



TRAFFICKING IN PERSONS REPORT

JULY 2022





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MESSAGE FROM THE SECRETARY OF STATE

Dear Reader:

Everyone should be free. And yet, through force, fraud, and coercion, human traffickers violate this most basic right. Traffickers' exploitative practices affect every country in the world, including the United States, by diminishing and destroying our communities, sense of security, and the global economy. This year's Trafficking in Persons Report turns the spotlight to more clearly illuminate the impact of human trafficking on our global community and on actions we can take as individuals, and as a society, to combat this deplorable crime everywhere it occurs, especially in the most at-risk communities.

The pages that follow highlight the incredible strides and achievements of survivor leaders and individuals with lived experience of human trafficking, including their role as valued anti-trafficking experts. They built, and continue to sustain, the movement to combat human trafficking in a manner that reflects the realities and needs of those currently experiencing exploitation. However, much work remains to create opportunities for responsibly engaging and elevating survivors' expertise. Their voices are critical to crafting successful anti-trafficking responses, and we hope the report's introduction serves as a resource for our global partners seeking to improve their anti-trafficking efforts by integrating survivors' expertise.

Through the special topic boxes in this report, we explore key issues of grave and urgent concern, including the inequitable impact of human trafficking on vulnerable and marginalized populations.

This year's report is released in the midst of an unprecedented humanitarian crisis. Russia's senseless continued invasion of Ukraine and its devastating attacks across that country have inflicted unfathomable pain and suffering and forced millions of Ukrainian citizens and others to flee seeking safety. We are deeply concerned about the risks of human trafficking faced by individuals internally displaced by the war, as well as those fleeing Ukraine, an estimated 90 percent of whom are women and children. The food insecurity and other broader effects of Russia's war exacerbate trafficking risks around the globe.

Let us stand together and press for accountability from those leaders who condone and support human trafficking, create conditions ripe for mass exploitation, and perpetuate this fundamental insult to human dignity. Those that perpetrate, condone, or support this crime must be held accountable.

Throughout the report, a unifying theme emerges—human trafficking affects us all. Its impact ripples across the fabric of our global community. We must work together, and in partnership with survivor leaders, to effectively address this crime.

Sincerely,

Antony Blinken



MESSAGE FROM THE SENIOR OFFICIAL

Dear Reader:

As a critical means to continuously improve anti-trafficking efforts, stakeholders should engage with survivors of human trafficking; to listen to, learn from, and lift the voices of those with lived experience. This year's introduction centers on survivor engagement and highlights the vital role that survivors of human trafficking play in developing and implementing survivor-led, trauma-informed, and comprehensive victim-centered approaches to human trafficking.

The Department of State continues to prioritize the integration of survivor expertise into our work. Here, the U.S. Advisory Council on Human Trafficking has been a vital component in our ability to ensure that the strategies we put in place are victim-centered and trauma-informed. Council members come from diverse backgrounds with distinctive experiences. Their contributions and recommendations are invaluable. It is critical that survivor leaders have a seat at the table, but we need to do more. We also rely on our work with the Human Trafficking Expert Consultant Network—which consists of experts with lived experience of human trafficking. Their assistance has helped us develop survivor-informed programs, policies, and resources for our government and beyond, including the introductory essay of this report. As a movement, we must engage survivors early and often in the development of our policies and programs and learn from stakeholders who prioritize meaningful consultation with those with lived experience, to share best practices globally.

Another key priority, which also requires the counsel of survivors, is increasing our efforts to meaningfully incorporate equity in our anti-trafficking work. For example, systemic racism continues to create socioeconomic inequalities that traffickers exploit. This year's country narratives prioritize integrating an equity-based approach, including by enhancing our reporting on underserved communities and assessing delivery of justice and services to victims among these populations. We are committed to drawing attention to the vulnerabilities that human traffickers routinely exploit, especially as they pertain to individuals from marginalized or underserved communities, and ensuring governments are able to identify and assist all victims. As you read through the report, I also urge you to look closely at the special interest boxes that highlight forced labor and the transition to clean energy, how the climate crisis increases trafficking risks of people everywhere, and the harmful costs associated with the People's Republic of China's Belt and Road initiative.

Through these partnerships and listening to the expertise of those with lived experience, we can continue to improve our anti-trafficking efforts even in the face of an unconscionable war of choice placing millions at risk, historically high levels of displaced persons around the globe, economic anxiety, and the disruptions of climate change. Despite the significant challenges, the global community has been steadfast in our anti-trafficking efforts. We will press on in our efforts and look forward to doing so together.

Sincerely,

Kari Johnson

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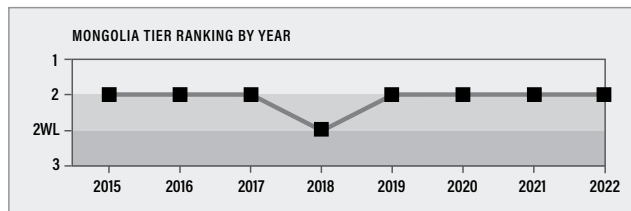
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prevent and combat trafficking, and multiple reports express concern with systematic human rights violations in the region. Transnistria remains a predominate source for sex trafficking victims in neighboring countries. Children, particularly those suffering from familial neglect, continue to be vulnerable to trafficking. Traffickers exploit victims within Transnistria, in Poland and Russia, and over the Ukrainian border and through Odesa. Thousands of Ukrainian refugees, predominantly women and children, who are fleeing the war in Ukraine and crossing the Transnistria segment of Moldova's border seeking sanctuary, are highly vulnerable to trafficking. Reports indicate more than 9,000 are staying in Transnistria.

MONGOLIA: TIER 2

The Government of Mongolia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Mongolia remained on Tier 2. These efforts included investigating more traffickers and identifying more victims than the previous reporting period; improving information sharing and coordination among ministries and with international partners, including through the establishment of Mongolia's first trafficking-specific Multidisciplinary Task Force (MDTF); creating and staffing a new prosecutor position to specialize in trafficking cases; and enacting a new labor law that addressed several longstanding vulnerabilities in the labor recruitment process. However, the government did not meet the minimum standards in several key areas. For at least the 10th consecutive year, the government did not formally identify any male victims. Overlapping and at times conflicting criminal code articles complicated anti-trafficking judicial processes and continued to incentivize prosecutions and convictions under lesser charges.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to train officials on and implement Articles 12.3 and 13.1 of the criminal code to investigate and prosecute sex trafficking and forced labor crimes—including those allegedly committed or facilitated by law enforcement officials, detected through child labor inspections and hotlines, and handled in partnership with law enforcement counterparts in common destination countries—rather than under alternative administrative or criminal provisions that prescribe lower penalties. • Clarify anti-trafficking judicial procedures by reviewing and amending anti-trafficking legislation to eliminate conflicting or overlapping penalty provisions. • Systematize and fully implement formal procedures to guide government officials, including police, immigration officers, child rights officers, and labor authorities, in victim identification and referral to protective services—especially among men and boys, foreign workers, domestic and foreign nationals transiting major border crossing areas, domestic coal transport workers exploited or abused by People's Republic of China (PRC)-based employers, women and children living in mining communities, and LGBTQI+ persons. • Amend relevant laws to ensure victims' access to protection services, regardless of whether officials initiate formal criminal proceedings against the alleged traffickers. • Enact policies to fully institutionalize, make permanent, and allocate resources for the MDTF. • Amend Articles 16.1 and 16.4 of the criminal code to increase prescribed penalties such that they are in line with penalties for other child trafficking crimes. • Amend Article 8 of the Labor Law to align its definitions with preexisting anti-trafficking laws, including by eliminating exemptions for compulsory labor in basic

landscaping and cleaning. • Allocate increased funding to support and expand both government and NGO-run shelters and other forms of tailored victim assistance and protection, including for male victims and children. • Strengthen efforts to monitor the working conditions of foreign laborers employed in Mongolia and screen them for labor trafficking indicators, including by increasing funding, resources, and training for labor inspectors and allowing them to conduct unannounced inspections.

PROSECUTION

The government increased law enforcement efforts. Article 13.1 of the criminal code criminalized sex trafficking and labor trafficking; it prescribed penalties of two to eight years' imprisonment for offenses involving an adult victim and five to 12 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Other provisions of the criminal code additionally criminalized some forms of labor and sex trafficking. Article 13.13 separately criminalized forced labor and prescribed fines, community service, probation, and/or one to five years' imprisonment. Article 12.3 of the criminal code criminalized sexual exploitation offenses, including some forms of sex trafficking; penalties ranged from two to eight years' imprisonment for trafficking offenses involving individuals older than the age of 14 and 12 to 20 years' imprisonment for those involving children younger than the age of 14. As in prior years, authorities sometimes prosecuted trafficking crimes under statutes carrying lesser penalties. Articles 16.1 and 16.4 criminalized "inducing a child to the committing of a crime" and "forcing a child into begging," respectively; they both prescribed penalties of a travel ban for one to five years or one to five years' imprisonment. In previous years, some prosecutors reportedly charged child forced begging cases as misdemeanors, rather than as more serious offenses. Observers noted complex case initiation and referral procedures, restrictions on contact between anti-trafficking police and prosecutors, judicial officials' general unfamiliarity with anti-trafficking laws, rapid turnover of investigators, and criminal code articles with overlapping and often conflicting definitions and penalty provisions at times hindered investigations and prosecutions. In 2021, the government enacted a new labor law with a definition of forced labor that appeared to be narrower than the definition in Article 13.13 of the criminal code in that it only criminalized forced labor through force, the threat of force, or financial coercion. Separately, the labor law exempted from the definition of forced labor "basic landscaping and cleaning works performed by residents of certain regions, villages, habituated areas or cities," which observers noted could be interpreted as allowing compulsory labor in public works.

The government initiated 45 sex trafficking investigations involving at least 51 alleged perpetrators (compared with 36 investigations involving 49 alleged perpetrators in 2020). Seven of these investigations involving 32 women resulted from police raids on saunas, massage parlors, hotels, karaoke bars, and other venues suspected of facilitating commercial sex (11 investigations resulting from raids in 2020), and 23 resulted from police monitoring of sex solicitation on social media (unreported in 2020). The National Police Agency (NPA) maintained an anti-trafficking unit, which conducted 15 of these investigations (compared with eight in 2020). Authorities also initiated a new investigation into a case of alleged forced labor; the case involved at least one alleged perpetrator and at least three victims from Fiji, the Philippines, and Burma (compared with one investigation involving three victims in 2020). Although officials reported detecting one instance of forced child labor in hazardous work, they did not initiate a criminal investigation into the case or seek accountability for the alleged perpetrator. Authorities investigated an additional 41 cases of unspecified exploitation, some of which may have included definitional trafficking elements, involving 51 individuals. Authorities newly prosecuted 21 cases involving 32 defendants for alleged sex trafficking crimes, including four defendants under Article 12.3, eight defendants under 12.6, and 10 under Article 13.1 (compared with four under Article 12.3 and 17 under Article 12.31 in 2020); however, they prosecuted 11 of these cases under Articles 16.8 and 16.9 ("Advertising and dissemination of pornography or prostitution, inducement to a child" and "Advertising and dissemination of pornography or prostitution involving a child"), which carried lesser penalties. Proceedings against

19 defendants whose prosecutions began in 2020 were ongoing at the end of the reporting period. Unlike the previous year, there was one prosecution of an alleged forced labor crime under Article 13.13. Courts convicted 27 individuals for trafficking-related crimes in 2021—an increase from 18 in 2020—but this included fewer cases convicted under specific anti-trafficking criminal code articles. Courts convicted 13 individuals under anti-trafficking articles, including three under Article 12.3 and 10 under Article 13.1, compared to one and 17, respectively, in 2020; they did not convict any labor traffickers for the second consecutive year (three in 2019). Courts also convicted 10 individuals under Articles 16.8 and 16.9; authorities did not provide sufficient detail to ascertain whether these cases featured trafficking elements according to international definitional standards. Authorities reportedly sentenced three traffickers to terms ranging from three to eight years' imprisonment under Article 12.3; 10 traffickers to terms ranging from six months to 20 years' imprisonment under Article 13.1; and four traffickers to terms ranging from six months to five years' imprisonment under Articles 16.8 and 16.9 (compared with 17 traffickers sentenced to terms ranging from five to 26 years' imprisonment under Article 13.1 and one trafficker to seven years' imprisonment under Article 12.3). One individual convicted under Article 13.13 faced only a fine. Courts ordered a total of 3.6 million Mongolian tugrik (MNT) (\$1,260) as restitution payments to three victims as part of sentencing, but no victims were recompensated under Article 13.1 (compared with 798,400 MNT (or \$280) under unspecified articles to at least one victim in 2019). There were unverified allegations of police complicity in trafficking crimes leading to an investigation that was ongoing at the end of the reporting period. In prior years, officials who facilitated or abetted forced labor crimes received administrative sanctions in lieu of criminal penalties.

Authorities continued to categorize certain crimes as trafficking based on Mongolia's more expansive legal definitions, culminating in law enforcement data that at times included cases involving child pornography, sexual extortion, and "organizing prostitution;" some of these cases also included trafficking elements in line with international definitional standards. In recent years, due to the misconception among many government officials that traffickers only exploit women and girls crossing borders, authorities rarely used Articles 12.3 or 13.1 to prosecute cases in which traffickers targeted male victims and instead used provisions with less stringent penalties. Civil society representatives reported various judicial entities often maintained conflicting or incomplete data on anti-trafficking case registration and history. The government frequently redirected law enforcement resources and personnel to contain the pandemic, at times interrupting certain anti-trafficking efforts.

The government continued organizing, facilitating, and providing funding and in-kind support for specialized training courses for law enforcement officers and social workers on trafficking. Observers continued to describe an acute need for additional training, resources, and dedicated personnel to properly handle trafficking cases; in an attempt to address this need, in 2021, the government designated the country's first special prosecutor for trafficking crimes. Mongolia maintained mutual legal assistance agreements with the PRC, Hong Kong, Macao, Thailand, the Republic of Korea (South Korea), and Malaysia but did not provide data on their implementation.

PROTECTION

The government slightly increased efforts to protect victims. NPA investigators reported using a trafficking risk assessment checklist containing 11 questions to identify victims; however, use of this checklist was sporadic, and the process did not include screening of vulnerable groups. According to available data, police identified 45 female trafficking victims—an increase from 40 female victims identified in 2020—but this figure only included 14 girls younger than the age of 18, marking a decrease in the identification of child victims (24 girls younger than the age of 18 identified in 2020). Observers ascribed this to the closure of businesses traditionally associated with commercial sex as a public health measure during the pandemic, which complicated law enforcement detection of some trafficking crimes. Police reportedly identified one case of forced child labor in hazardous work, but they did not report directly providing or referring the child to any protection services. Neither the government nor the primary service provider

NGO identified any male victims for the 10th consecutive year, despite continued NGO reports of the prevalence of trafficking among men and boys. Authorities identified foreign victims of forced labor for the second consecutive year but did not report initiating or jointly conducting any subsequent criminal investigations. A portion of government funding for the primary service provider NGO supported the maintenance of a hotline system; the NGO identified two victims through the hotline, and the calls resulted in an unspecified number of trafficking investigations (compared with none in 2020 and one in 2019). The Family, Child, and Youth Development Agency (FCYDA) ran another 24-hour hotline that received five calls on possible cases of child sex trafficking and 108 calls on cases of hazardous child labor, ultimately facilitating assistance to 114 child laborers nationwide; some of these cases could have featured forced labor indicators. In furtherance of a 2020 child welfare budget resolution, the government newly appointed 53 police personnel to serve as child rights officers throughout the country. However, authorities reportedly did not train the officers on how to detect or respond to cases involving the forced labor of children. In practice, NGOs indicated victim identification and referral procedures were vague, not sufficiently systematic, and often depended largely on the awareness and initiative of individual officers. Authorities at times collected discrepant data based on conflicting definitions of trafficking according to overlapping criminal code provisions, which in turn created bureaucratic challenges to supporting survivors. Redirection of human and financial resources to the pandemic response at times negatively affected the capacity of front-line officers to identify victims of trafficking, particularly among child victims of forced labor.

The FCYDA hotline coordinated referrals to special welfare and protection, emergency response, and shelter services for child victims. Authorities referred eight Mongolian victims to NGO shelter services through this hotline—a decrease from 41 referrals in 2020, likely attributable to a significant reduction in certain enforcement activities and in the movement of Mongolian nationals across international borders during the pandemic. Police separately referred at least three victims to witness protection services and other forms of assistance but did not provide further details (compared with three children referred to government shelter services in 2020). Civil society contacts expressed concern that Mongolia's complex referral system could have re-traumatized some victims due to the requirement that they repeatedly recount their abuses at various stages. NGOs continued to provide the vast majority of Mongolia's limited victim services, in some cases with government assistance. Two shelters run by an NGO were the main victim service providers in the country; only one could accommodate male victims, and neither was accessible to persons with disabilities. The government ran at least two shelters that housed trafficking child victims alongside victims of domestic violence and other forms of abuse. Observers reported 10 child sex trafficking victims experienced further sexual abuse within two of these shelters due to poor oversight and lack of specialized care; the government investigated and prosecuted the alleged offenders in at least some of these cases but did not provide further information.

The government allocated 30 million MNT (\$10,530) to fund the primary service provider NGO's activities in shelter provision, psycho-social and medical care, and legal assistance. With funding from the government and other resources, the NGO reported assisting 41 Mongolian sex trafficking victims, including 31 women and 10 girls younger than the age of 18, and two Mongolian sex trafficking victims repatriated from Malaysia (compared with 43 Mongolian sex trafficking victims and three Burmese forced labor victims in 2020); the NGO provided shelter to seven of these victims. The NGO did not report providing any victims with pro-bono legal assistance in 2021 (compared with 24 in 2020). The same NGO in turn formally supplied information on seven cases involving 15 of the victims to the NPA for criminal investigations into the relevant suspects (compared with 13 cases involving 39 victims in 2020). Another shelter that had previously supported Mongolian victims of trafficking in the PRC did not assist any victims in 2021 due to pandemic-related border closures. NPA's Victim and Witness Protection Department reportedly staffed psychologists who were equipped to handle domestic violence cases, but they did not provide information on services provided to trafficking victims in 2021.

Article 8.1 of the criminal procedural code included language that reportedly denied trafficking victims' access to protective services until

prosecutors had initiated cases against their alleged traffickers, thereby potentially obstructing access to protective services for some victims. In prior years, some officials claimed victims could still access protection services regardless of whether relevant prosecutions had begun. In an effort to address this ambiguity in 2018, the Ministry of Justice and Home Affairs created a working group and instituted an intra-governmental comment period to consider amendments to the Law on Victim and Witness Protection. Draft amendments under review at the end of the reporting period did not include language addressing this concern. As in the previous year, trafficking victims may have experienced delays in or denials of access to protection services while awaiting the results of mandatory COVID-19 screening procedures. Article 15 of the anti-trafficking law entitled victims to compensation for damages wrought by traffickers, but officials and NGOs agreed inconsistencies between the criminal code and the civil code made this provision impossible to fully implement. Mongolia's Immigration Agency, the General Authority for Border Protection, and the Consular Department within the Ministry of Foreign Affairs shared responsibility for handling cases involving Mongolian trafficking victims abroad. The latter maintained a fund to assist Mongolian victims, but it was only available in cases involving organized crime syndicates or "grave harm"—a distinction that was unclear in application. In 2021, authorities partnered with NGOs to repatriate two Mongolian victims from Malaysia, compared with 15 Mongolian victims repatriated from Malaysia in 2020. Authorities also repatriated at least one victim each to Fiji, the Philippines, and Burma in 2021 (unreported in 2020; one victim each to the PRC, Kyrgyzstan, and the Philippines in 2019).

Unlike in 2020, there were no specific reports of victim penalization in 2021 (compared with two girls fined under "prostitution" provisions of the Law on Petty Offenses in 2020 and 2019, respectively). However, NGO representatives continued to express broad concern that, due to a lack of formal screening procedures, authorities may have detained some unidentified trafficking victims. Mongolia's Law on Petty Offenses, which allowed authorities to detain anyone apprehended on suspicion of commercial sex crimes for seven to 30 days, also reportedly continued to place some victims at risk of penalization for unlawful acts traffickers compelled them to commit. Observers noted some victims were hesitant to self-report or testify due to fear that they could face prosecution for such crimes. Mongolian law did not provide legal alternatives to the removal of foreign victims to countries in which they could face retribution or hardship. The Immigration Agency did not provide comprehensive deportation statistics for 2021 (no data in 2020; more than 1,500 foreign nationals deported to 26 countries in 2019), but the number of deported individuals was likely significantly lower given pandemic-related travel restrictions and border closures. The adequacy of screening procedures was difficult to gauge amid limited deportations in 2021, but screening procedures in previous years were neither universally implemented nor sufficient to detect all forms of trafficking.

PREVENTION

The government increased efforts to prevent trafficking. The National Anti-Trafficking Program (2017-2021) aimed to provide technical guidance on trafficking prevention and coordinate interagency efforts to implement relevant legislation, for which the government budgeted 432 million MNT (\$151,650) and spent approximately 336 million MNT (\$117,950) for planned activities. The remaining funds were again redirected to respond to the pandemic. The government did not update this action plan for the next five-year cycle. The National Sub-Council, which directed the Program, met quarterly to assess its progress and continued close coordination with international donors and NGOs. One outcome of this coordination was the establishment and convening of the MDTF—a body comprising 18 representatives from key government ministries and one NGO aiming to enhance Mongolia's efforts to combat child trafficking. Civil society observers lauded the creation of the MDTF but continued to call on the government to issue policy guidance or enact legislation making it a permanent entity, rather than a temporary body limited to the duration of international donor assistance supporting it or subject to dissolution upon key ministry personnel turnover. In conjunction with international organizations, the government conducted four research programs to inform its anti-trafficking coordination and assess prior efforts (compared with three studies in 2020). Officials continued to disseminate a daily trafficking-themed public service announcement

on social media and television; this included a Coordination Council for Crime Prevention-directed public awareness campaign that received more than 26 million views on social media. In partnership with the Government of South Korea, the Ministry of Labor and Social Protection (MLSP) continued to produce materials raising awareness on trafficking. Authorities postponed or curtailed some elements of anti-trafficking training, funding, and general interagency coordination as a result of the pandemic.

The MLSP's General Agency for Labor and Social Welfare had the authority to monitor labor agreements for foreign nationals working in Mongolia, as well as those for Mongolians working in countries that had bilateral work agreements with Mongolia. The government maintained such agreements with South Korea and Japan; observers noted authorities did not always sufficiently implement these agreements to prevent labor abuses, including trafficking. The General Authority for Specialized Investigation (GASI) had the authority to inspect labor contracts, monitor compliance with the law for all workers in Mongolia, and conduct inspections of working conditions in Mongolian formal sector establishments. Redirection of human and financial resources in response to the pandemic fully precluded inspection activities in 2021. NGOs noted funding and resources for the inspectors were too low to provide comprehensive oversight, and the government did not report statistics on, or the outcomes of, these inspections. After two years of deliberation on amendments intended to provide for unannounced inspections, the government passed a new labor law establishing that inspectors had "unrestricted access to legal entities, organizations, and workplaces which are subject to inspection without prior notice." However, the law still required GASI to give employers two days' advance notification before conducting an inspection in some cases, raising concerns that employers could conceal violations in the interim. The new labor law contained a provision outlining inspections without prior notification, but the government did not report implementing it in 2021. It was therefore unclear if the new labor law fully corrected this longstanding insufficiency. Constituting a significant improvement from the previous reporting period, the new labor law contained provisions explicitly prohibiting labor agents from charging workers recruitment fees, confiscating workers' identity or travel documentation, switching their contracts without consent, or garnishing or withholding their wages as collateral; authorities did not report information on their implementation. The NPA organized public awareness campaigns for television, internet, and print media designed 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 Mongolia, and they exploit victims from Mongolia abroad. Traffickers may also use Mongolia as a transit point to exploit foreign individuals in sex trafficking and forced labor in Russia and the PRC. Most sex trafficking of Mongolian victims from rural and poor economic areas occurs in Ulaanbaatar, provincial centers, and border areas. A 2018 civil society survey found domestic violence drives the vast majority of Mongolian trafficking victims to seek and accept unsafe employment opportunities on which traffickers prey; this vulnerability has reportedly increased as a result of state-ordered residential quarantines amid the pandemic. During periods of pandemic-related business closures, clandestine sex trafficking in private residences is reportedly increasing, including through the use of blackmail on social media as a coercive method. Traffickers exploit women and girls in sex trafficking in Mongolian massage parlors, illegal brothels, hotels, bars, and karaoke clubs, as well as in outdoor urban areas, sometimes through the permissive facilitation of local police. Traffickers often utilize online platforms to lure, groom, or blackmail Mongolian children into domestic sex trafficking. LGBTQI+ individuals are vulnerable to trafficking amid widespread discrimination that often jeopardizes their employment status and complicates their access to justice. Transgender women in particular are at higher risk of sex trafficking due to pervasive social stigma barring them from employment in the formal sector. Mongolian communities experiencing widespread unemployment due to the pandemic—especially women and informal sector workers—are more vulnerable to sex trafficking and forced labor. Tourists from Japan and South Korea reportedly engaged in child sex tourism in Mongolia in prior years; some civil society groups believe this practice persists.

The ongoing development of the mining industry in southern Mongolia continues to drive growing internal and international migration, intensifying trafficking vulnerabilities—especially along the PRC-Mongolia border. Truck drivers transporting coal across the PRC border in Omnogovi Province are often more vulnerable to labor traffickers due to an arrangement under which employers confiscate their passports as collateral for their vehicles. These drivers often wait in truck lines with minimal sleep, heating, or access to basic needs for weeks or months at a time until they receive permission to cross and make deliveries in the PRC, where PRC national employers and customers impose wage deductions for the delays; this loss of income reportedly makes them further vulnerable to labor exploitation. The families of coal transporters who are delayed at the border, who are injured, or who die as a result of the poor working conditions may also be vulnerable to sex trafficking due to ensuing economic hardships. Traffickers exploit women and girls in sex trafficking in these border crossing truck lines, along the coal transport roads connecting mining sites to the PRC border, at nightlife establishments in mining towns, and at entertainment sites across the border in Inner Mongolia. Mining workers sometimes leave their children at home alone while on extended shift rotations, during which time the children are at elevated risk of sex trafficking. Sex trafficking and child forced labor also occur in connection with artisanal mining. Some men in predominantly ethnic Kazakh regions of western Mongolia subject local women and girls to abduction and forced marriage as part of a cultural practice known as *Ala kachuu*, or “grab and run”; some of these forced marriages may feature corollary sex trafficking or forced labor elements. Traffickers force some children to beg, steal, or work in other informal sectors of the Mongolian economy, such as horseracing, herding and animal husbandry, scavenging in garbage dumpsites, and construction. Some Mongolian families are complicit in exploiting children in sex trafficking and forced labor.

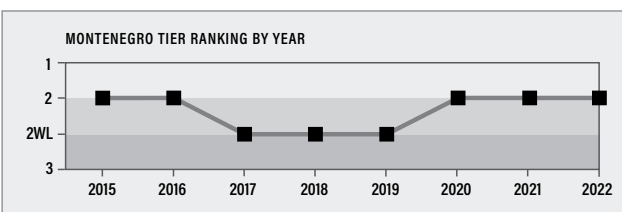
Traffickers exploit Mongolian men, women, and children in forced labor in the PRC, Czech Republic, Hungary, India, Kazakhstan, Norway, Sweden, South Korea, Turkey, and the United Arab Emirates and in sex trafficking in Belgium, Cambodia, the PRC, Germany, Hong Kong, Hungary, Japan, Macau, Malaysia, the Philippines, South Korea, Sweden, Turkey, and the United States. Officials believe Turkey may be rising in prevalence as a destination country due to visa-free travel regimes, the availability of direct flights, and shifts in migration trends following the pandemic-related closure of the PRC border. Traffickers sometimes use drugs, fraudulent social networking, online job opportunities, or English language programs to lure Mongolian victims into sex trafficking abroad. Traffickers have forced Mongolian girls to work as contortionists—often under contractual agreements signed by their parents—primarily in Mongolia and Turkey and to a lesser extent in Hong Kong and Singapore. Mongolian boys are at high risk of forced labor and sex trafficking under visa regimes that enable them to work indefinitely as horse jockeys and circus performers across the PRC border, provided they return with a chaperone once a month; this frequent facilitated transit also makes them more vulnerable to trafficking. Traffickers compel women and girls to work in domestic service and engage in commercial sex acts after entering into commercially brokered marriages with men from the PRC and, to a lesser extent, South Korea. Mongolians stranded abroad as a result of pandemic-related travel restrictions may have been at elevated risk of sex trafficking and forced labor due to immigration statuses that prevent them from seeking employment in host countries’ formal sector economies. PRC-based companies hire Mongolian men and boys to work at agricultural operations for compensation far below minimum wage and under ambiguous immigration status, placing them at high risk of trafficking. Some micro-lending institutions in the PRC reportedly retain Mongolians’ passports as a form of collateral, leaving them vulnerable to immigration status-related coercion.

PRC national workers employed in Mongolia are vulnerable to trafficking as contract laborers in construction, manufacturing, agriculture, forestry, fishing, hunting, wholesale and retail trade, automobile maintenance, and mining. Some of them experience contract switching when they enter the country, making them especially vulnerable to coercion due to ensuing immigration violations. Some Russian and Ukrainian women entering Mongolia through PRC border crossings for short periods under visa-free regimes may be sex trafficking victims. Observers report corruption

among some Mongolian officials facilitates sex trafficking in illicit establishments and impedes the government’s anti-trafficking efforts.

MONTENEGRO: TIER 2

The Government of Montenegro 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 Montenegro remained on Tier 2. These efforts included providing comprehensive training on victim identification and assistance to relevant officials and adapting procedures at the anti-trafficking shelter to mitigate the spread of COVID-19. The government adopted the national action plan (NAP) for 2021, and government coordinating bodies met consistently. However, the government did not meet the minimum standards in several key areas. The government investigated fewer cases and prosecuted fewer suspects. The government decreased victim protection efforts, including allocating fewer resources to the NGO-run shelter, identifying fewer victims, and lacking efforts to proactively identify victims among asylum-seekers, irregular migrants, and seasonal workers.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Article 444 of the criminal code. • Increase proactive identification efforts for trafficking victims and screen for trafficking among individuals in commercial sex, irregular migrants, asylum-seekers and refugees, seasonal workers, and other at-risk populations. • Allocate sufficient resources to the anti-trafficking shelter. • Establish victim confidentiality and privacy measures at the shelter and ensure the shelter adheres to high victim protection standards. • Provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions, including collecting evidence on subtle forms of coercion or the use of specialized investigative techniques. • Increase access to justice and victim-witness protection for victims, including access to experienced attorneys and Romani interpreters. • Integrate Romani groups into decision-making processes regarding victim protection. • Create and finance an accessible compensation fund and inform victims of their right to compensation during legal proceedings. • Regulate and monitor labor recruitment agencies.

PROSECUTION

The government maintained law enforcement efforts. Article 444 of the criminal code criminalized labor trafficking and sex trafficking and prescribed penalties ranging from one to 10 years’ imprisonment, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated two cases, compared with four cases in 2020. The government prosecuted three defendants, compared with prosecuting five defendants in 2020. Courts convicted one sex trafficker, compared with one trafficker in 2020. The judge sentenced the trafficker to one year and two months’ imprisonment, compared with a trafficker receiving 10 years’ imprisonment for forced begging in 2020. An appeals court reversed two acquittals of alleged traffickers and returned the case for retrial. The government reported the pandemic reduced judicial and prosecutorial staff and delayed trials, which was exacerbated by attorneys going on strike and further suspending and/or delaying courts from May to July 2021.



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