labor ministry signed an agreement with several labor recruitment agencies to facilitate review of the transnational recruitment processes and monitor job advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment; however, the government has made minimal efforts to regulate labor recruitment agencies since then. In February 2022, the government established an informal task force to oversee working conditions of Comorians living and working abroad. The government did not provide anti-trafficking training to its diplomatic personnel, nor did it make efforts to reduce demand for commercial sex acts.

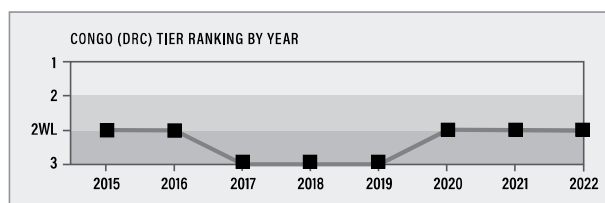
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Comoros, and traffickers exploit victims from Comoros abroad. Traffickers exploit women and children from rural areas in urban cities, such as Moroni, in forced labor; these individuals may also be vulnerable to sex trafficking. Traffickers exploit Comorian adults in forced labor in agriculture, construction, and domestic work on Mayotte, a French department, and continental Africa. Traffickers exploit Comorians in domestic servitude in the Middle East. Traffickers and employers on Anjouan may subject children, some of whom were

abandoned by parents who left to seek economic opportunities in other countries, to forced labor in domestic service, roadside and market vending, baking, fishing, and agriculture. Poor rural families, often on Anjouan and Mohéli, frequently send their children to live with wealthier relatives or acquaintances in urban areas or on Grande Comore for access to schooling and other socio-economic benefits; these children are vulnerable to physical and sexual abuse and forced labor in domestic servitude. Most Comorian children ages 3 to 7 (and some as old as 14) study at informal neighborhood Quranic schools headed by private instructors, where they may be vulnerable to exploitation through coercion and forced labor as field hands or domestic servants as payment for instruction. These children may also be subject to physical and sexual abuse. The estimated 3,000-4,000 unaccompanied Comorian children on Mayotte are especially vulnerable to domestic servitude and sex trafficking. Comorians may be at high risk for transnational trafficking due to a lack of adequate border controls, corruption of government officials, and the existence of international criminal networks involved in migrant smuggling. Traffickers exploit Malagasy girls in domestic servitude in Comoros; these individuals often also experience sexual abuse and may be vulnerable to sex trafficking. Economic migrants and asylum-seekers attempting to reach Mayotte from other African countries, primarily Madagascar, Burundi, and the Democratic Republic of the Congo, are increasingly transiting Comoros; traffickers may exploit these irregular migrants in forced labor or sex trafficking in various transit points.

CONGO, DEMOCRATIC REPUBLIC OF THE: TIER 2 WATCH LIST

The Government of the Democratic Republic of the Congo (DRC) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included finalizing standard operating procedures (SOPs) for victim identification and referral to services and partnering with NGOs to identify more trafficking victims. The government investigated, prosecuted, and convicted traffickers, including complicit officials. The government's Agency for the Prevention and the Fight Against Trafficking in Persons (APLTP)-led inter-ministerial committee and technical working group continued coordinating the government's anti-trafficking response. However, the government did not demonstrate overall increasing efforts compared with the previous reporting period, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. Congolese National Army (FARDC) officers unlawfully recruited and used six children, including in combat roles, and continued coordinating with an armed group that recruited and used children, including potential trafficking victims, during the reporting period. Authorities penalized victims for unlawful acts traffickers compelled them to commit, and corruption and official complicity in trafficking crimes remained significant concerns. The government did not adopt comprehensive anti-trafficking legislation for the third consecutive year. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, the DRC was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore the DRC remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Expand efforts to enforce the law and to sensitize all FARDC officers on the need to cease the unlawful recruitment and use of children and hold accountable officials who recruit or use children. • Increase efforts to investigate and prosecute suspected traffickers and—if convicted in a transparent trial—adequately sentence traffickers in accordance with the law, including complicit officials. • Finalize pending 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. • Implement and train front-line officials on the SOPs to proactively identify trafficking victims, including among vulnerable populations, such as individuals in commercial sex, street begging, and artisanal mining, and refer victims to appropriate care in coordination with civil society and international organizations. • Allocate sufficient financial and human resources, including dedicated personnel, for the APLTP to execute its mandate fully. • Improve efforts to collect and share comprehensive data on sex trafficking—as distinct from other sexual violence crimes—and forced labor. • Increase public awareness of human trafficking and enhance the public's ability to identify and report trafficking crimes, including by using radio in French and local languages and increasing engagement with civil society.

PROSECUTION

The government maintained mixed 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 exacerbate officials' limited understanding of trafficking and their conflation of the offense 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 and a fine of 200,000 Congolese francs (\$100). 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' imprisonment and 10 to 20 years' imprisonment with a fine between 8,000 and 1 million Congolese francs (\$4-\$503), respectively; these penalties were sufficiently stringent and commensurate, with respect to sex trafficking, 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 a fine between 100,000 and 200,000 Congolese francs (\$50 to \$100); these penalties were not sufficiently stringent with respect to forced child labor. Article 326 of the 2002 Labor Code criminalized adult forced labor and prescribed penalties of up to six months' imprisonment or a fine of 30,000 Congolese francs (\$15); this penalty was not sufficiently stringent. Congolese law also criminalized the enlistment of persons younger than 18 years old into the armed forces and the police, which carried penalties of 10 to 20 years' imprisonment. The comprehensive trafficking legislation—drafted by the APLTP and the Ministry of Human Rights in partnership with an international organization—remained pending for the third consecutive year.

Courts and police units operated at a reduced capacity due to the pandemic. The government reported investigating at least five trafficking cases, initiating prosecution of at least one alleged trafficker, and convicting four traffickers and one complicit official in 2021. This compared with investigating six cases, initiating prosecutions of 13 alleged traffickers, and convicting four traffickers during the previous year; the government did not report how many prosecutions it continued from 2020. Courts sentenced one police officer to five years' imprisonment for child sex trafficking. In November 2021, the court convicted two sex traffickers from the People's Republic of China (PRC), sentencing one to three months and the other to 10 years' imprisonment. As part of this case, the government investigated, prosecuted, and convicted one complicit government employee who forged legal documents

allowing the trafficking victims to remain in the DRC, and the court sentenced him to 10 years' imprisonment; however, the government also fined eight of the victims 1.99 million Congolese francs (\$1,000) each for illegal stay in the country. In September 2021, a military court convicted and sentenced an ex-rebel leader to life imprisonment for crimes against humanity, including child soldiering, and ordered him to pay 596.34 million Congolese francs (\$300,000) to 87 trafficking victims in restitution. In the previous reporting period, the military initiated prosecutions of two FARDC soldiers accused of kidnapping children for the purpose of sexual enslavement and arrested an officer for his alleged role in a child trafficking ring; both cases remained pending at the end of the reporting period.

Although the government investigated, prosecuted, and convicted government officials complicit in human trafficking crimes, corruption and complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Observers reported widespread government complicity, including allegations government officials directly engaged in trafficking, helped facilitate the crime, and obstructed justice. Although not explicitly reported as human trafficking, the UN reported there was one new allegation, submitted in 2021, of alleged sexual exploitation with trafficking indicators by Congolese peacekeepers deployed to the UN peacekeeping mission in the Central African Republic (CAR). There were also pending allegations of sexual exploitation against Congolese peacekeepers deployed to CAR reported in previous years, including four reported in 2019, one in 2017, and one in 2016. The government had not yet reported the accountability measures taken, if any, for the open cases at the end of the reporting period.

The FARDC unlawfully recruited at least six children formerly associated with an armed group and used them as informants and combatants during the reporting period. The FARDC continued to collaborate and provide material support to Nduma Defense du Congo-Renove (NDC-Renove or NDC-R), which recruited and used child soldiers.

During the reporting period, an international organization issued a report finding more than 80 of its staff members, including national and international workers, allegedly sexually abused and exploited victims, which at times included sex trafficking—soliciting sex in exchange for jobs or promotions, while working as part of an international mission responding to the Ebola outbreak between 2018 to 2020. The government did not report initiating any investigations or prosecutions of the alleged perpetrators by the end of the reporting period. For the third consecutive year, the government did not report investigating 142 cases involving sexual slavery NGOs reported to provincial courts in Ituri province in 2019.

Limited information management and data collection capabilities, poor understanding of the crime, weak judicial systems, and broad government corruption hindered law enforcement efforts. The government, in collaboration with international organizations and foreign donors, trained law enforcement, social workers, labor inspectors, and security agents on human trafficking legal frameworks, identifying and protecting victims, data collection, and investigative techniques. The Congolese National Police (PNC) incorporated human trafficking training in its community policing program curriculum. Observers reported limited understanding of trafficking among local officials impeded law enforcement efforts and likely led to underreporting of trafficking crimes. During the previous reporting period, APLTP launched a judicial training program on prosecuting trafficking cases in coordination with an international organization. The APLTP and the Ministry of Interior collaborated with an international organization to begin implementing an anti-trafficking law enforcement data collection system. The government did not report cooperating with foreign counterparts on law enforcement activities but regularly cooperated with INTERPOL on trafficking investigations. The government had a bilateral agreement with the Republic of the Congo but did not report conducting activities as part of the agreement.

PROTECTION

The government maintained protection efforts. The government reportedly identified 256 victims, including 155 forced labor victims, 86 sex trafficking victims, and 15 victims where the form of trafficking was unknown, and referred them to care in coordination with NGOs. This compared with 207 victims identified and referred to care during the previous reporting period. The government, in collaboration with

international organizations, finalized SOPs to systematically identify and refer trafficking victims to appropriate care and began disseminating the procedures to relevant stakeholders to initiate their implementation. The PNC's Child Protection and Sexual Violence Directorate also had a formal mechanism in place with local NGOs to screen for possible trafficking victims among vulnerable groups, and the PNC, in collaboration with civil society, followed screening procedures to identify child labor and trafficking victims at mining sites.

The Ministry of Social Affairs was the primary government agency responsible for coordinating provision of victim services, including medical care, psycho-social support, legal aid, and socioeconomic reintegration services. The government did not report the total number of victims it provided these services. The government did not provide specialized services to trafficking victims as distinct from other vulnerable groups, and there were no government-run shelters for trafficking victims. As such, officials usually referred victims to NGO-run shelters. NGOs also provided victim services, including vocational and educational training, medical and psycho-social care, and legal support. Due to pandemic-related mitigation measures, NGOs, at times, limited their services and could not always provide shelter for victims. The government reported it provided financial assistance for one victim but did not report providing other financial or in-kind assistance to NGOs caring for victims during the reporting period. The government provided repatriation support to foreign national victims, including to at least 12 potential trafficking victims during the reporting period. Foreign and Congolese victims were eligible for the same services. The government did not report providing legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. As part of its national disarmament, demobilization, and reintegration plan, the government continued partnering with an international organization and NGOs to identify and remove child soldiers from armed groups operating in eastern DRC. Officials referred children separated from armed groups to international organizations for services, including psycho-social, medical, and reintegration support. However, rising insecurity hindered officials' access to these areas and subsequently limited screening and demobilization efforts.

Officials afforded protections to victims testifying in legal proceedings on an ad hoc basis. Courts were authorized to provide measures concealing witnesses' identities, such as using physical screens, testifying in adjacent rooms, or submitting written testimony in lieu of appearing in person. However, these protections were only available if specifically requested by a victim's lawyer, and infrastructure challenges and severe resource constraints limited their availability and effectiveness. NGOs reported defendants' family members frequently intimidated witnesses and victims. Victims often lacked transportation, lodging, psychological, or medical support during legal proceedings. Victims could file civil suits against traffickers, but none reportedly did so, and victims rarely received compensation. The law allowed victims to obtain restitution, but in practice, defendants rarely paid it. In September 2021, a military court ordered the leader of an armed group to pay 596.34 million Congolese francs (\$300,000) in restitution to 87 trafficking victims, but the government did not report whether the restitution was paid.

Authorities penalized victims for unlawful acts traffickers compelled them to commit. Due to a lack of training on victim identification and screening procedures and the frequency of arbitrary arrest in the country, authorities detained unidentified victims. During the reporting period, authorities fined eight PRC national trafficking victims 1.99 million Congolese francs (\$1,000) each for illegal stay in the country. Authorities, at times, remanded sex trafficking victims in custody during investigations. In 2021, authorities detained 160 children as young as 3 years old, including potential trafficking victims, for alleged association with armed groups, compared with 85 children in 2020; five children remained in detention at the end of the year. Authorities held children in local detention cells—which suffered from overcrowding, lack of food and health services, and poor sanitation—for periods ranging from two days to four months before releasing them to child protection actors. Local authorities usually, but not uniformly, granted international child protection actors access to the detained children.

PREVENTION

The government increased efforts to prevent trafficking. The APLTP coordinated the government's anti-trafficking efforts and led the interagency trafficking in persons committee, as well as a technical working commission, and both bodies met regularly. The government increased the APLTP's 2022 budget by 66 percent, allowing it to hold regular technical committee meetings and cover its operating expenses.

The government continued implementing its 2020-2024 anti-trafficking national action plan; while it allocated resources to implement the plan, these were not sufficient for its full implementation. The APLTP continued its national awareness-raising campaign consisting of three tracks focused on educating the general population about the dangers of human trafficking; establishing a national hotline; and training government authorities on identification and referral procedures, as well as identifying strategies for prosecuting trafficking cases under existing legal frameworks. It conducted public campaigns and held trainings for journalists, community leaders, social workers, and labor inspectors to raise awareness of human trafficking. The Ministry of Interior produced an annual report on the country's anti-trafficking efforts. An APLTP delegation traveled to Niger to meet with the National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants and share best practices in combating trafficking.

The government continued efforts to prevent FARDC recruitment and use of children. The FARDC, in collaboration with an international organization, screened new recruits to verify their ages; authorities identified and prevented 62 children from entering basic training. The FARDC separated and reintegrated the children with their families and issued administrative punishments to the recruiters. In collaboration with an international organization, the government's Joint Technical Working Group (JTWG)—comprised of government ministries, NGOs, and international organizations—continued implementing its national action plan to end child recruitment and met monthly. The government continued collaborating with an international organization to train security and law enforcement officials on age verification and care procedures. In the previous reporting period, the Ministry of Defense—in close coordination with an international organization—engaged directly with armed group commanders to end and prevent the recruitment and use of child soldiers.

The government did not effectively regulate foreign labor recruiters and did not report taking measures to hold fraudulent labor recruiters accountable. The government did not report continuing investigations of Indian and Pakistani labor recruiters initiated in 2020. The government continued to uphold standards for labor recruitment and placement agencies, which required agencies to have a National Business Identification Certificate, a business license, and a tax ID number and to be officially recognized by the Ministry of Labor. However, Congolese law does not criminalize fraudulent labor recruitment, thereby limiting the government's ability to penalize agencies for such actions and deter future violations.

The Minister of Human Rights continued implementing an August 2020 decree to increase oversight of mining communities, including a zero-tolerance policy for forced child labor in the mining sector. As part of this effort, the government, in cooperation with an international organization, continued certifying artisanal mining sites in eastern DRC as conflict-free and child labor-free. Ministry of Mines officials visited and screened 700 mines for labor violations, including trafficking; this was a significant increase from 125 mines during the previous year, in part due to the Ministry's hiring and training of 63 new mine site inspectors. The Minister of Mines, after a review process conducted by government officials and civil society stakeholders to ensure the mine was not subject to labor violations, validated 238 mining sites in 2021. As part of the certification process, the APLTP and PNC, in collaboration with civil society, screened for child labor and child trafficking victims, and when victims were identified, referred them to care. The government did not report how many trafficking victims, if any, it identified and referred to care as a result of the inspections, but it did report closing an unknown number of mines to deter unlawful practices related to trafficking. Observers reported limited administrative capacity and funding hindered provincial departments' ability to monitor mining sites;

informants, including government officials, allegedly warned companies about upcoming inspections, allowing miners to hide child laborers.

The government operated a hotline for reporting sexual and gender-based violence, and as a result of calls to the hotline, identified and referred an unknown number of trafficking victims to care. In January 2022, the government began providing anti-trafficking training to diplomats prior to their departure. The government did not provide anti-trafficking training for FARDC troops prior to their deployment abroad as part of international peacekeeping missions; although not explicitly reported as human trafficking, there were seven open cases of alleged sexual exploitation with trafficking indicators by Congolese peacekeepers deployed to the UN peacekeeping mission in CAR. 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 the DRC, and traffickers exploit victims from the DRC abroad. Most trafficking is internal and involves forced labor in artisanal mining sites, agriculture, domestic servitude, or armed group recruitment of children in combat and support roles, as well as sex trafficking. As in years past, traffickers took advantage of families eager to lessen economic costs and seek opportunities for their children. Some traffickers were individuals or family members who promised victims or victims' families educational or employment opportunities but instead exploited victims in forced labor as domestic workers, street vendors, and gang members or exploited them in sex trafficking. The capital region serves as a source for sex trafficking victims, with criminal networks and community members facilitating the movement of women and girls. In urban centers such as Kinshasa, Lubumbashi, and Goma, some foreign workers in the beauty industry reported employers failed to honor contracts, controlled their passports, and forced workers to pay exorbitant fines to leave the country before their contracts expired.

Decades-long instability in eastern DRC—notably North Kivu, Ituri, South Kivu, and Tanganyika provinces—continued, resulting in armed groups and criminal networks engaging in unlawful child soldier recruitment and use, forced labor in artisanal mining, and sex trafficking and slavery-like practices. In 2020, experts reported there were more than 500,000 refugees and five million IDPs—the largest IDP population in Africa; these individuals are vulnerable to trafficking due to their lack of economic stability and access to justice. Children in the Kasai region are vulnerable to forced begging schemes facilitated by criminals in Kasai and Kinshasa; victims reported traffickers drugged them and forced them to beg. The APLTP and NGOs reported years of cyclical displacement stemming from escalating insecurity in Ituri Province (bordering South Sudan and Uganda) has increased the vulnerability of thousands of children experiencing homelessness without support networks who criminal elements—including armed groups and community members—coerce into sex trafficking or forced labor. Community and family members, as well as loosely organized illicit networks, force children across the border into the Republic of the Congo where criminal actors coerce the children to commit theft.

Armed groups (most egregiously Mai Mai Mazembe, Mai Mai Nyatura, and Mai Mai Apa na Pale; NDC-R, Alliance des Forces de Resistance Congolaise [AFRC]; Kamuina Nsapu; Raia Mutomboki; Democratic Forces for the Liberation of Rwanda [FDLR]; ISIS-DRC, known locally as Allied Democratic Forces [ADF]; and Cooperative for Development of the Congo [CODECO]) continue to abduct and forcibly recruit Congolese adults and children as combatants and human shields. Additionally, armed groups forcibly recruit adults and children to serve in support roles, such as guards, porters, cleaners, cooks, messengers, spies, and tax collectors at mining sites; some armed groups also force women and girls into marriage or sexual slavery. Child soldiers, separated from armed groups and reintegrated into society, remain vulnerable to re-recruitment as rehabilitation services for children suffering severe psychological trauma remain inadequate and stigmatization may interfere with community reintegration. Some FARDC officers continue to recruit and use children, mainly in espionage or support roles. In 2021, the FARDC recruited at least six children formerly associated with an armed group and used them as informants and combatants. The

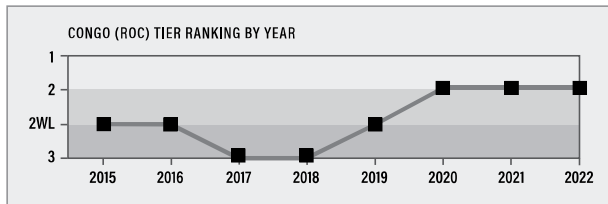
military continued to coordinate with NDC-R; observers report NDC-R continues to recruit and use child soldiers.

Traffickers—including mining bosses, other miners, family members, government officials, and armed groups—force or coerce some adults and children to work in artisanal mines in eastern DRC, including through debt-based coercion. Individuals associated with the extractive sector abuse some children in forced labor in the illegal mining of diamonds, copper, gold, cobalt, tungsten ore, tantalum ore, and tin, as well as the smuggling of minerals to Uganda, Burundi, Rwanda, the United Arab Emirates, and Tanzania. An NGO reported children traveling long distances to smuggle minerals are vulnerable to trafficking and recruitment by armed groups. Observers noted children in mining areas are vulnerable to sexual violence, including sex trafficking, in part due to traditional and religious beliefs correlating harming children and sex with protection against death or successful mining. Congolese workers in PRC national-owned cobalt mines may be exploited in forced labor; observers reported workers faced wage violations, physical abuse, employment without contracts, and restricted movement—all potential indicators of forced labor. Children are 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 traffickers may exploit them in domestic servitude. 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. Congolese migrants expelled from Angola are also vulnerable to trafficking. Some criminal elements coerce 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 or forced labor in agriculture, diamond mines, or domestic service. Illicit labor recruiters may fraudulently recruit women and force or coerce them into domestic work abroad through false promises of education or employment opportunities. During the previous reporting period, individuals associated with a construction company in Kinshasa may have exploited Indian and Pakistani workers in forced labor in the DRC; authorities reported the suspects confiscated the workers' passports, controlled their movements, and withheld their salaries. International health workers and UN peacekeepers allegedly sexually exploited victims while deployed in the DRC. Although not explicitly reported as human trafficking, the UN reported there were 13 new allegations submitted in 2021 of sexual exploitation with trafficking indicators by UN peacekeepers from Benin, Burkina Faso, Malawi, Peru, Tanzania, and Uruguay deployed to the DRC.

CONGO, REPUBLIC OF THE: TIER 2

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. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, on its anti-trafficking capacity; therefore the Republic of the Congo remained on Tier 2. These efforts included finalizing an updated national action plan (NAP) for the Ministry of Social Affairs (MSA) for 2022-2023, initiating investigations of trafficking cases, and providing care to the majority of identified victims. The government also identified potential victims among the Indigenous population in Betou. However, the government did not meet the minimum standards in several key areas. The government did not screen proactively for trafficking among vulnerable populations and did not report identifying any victims during the reporting period. The government did not take any proactive measures to address official complicity. The lack of a standardized and centralized filing system for hard copy trafficking case dossiers continued to create a backlog in court cases and hinder countrywide efforts.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including officials complicit in trafficking, and impose adequate penalties.

- Train officials, NGOs, and civil society on implementing regulations to identify trafficking victims proactively, including by screening for trafficking indicators, especially among vulnerable populations, including child laborers, women and girls exploited in commercial sex, unaccompanied children, Indigenous persons, undocumented migrants, and Democratic People's Republic of Korea (DPRK) workers.
- Improve the provision of protective services to trafficking victims to provide appropriate care to victims nationwide.
- While respecting due process, expedite hearings and consider prosecuting trafficking cases in the low court, while maintaining stringent sentencing according to the country's anti-trafficking law.
- Increase anti-trafficking training for all law enforcement, prosecutors, and judges.
- Increase law enforcement and first responders' capacity to collect data on trafficking.
- Further expand anti-trafficking efforts to identify victims and prosecute traffickers beyond Pointe-Noire and Brazzaville.
- Finalize and implement the interagency NAP to combat trafficking in persons and dedicate resources to support its implementation.
- Formally establish the inter-ministerial anti-trafficking task force and designate an office to lead the government's anti-trafficking efforts.
- Bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the Democratic Republic of the Congo (DRC).
- Conduct awareness campaigns for government officials and the public.
- Accede to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

PROSECUTION

The government maintained overall anti-trafficking law enforcement efforts. The 2019 Combating Trafficking in Persons Law criminalized sex trafficking and labor trafficking. The related provisions in Congolese criminal law prescribed penalties of five to 10 years' imprisonment, which are sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other grave crimes, such as kidnapping.

Following referral from an NGO, the government reported initiating investigations of five new suspected trafficking cases involving seven alleged traffickers, compared with zero investigations in the previous reporting period. The government reported one new prosecution, compared with six prosecutions in the previous reporting period, and one conviction for labor trafficking with a sentence of three years in prison, compared with four convictions in the previous reporting period. Due to the pandemic, some traffickers convicted previously were released from prison for medical reasons. The MSA identified four cases of alleged forced labor in Betou, in the north of the country, as part of the first child labor trafficking survey conducted in the region, which resulted in the arrest of one individual. Illicit recruiters frequently operated from other West African countries, and Congolese officials did not report taking significant actions to hold domestic criminals accountable for exploiting victims within the country.

Authorities continued an investigation into a 2020 allegation of judicial corruption in a trafficking case. The government did not report initiating any new investigations, prosecutions, or convictions of government employees complicit in trafficking crimes. Low-level corruption and limited intragovernmental coordination constrained officials' ability to investigate, prosecute, and convict suspected traffickers, inhibiting law enforcement action during the year. The court system remained dysfunctional, and many criminal cases continued to languish due to significant backlogs in the high court as a result of irregular court sessions, lack of centralized record keeping, limited legal statistics, and

pandemic-related court closures and restrictions on in-person meetings, which have since been lifted.

The government continued to include anti-trafficking training in the standard academy training for new police and immigration officers. The government regularly coordinated with source countries including Benin, the Central African Republic (CAR), the DRC, and Cameroon, to share law enforcement information. The government did not report extraditing any suspects during the reporting period.

PROTECTION

The government maintained inadequate efforts to protect victims. For the second consecutive year, officials did not report identifying any victims. A local NGO identified 11 potential Beninese victims (five adults and six children) in 2021. A government-funded NGO provided shelter and psychosocial services to nine victims. The MSA reported identifying potential trafficking victims among the Indigenous population in Betou, in the north of the country, and provided basic humanitarian assistance. A government-run center in the Moungali neighborhood of Brazzaville could provide victims water, food, clothes, education, security, and psycho-social counseling; however, authorities did not report assisting any trafficking victims at this shelter during the reporting period.

The government's implementing regulations for the anti-trafficking law provided formal written procedures for proactive victim identification, although officials did not report using these procedures to identify any victims. In Pointe-Noire, the government continued to focus the majority of its efforts on West African children in forced labor, including those in domestic service. Congolese authorities signed a bilateral agreement with the DRC government to fully implement and formalize anti-trafficking efforts in December 2021. In past reporting periods, law enforcement generally assisted in removing victims from NGO-identified exploitative situations if the NGO could provide funding for transportation. Police did not report screening DPRK workers for indicators of sex trafficking. 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 trafficking victims. The government did not fund these NGOs despite relying heavily on their victim assistance programs and services. Observers noted that child trafficking victims often did not go to school, lacked basic amenities including food and healthcare, and were at risk of sexual assault.

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 or funding the foster homes. The government continued to fund three public shelters that at-risk victims, including child trafficking victims, could access. The government provided the same availability of care to both national and foreign victims and provided temporary residency status to foreign trafficking victims during judicial proceedings. Authorities provided foreign adult trafficking victims 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 trafficking victims to countries where they would face retribution or hardship.

PREVENTION

The government marginally increased efforts to prevent trafficking. Despite pandemic restrictions on in-person meetings, the government's federal inter-ministerial committee convened two times during the reporting period, compared with four meetings during the previous reporting period. The MSA finalized a NAP to inform its anti-trafficking efforts. In October 2021, the government drafted and disseminated for comment a new interagency NAP for 2022-2023; the action plan remained pending at the end of the reporting period. While the government drafted and distributed for review an executive order to legally establish an inter-ministerial task force, it remained without a national entity to lead the government's efforts, which continued to hinder the effectiveness of the country's anti-trafficking response. Officials held public awareness campaigns in northern cities, targeting Indigenous populations at a higher risk of trafficking. The Ministry of

Social Affairs drafted and distributed for review an executive order that would legally establish a permanent inter-ministerial task force.

The government operated an emergency assistance hotline for victims of crime; however, officials did not report whether it received any calls related to human trafficking during the reporting period. The government did not have effective laws or policies regulating labor recruiters. Additionally, officials coordinated with the Government of Benin to implement the countries' 2011 bilateral anti-trafficking agreement. The government has signed but not acceded to the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol. Although officials did not report any working-level meetings on new repatriation with the Beninese government, the newly appointed MSA minister met twice with Beninese counterparts during the reporting period. The government made some efforts to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training to its diplomats.

TRAFFICKING PROFILE

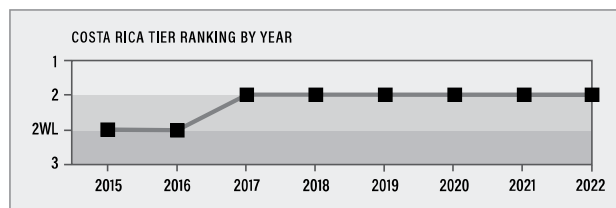
As reported over the past five years, human traffickers exploit domestic and foreign victims in the Republic of the Congo, and traffickers exploit victims from the Republic of the Congo abroad. Forced labor involving adults and children continues to be the primary type of trafficking within the Congo. Most trafficking victims in the Congo originate from Benin and the DRC and, to a lesser extent, from Gabon and other neighboring countries. Beninese networks with representatives in the Congo target destitute families in their country of origin, promising parents they will provide children an education in the Congo before exploiting them in domestic servitude or sex trafficking. Congolese authorities and civil society representatives report fraudulent employment agents located in Benin, CAR, the DRC, and Gabon recruit victims into exploitative conditions in the Congo. Foreign business owners and Congolese exploit most foreign victims in forced labor in domestic service, market vending, and the fishing sector. Some hotel owners and other criminal actors exploit adults and children, including both girls and boys, in commercial sex in the Congo, with the most common victims being Congolese from the DRC. Parents in foreign countries, mostly West African countries, sometimes send their children to the Congo with the expectation that the child will send remittances or receive an education, but instead criminals exploit the children in sex trafficking or forced labor. Experts report COVID-19-related economic hardships during the reporting period increased the vulnerability of individuals working in the informal sector, although border closures beginning in March 2020 may have decreased cross-border trafficking in persons.

Internal trafficking primarily involves recruitment from remote rural areas for exploitation in cities. Individuals in the fishing industry and market shop owners were the primary exploiters of victims within the country. Traffickers—including members of the majority Bantu community—exploit some members of the Indigenous populations for forced labor in the agricultural sector, with Indigenous persons being the majority of internal trafficking victims in the country; reports suggest that some servitude involving Congolese might be hereditary. DPRK nationals working in the Republic of the Congo may have been forced to work by the DPRK government.

COSTA RICA: TIER 2

The Government of Costa Rica 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, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Costa Rica remained on Tier 2. These efforts included prosecuting more traffickers, implementing a new national action plan to combat trafficking, and establishing new regional task forces to promote law enforcement coordination on trafficking cases. However, the government did not meet the minimum standards in several key areas. The government did not adequately fund its anti-trafficking efforts, reducing the allocation for victim services and not providing funding for campaigns to raise

awareness of trafficking. The government investigated far fewer trafficking cases than in the previous reporting period and did not prosecute or convict any labor traffickers for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Increase victim identification and referral, particularly in coordination and collaboration with local and civil society partners. • Increase funding for victim services and provide specialized shelter and services for trafficking victims in partnership with civil society organizations. • Intensify efforts to investigate and prosecute trafficking offenses and convict and punish traffickers, including child sex tourists. • Reduce bureaucratic obstacles to the disbursement of funds allocated to anti-trafficking efforts. • Fund and implement the judicial action plan to improve the investigation and prosecution of trafficking cases. • Further reduce the backlog of trafficking cases in the judicial system. • Conduct thorough and transparent criminal investigations of alleged government complicity in trafficking offenses and prosecute, convict, and punish complicit officials. • Provide increased anti-trafficking training for police, prosecutors, judges, and municipal officials. • Improve data collection on judicial, law enforcement, and victim protection efforts.

PROSECUTION

The government maintained 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 illegal adoption without the purpose of exploitation, inconsistent with the definition of trafficking under international law. 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 Migration Authority's (DGME's) Professional Migration Police. The Attorney General's anti-trafficking office (FACTRA) supervised both investigative units. FACTRA reported investigating 70 cases—including 42 trafficking cases under Article 172, 23 child sex trafficking cases (Article 170), and five cases of forced labor or services (Article 189). This compared with 103 cases in 2020—including 68 trafficking cases (Article 172), 28 cases of child sex trafficking (Article 170), and seven cases of forced labor or services (Article 189)—and 69 cases in 2019. The government initiated prosecutions against nine accused sex traffickers under Article 172, compared with prosecuting four accused traffickers in 2020 and seven in 2019. Courts convicted one sex trafficker in 2021, compared with convicting five traffickers in 2020 and 15 in 2019. Judges sentenced the trafficker, convicted under Article 172, to 18 years' imprisonment. The government reported prosecutors filed an appeal in a trafficking case where the court convicted the alleged trafficker of rape under Article 156 but dismissed trafficking charges. In one case ending in conviction, prosecutors supported the victims' choice not to participate in the trial against the trafficker by constructing a successful prosecution using evidence gathered via surveillance and mobile device extraction, rather than victim testimony. Courts reaffirmed 2018 convictions against a sex trafficker who forced a girl into commercial sex and against the man who paid to engage in commercial sex acts with the victim, increasing their sentences to nine and six years' imprisonment, respectively. The government did