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TRAFFICKING IN PERSONS REPORT

JUNE 2013

DEPARTMENT OF STATE
UNITED STATES OF AMERICA





Dear Reader:

Throughout my career—as a prosecutor, a United States Senator, and now as Secretary of State—I have dedicated myself to ensuring victims of exploitation and abuse are treated with dignity and respect before the law, so that they may see their abusers brought to justice and begin the process of healing. Last year, I chaired the first-ever hearing on human trafficking in the Senate Committee on Foreign Relations, where we heard about the challenges trafficking victims face in getting out of harm's way and getting their lives back on track. As Secretary of State, I am committed to making sure that survivors' voices continue to be heard, because their experiences and knowledge help shape our laws and policies as well as the way we implement them.

Ending modern slavery must remain a foreign policy priority. Fighting this crime wherever it exists is in our national interest. Human trafficking undermines the rule of law and creates instability. It tears apart families and communities. It damages the environment and corrupts the global supply chains and labor markets that keep the world's economies thriving.

We also have a moral obligation to meet this challenge head-on. Human trafficking is an assault on our most dearly held values of freedom and basic human dignity. American leadership means protecting those values at home and working to advance them around the world.

We will continue to do so through our diplomacy and development efforts. We will continue to do so by supporting those who are working to prevent trafficking, who come to the aid of victims, and who work to bring traffickers to justice. We will continue to do so by bringing together an array of stakeholders—from civil society and the faith community to the private sector and government leaders—to forge partnerships aimed at spurring innovation and improving collaboration.

And we will continue to do so through our *Trafficking in Persons Report*. Governments bear primary responsibility for responding to this crime, and this annual *Report* is the gold standard in assessing how well governments—including our own—are meeting that responsibility. This year, 188 countries and territories are included, and we have taken a hard look at one of the biggest problems we face in combating modern slavery: the challenge of accurate, effective victim identification. Only through vigorous victim identification can we ensure that trafficking survivors get the services they need, can participate in legal proceedings, and can have their voices heard.

This *Report* is not about pointing fingers. Rather, it provides a thorough account of a problem that affects all countries. It also lays out ways that every government can do better. In the year ahead, we will use this *Report* to help guide our engagement on this issue. We hope it will be a resource for anyone who shares the vision of a world free from slavery.

Sincerely,

John F. Kerry
Secretary of State



Dear Reader:

Sometimes it makes sense to look at an issue by the numbers. In the last year of the global fight against modern slavery, hundreds of new partners—from law firms and local governments to foundations and tech companies—have enlisted in the effort. Dozens of modern anti-trafficking laws have been passed, within the United States and around the world. And millions of dollars have been pledged to this worthy cause.

Impressive figures, but the number that best characterizes the progress of the anti-trafficking movement is sadly still very small. Because reporting is uneven, we can't say for certain how many victims of trafficking are identified each year. This *Report* estimates that, based on the information governments have provided, only around 40,000 victims have been identified in the last year. In contrast, social scientists estimate that as many as 27 million men, women, and children are trafficking victims at any given time. That means we're bringing to light only a mere fraction of those who are exploited in modern slavery. That number, and the millions who remain unidentified, are the numbers that deserve our focus.

So as this movement grows and gains momentum, the reality is that most of this crime still occurs in the shadows, unseen and beyond the reach of law; that millions of victims aren't getting the support and services they need; that too few traffickers are being put out of business and behind bars; and that their victims are not moving on with the lives they choose for themselves as empowered survivors.

While the anti-trafficking movement races forward with new innovations and partnerships, new buzzwords and standards, we mustn't lose sight of the basic idea that underpins this struggle: human trafficking is a crime, and governments are responsible for fighting it in a way that restores victims and deters those who would steal another's freedom. Those are the underpinnings of the Trafficking Victim Protection Act's minimum standards and the U.N. Protocol's "3P" approach. Successful victim identification is the starting point to stopping this crime, and for meeting those international standards.

That's why the 2013 *Report* focuses on the importance of effective victim identification, and on those approaches and policies that have succeeded in bringing victims out of the darkness of exploitation. The *Report* outlines specific steps officials should take—from legislators and judges to police officers and border guards—to make sure the victims of this crime don't go unrecognized. And it illustrates why identifying victims by itself is not enough—they need to be given a true voice in the process.

As this *Report* shows, no government has perfected victim identification. As we work to improve our own response to this crime, the United States will continue to partner with any government working to address this challenge. Because when we do look at this issue by the numbers, our successes must be measured by the number of lives restored—the number of men, women, and children who can live without the fear of exploitation and with the freedom to choose their own futures.

Sincerely,

Luis CdeBaca

Luis CdeBaca
Ambassador-at-Large to Monitor and
Combat Trafficking in Persons





The hands of an Indian bonded child laborer rescued during a raid by members from Bachpan Bachao Andolan, or Save the Childhood Movement, at a garment factory in New Delhi, India, June 2012.

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This Report and subsequent updates are available at **www.state.gov/j/tip**



VICTIMS' STORIES

The victims' testimonies included in this *Report* are meant to be illustrative only and do not reflect all forms of trafficking that occur. These stories could take place anywhere in the world. They illustrate the many forms of trafficking and the wide variety of places in which they occur. Many of the victims' names have been changed in this *Report*. Most uncaptioned photographs are not images of confirmed trafficking victims. Still, they illustrate the myriad forms of exploitation that comprise trafficking and the variety of situations in which trafficking victims are found.

THE 2013 TRAFFICKING IN PERSONS (TIP) REPORT

"It ought to concern every person, because it's a debasement of our common humanity. It ought to concern every community, because it tears at the social fabric. It ought to concern every business, because it distorts markets. It ought to concern every nation, because it endangers public health and fuels violence and organized crime. I'm talking about the injustice, the outrage, of human trafficking, which must be called by its true name – modern slavery."

President Barack Obama
September 25, 2012

VICTIM IDENTIFICATION: THE FIRST STEP IN STOPPING MODERN SLAVERY

In September 2012, President Barack Obama delivered a speech reaffirming the commitment of the United States to fight modern slavery, known also as trafficking in persons. The President instructed the U.S. government to step up its efforts—to develop new innovations and use effective tools, including this annual *Trafficking in Persons Report*, to confront this crime wherever it exists.

Around the world, governments are demonstrating their own commitment. In the year 2000, the United Nations adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol). The Palermo Protocol, anchored in core principles of the protection of freedom rather than in the regulation of the movement of people, defined the crime for the first time in a treaty and established the "three P paradigm" of Prevention, Protection, and Prosecution to guide government action in combating trafficking in persons. Since then, more than 150 countries have become parties to the protocol, and more than 140 have criminalized sex and labor trafficking.

Yet as President Obama pointed out, the work to eradicate modern slavery remains an uphill struggle. This *Report* estimates that, based on the information governments have provided, only around 40,000 victims have been identified in the last year. In contrast, social scientists estimate that as many as 27 million men, women, and children are trafficking victims at any given time. This shows that a mere fraction of the more than 26 million men, women, and children who are estimated to suffer in modern slavery have been recognized by governments as such and are eligible to receive the protection and support they are owed.



Presidents Clinton and Obama with survivors Ima Matul and Sheila White at the Clinton Global Initiative, September 2012.

The lack of support and protection that results from inadequate victim identification tells only part of the story. Another consequence of the limited

HUMAN TRAFFICKING DEFINED

The TVPA defines "severe forms of trafficking in persons" as:

a. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or

b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

A victim need *not* be physically transported from one location to another in order for the crime to fall within these definitions. ◆



Hoping to escape their impoverished circumstances and provide for their families, Central Asian migrants flock to Russia for jobs in construction, manufacturing, and agriculture. Human Rights Watch reported generally harsh labor conditions and indicators of forced labor, such as long working hours, crowded living quarters, allegations of withholding travel documents, and non-payment of wages.

number of victims identified is that the traffickers who enslave and exploit millions are operating with impunity, beyond the reach of the law. It means that modern anti-trafficking laws and structures go unused, existing as theoretical instruments of justice. It also stymies research and data collection critical to understanding trafficking's root causes. Weak victim identification efforts also undercut the Palermo Protocol and hinder the victim-centered 3P approach that has become the international standard. In the past generation, the closely related fight against domestic violence and sexual assault has proven that meaningful participation of survivors in anti-trafficking efforts– whether during an investigation or prosecution or in the broader policy realm—not only gives them a long-denied voice but also makes justice systems more effective. The tools that have worked in that context—victim/witness coordinators, dedicated prosecution units, and cross-cutting trainings—can and will work in the fight against modern slavery, but only if victims are identified.

This *Trafficking in Persons Report* focuses on victim identification as a top priority in the global movement to combat trafficking in persons. It details training and techniques that make identification efforts successful, as well as the pitfalls of inadequate identification. It also highlights new innovations and partnerships within and beyond government that will enhance identification efforts. If successfully implemented, these innovations will enable more effective delivery of services to survivors and an accumulation and analysis of data to improve the overall response to trafficking.

RISK FACTORS FOR VICTIMIZATION AND CHALLENGES OF IDENTIFICATION

As the movement to combat modern slavery has evolved, so too has the understanding of what constitutes a trafficking victim. In the first few years after the Palermo Protocol was adopted, nearly all of the trafficking cases prosecuted by governments were sex trafficking cases; identified victims were nearly all women and girls. Though today's estimates suggest that the majority of trafficking victims are indeed women and girls, it is now clear that trafficking victims are subjected to both sex and labor trafficking, and a significant percentage of trafficking victims are men and boys.

Despite a growing body of knowledge about victims and their needs, finding them remains a tremendous challenge. Part of this difficulty stems from the very nature of the crime. Traffickers constantly adapt their tactics to evade detection and operate in zones of impunity. They prey on excluded populations—many trafficking victims come from backgrounds that make them reluctant to seek help from authorities or are otherwise particularly vulnerable—marginalized

ethnic minorities, undocumented immigrants, the indigenous, the poor, persons with disabilities—whose experiences often make them reluctant to seek help from authorities. Awareness materials dated as far back as the 1890s reveal that promises of greater opportunity, a better life, or a loving and supportive relationship have long lured victims into exploitation. As technology and globalization make the world more interconnected, traffickers' ability to recruit and exploit their victims has also intensified. Victims of forced labor have been found in nearly every job setting or industry imaginable, including private homes, factories, restaurants, elder care and medical facilities, hotels, housekeeping, child-rearing, agriculture, construction and landscaping, food processing, meat-packing, and cleaning services. Domestic work settings continue to have little or no government oversight or regulation in most countries. And though by definition human trafficking does not require the crossing of borders, migrant workers—including many women who seek new opportunities—remain especially at risk. Even though some challenges to victim identification can be attributed to the nature of the crime, its perpetrators, or its victims, governments have a responsibility to identify victims of this crime. In every region, governments that a decade ago insisted there was no trafficking in their jurisdiction are now aggressively identifying and assisting victims and convicting traffickers. These governments are adopting modern anti-trafficking structures and sustaining the political will to vigorously apply them.

WHAT VICTIM IDENTIFICATION MEANS: ANOTHER ASPECT OF GOVERNMENT RESPONSIBILITY

Being identified as a victim of human trafficking means more than simply being named as the complainant in a prosecution. When adequate anti-trafficking laws are enforced, identification of a person as a victim must begin with a process that respects their rights, provides them protection, and enables them to access services to recover from the trauma inflicted by traffickers. However, when authorities misclassify or fail to identify victims the victims lose access to justice. Even worse, when authorities misidentify trafficking victims as illegal migrants or criminals deserving punishment, those victims can be unfairly subjected to additional harm, trauma, and even punishment such as arrest, detention, deportation, or prosecution. These failures occur too often, and when they do, they reinforce what traffickers around the world commonly threaten their victims: law enforcement will incarcerate or deport victims if they seek help.



Traffickers prey on victims' hopes for a better life, a technique that was understood even a century ago in texts such as Ernest Bell's 1910 book, FIGHTING THE TRAFFIC OF YOUNG GIRLS.

This backward outcome is why victim identification and care in policies must be borne out in practice. If a government commits to a modern comprehensive anti-trafficking law or an international standard for victim care, the government must guarantee victims their rights and protection. Passing laws is only a first step for governments that take victim identification seriously. The success of victim identification will often depend on who that trafficking victim first encounters—whether a police officer, immigration agent, or labor inspector.

UNITED STATES

Mauri was only 16 years old when she was prostituted on the streets of Honolulu, Hawaii. For her, there was no escape; her pimp threatened to kill her family if she did not go out on the street night after night to make him money. If Mauri tried to use some of the money to buy food, she was severely beaten. Mauri finally escaped when she was picked up by law enforcement. She is now in a rehabilitation program and has reunited with her parents, but her road to recovery has been long and difficult. She suffers from terrible flashbacks and severe depression, and has even attempted suicide. Mauri says she was lucky to get out alive: "The longer you stay the less hope you have."

Unfortunately, this *Report* is replete with examples of how government officials unevenly apply anti-trafficking laws. Additionally, it highlights how few relevant government officials have the training they need to proactively identify victims, and as a result, wait in vain for victims to self-identify. To make matters worse, even when trafficking victims are able to escape and seek help, some governments punish victims or condition care on the high burdens of proof that should apply to defendants rather than victims. Case after case has emerged in which government officials come in contact with a trafficking victim and fail to recognize the characteristics of the crime. Officials often fail to recognize male victims of forced labor, even when they describe the severe exploitation they endured, because the officials assume that trafficking only happens to women. Labor inspectors or immigration officers sometimes are confronted with indicators of human trafficking but fail to recognize the indicators as such or don't see trafficking as falling under their authority. Maritime officials focus on whether the condition of a fishing vessel and its equipment complies with environmental or safety regulations and miss the gross abuses inflicted on the crew. Vice squads and judges may see people in commercial sex as irredeemable and fail to look beneath the surface or acknowledge their suffering.

To prevent such lapses, government efforts to identify victims must go well beyond laws guaranteeing certain mechanisms, rights, or status. Governments need to seek to implement proactive systematic identification strategies designed to fit the wide range of settings and circumstances in which victims have been or might be found.

Formal anti-trafficking training is essential to ensure that law enforcement, prosecutors, the judiciary, first responders, and other government officials have a common understanding of the elements of trafficking crimes, the evidence necessary for a conviction, and factors for special consideration such as trauma and dependency. Protocols and training curricula should align with this shared understanding. Training efforts should be based on policies and procedures that provide trainees with clear guidance for action: what to do when encountering an individual who may be the victim of human trafficking or a situation characterized by indicators of trafficking.

Also essential is collaboration among agencies with overlapping areas of responsibility and with social services agencies, non-governmental organizations (NGOs), and international organizations (IOs) that provide assistance to victims. Sound policies on victim identification must include planning for access to comprehensive services.

EL SALVADOR – MEXICO

Liliana was unemployed and unable to find a job in El Salvador when she decided to leave El Salvador in search of work. A family friend promised to take Liliana to the United States, but instead took her to Mexico. When Liliana discovered that she had been tricked, she ran away and ended up in an area where other migrants like herself waited to go to back to El Salvador. One day a group of men invited her and the others to join their organization, the Zetas, a notorious drug cartel. They said they would give her work and feed her. When she joined them, she was forced into prostitution, tricked for the second time. Liliana was drugged the first day and woke up with a "Z" tattoo, branded for life. She was forced to ingest drugs and was never allowed to travel unaccompanied. After three months, her aunt in El Salvador paid for her freedom and she was freed. With Liliana's help, her traffickers were brought to court but were acquitted. Liliana will not testify again.

Law Enforcement: On the Front Lines of Victim Identification

Human trafficking is first and foremost a crime, so it is appropriate that law enforcement agencies lead most trafficking interventions. Victim identification efforts are enhanced through the support of high-ranking officers, protocols, and targeted training. Law enforcement officers are also better able to identify victims when they adopt proactive methods to detect and investigate trafficking. Given the complexity of trafficking cases, specialized anti-trafficking units have proven effective because they allow investigators to receive and apply in-depth training, and to learn from experience with multiple cases. These specialized units are most effective when they have broad authority to investigate trafficking cases. For example, trafficking units located within vice units are limited to or focused primarily on, vice crimes and, while they may be able to identify sex trafficking cases, are unlikely to find cases of forced labor.

While specialized units are important, anti-trafficking responsibilities cannot be limited to a single unit's jurisdiction alone. Human trafficking victims and offenders are more likely to come in contact with local, non-specialized officers, so it is important for such front line officers and their supervisors to be able to recognize trafficking crimes and understand the basics of responding. Continuous targeted training on the characteristics of a crime improves police officers' ability to recognize and report the crime; conversely inadequate training cripples law enforcement efforts and timely and accurate victim identification.

WHO CAN IDENTIFY TRAFFICKING VICTIMS?

For reasons discussed throughout the *Report*, it is important for a variety of government officials, private sector professionals, community workers, and others who may encounter trafficking victims to be trained, legally empowered, and given incentives to identify victims. Individuals who maybe particularly well placed to identify trafficking victims include:

Government officials who inspect or have access to establishments where trafficking may occur are uniquely positioned to identify trafficking victims: labor inspectors, port inspectors, factory inspectors, food industry inspectors, consular officers, agricultural inspectors, housing inspectors, tax authorities, and postal workers.

Private sector employees who may encounter trafficking victims in the places in which they work—employees of hotels, restaurants, bars, beauty parlors, and grocery stores.

Law enforcement officers who are on the front lines of crime and are often those who have primary contact with trafficking victims—all police (sometimes trafficking victims are identified through investigations of non-trafficking crimes), immigration officers, and border guards.

Health care professionals who often encounter trafficking victims—emergency room personnel, health clinics, doctors, nurses, dentists, OB/GYNs, and practitioners at family planning clinics and HIV/AIDS clinics.

Transportation professionals who often encounter trafficking victims either being transported or otherwise exploited—truck, taxi, and bus drivers; train attendants; flight attendants; and employees at truck and rest stops.

Education officials who are uniquely positioned to identify children who are being exploited—principals, guidance counselors, teachers, and school nurses.

Trafficking victims may seek assistance from institutions for related matters. Those well positioned to identify human trafficking victims can include religious leaders; officials in organizations that work with immigrants, children, the homeless, refugees, and other vulnerable populations; social workers; and employees and volunteers in shelters for victims of domestic violence or sexual assault, runaway youth, or the homeless. ◆

In October of 2012, the Coalition of Immokalee Workers signed a Fair Food Agreement with Chipotle Mexican Grill, ensuring that the fast food chain would participate in the Fair Food Program by paying a penny-per-pound premium to increase workers' wages, and only buying from growers who enforce a new human rights-based code of conduct for farmworkers.



"I ask my brothers and sisters in faith and all men and women of good will for a decisive choice to combat trafficking in persons, which includes 'slave labor'."

-His Holiness Pope Francis (2013)

Training is an ongoing challenge for law enforcement agencies because of changes in personnel due to rotations, promotions, and turnover. To overcome these challenges some governments have institutionalized anti-trafficking training and offered it on an ongoing basis, with different levels of training depending on the role and level of experience of the specific group of trainees. Considering the complexity of this issue, effective anti-trafficking training includes case problem-solving, hands-on experience, and opportunities for expert consultation on casework. Measuring the effectiveness and impact of training by gathering metrics about cases investigated and prosecuted by those attending the training has also proven essential to assessing whether modifications to training curriculum are needed. Another good practice is evaluating training based on whether it produces results and is accompanied by an expectation on the part of commanders that enforcement activities should reflect the practices and knowledge conveyed in such training.

Collaboration Across Government: A Cross-cutting Approach

Agencies other than law enforcement also play an important role in identifying human trafficking. Officials working on immigration, labor, social welfare, health, education, maritime, and other issues may come into contact with victims in the course of their work, but might not recognize them as trafficking victims because of inadequate victim identification procedures. Each relevant agency should therefore assess its mission to see where victims might be encountered, and adopt appropriate protocols and procedures designed to deal with such a situation. While trafficking can occur in any number of areas, screening protocols generally are designed, at a minimum, to address populations especially vulnerable to trafficking, such as irregular migrants, asylum seekers, and deportees; along with areas in which traffickers have long operated, including manufacturing, agriculture and fishing, as well as the commercial sex trade. Approaches to victim identification by government agencies are more effective when backed by strong

Women from Colombia are subjected to sex trafficking within Colombia, Asia, the Caribbean, Latin America, and Western Europe. Victims suffer psychological and physical abuse—some at the hands of organized crime and gangs who use threats and debt bondage to force their victims into prostitution.



political will and when they do not overlook less frequently identified populations such as male victims, forced labor victims, and victims of internal trafficking.

Systematic screening and information sessions in countries of origin and screening upon arrival in destination countries, return, or both can help identify migrant victims of trafficking. A robust example of proactive systematic screening in Taiwan, where screening is done at airports, encourages workers to complete an online survey to identify potential labor trafficking, labor abuse, or withheld wages. Additionally, assistance is offered when potential victims are identified through the survey. Foreign workers are also screened at detention centers for indicators of trafficking. If individuals are identified as potential trafficking victims, they are offered services in a shelter and a day-long reflection period to decide whether they want to come forward as a trafficking victim. If they do self-identify and are confirmed by Taiwan authorities as trafficking victims, they remain at the shelter and receive comprehensive services, including help obtaining employment outside of the shelter and long-term immigration status. This combination of screening, follow-up, and victim care that allows work and freedom of movement is a best practice worthy of adoption in other jurisdictions.

While labor inspectors are responsible for enforcement of labor laws, which may include detection of labor abuses, such responsibility often does not extend to criminal offenses such as human trafficking. Most labor inspectors are often authorized to issue only civil or administrative penalties such as fines, and most labor inspectors do not have authority to arrest suspects. But, among government officials, labor inspectors often have the greatest access to worksites where trafficking occurs. Inspections that mainly focus on wage issues and living conditions can make it seem that a garment factory is free of forced labor, but if the inspectors do not confront large debts, fraud, or passport confiscation, the larger issues go unaddressed and the abusive employer simply shrugs off any fine as the cost of doing business. When advance notice of inspections, whether done by governments or social auditing companies, is provided to employers, they are able to hide trafficking by keeping children at home, returning passports, and coaching workers on what to say about their working conditions.

Identification and investigation of human trafficking in regulated places of work requires coordination between labor inspectors, law enforcement, and NGOs that provide victim assistance services. If labor inspectors have adequate government support, are trained to recognize signs of modern slavery, and have protocols to follow when human trafficking violations are recognized, the inspectors can play a critical role in identifying victims of forced labor. While carrying out their mandates related to occupational safety and health, wage and work hours, and illegal employment, labor inspectors have an opportunity to review documentation of pay and hours, speak to workers, and observe the conditions in which they work and live. This information may reveal problems that governments should investigate further, and labor inspectors must be trained to recognize the characteristics of forced labor.

BURMA – THAILAND

Kyi and Mya, both 16 years old, were promised work as domestic helpers in Thailand. With the help of five different local brokers, they traveled from Burma walking all day and night through a forest, crossing a river in a small boat, and spending a few nights in various homes along the way. Once they arrived, they were placed in a meat-processing factory and forced to work from 4 a.m. to 11 p.m. Kyi and Maya complained to the factory manager of the hard work and long working hours, and told him this was not what they were told they would be doing in Thailand. The factory manager told the girls they owed him for their "traveling expenses" from Burma to Thailand and could not leave until it was paid off. He continued to subtract their "debt" from what little income they received. Eventually the girls were able to contact one of their relatives in Burma who then contacted an NGO; the organization arranged their safe removal from the factory. They are now in a Thai government shelter in Bangkok, receiving counseling while waiting for repatriation.

Adequate training is critical in other fields too. Because children and adolescents who are enrolled in school may be victims of sex trafficking or forced labor, teachers, school counselors, and administrators also need anti-trafficking training. Social workers and counselors also need to be informed, because children who have been abused at home, have run away, are alcohol- or drug-dependent, or are in the care of child-welfare agencies are at high risk for human trafficking. Traffickers will bring their victims to health-care facilities for a variety of problems, including sexually transmitted diseases, injuries, respiratory, or other systemic illnesses. In these cases, traffickers often exert control over the victim and the situation by speaking directly to the health-care provider, completing the paperwork, and hovering close to the victim during treatment. Doctors, nurses, and technicians need training and protocols to recognize and act in the best interest of the victim.

HUMAN TRAFFICKING AND TECHNOLOGY

"We're going to harness technology to stop them ... [by] encouraging tech companies and advocates and law enforcement ... to develop tools that our young people can use to stay safe online and on their smart phones."

– President Barack Obama, September 25, 2012

In the fight against modern slavery, technology can be a double-edged sword. Traffickers use technology to advertise their services widely and develop new methods to recruit, manipulate, and lure potential victims. Meanwhile, governments, anti-trafficking advocates, and technology companies are collaborating to leverage technological tools to turn the tables on the traffickers.

- Innovations in prevention include mobile and SMS technologies that allow users to send alerts about human trafficking or allow payments to workers to be traced so that they are less vulnerable to the threat of bonded labor. Social media platforms can be used to engage the public at large and raise awareness of this crime worldwide.
- Technology can also help protect victims. Mobile devices and SMS technologies may also enable survivors of human trafficking to more readily reach out to service providers and seek help. Victim identification by law enforcement is made easier through facial-recognition software that is able to locate the images of minors who are being exploited online—even when copies of the image have been digitally altered.
- Prosecuting human traffickers requires evidence; technology makes the crime more traceable. The cell phones and computers of traffickers and victims alike contain archives of text messages, voicemails, geo-tagged data, and web browsing history, all of which can be "evidentiary gold mines" for law enforcement. Pattern recognition and data analysis used to detect money laundering can also help expose human trafficking schemes.

Some technology giants have joined the fight against human trafficking. These are but a few examples of how corporations have leveraged their own resources and technology to help eliminate modern slavery:

- Google funded a new global data sharing collaboration by granting $3 million to anti-trafficking organizations Polaris Project, Liberty Asia, and La Strada International to connect anti-trafficking helplines to help identify illicit patterns and provide victims more effective support.
- Palantir Technologies, a major software company, initiated a partnership in 2012 to provide the analytical platform and engineering, training, and support resources to the National Human Trafficking Resource Center to enable the study and application of data derived from its call records.
- Microsoft Digital Crimes Unit and Microsoft Research collaborated to support researchers in 2012 to highlight the harmful role that technology plays in the commercial sexual exploitation of children.
- LexisNexis established the Human Trafficking Awareness Index, a tool that tracks and analyzes the volume of published news articles related to human trafficking produced by 6,000 of the most influential news sources from more than 120 countries.
- The NGO Thorn convinced tech companies to better identify and share evidence of child exploitation and to reduce demand by micro-targeting internet users who may visit suspect sites. ◆

However, owing to different bureaucratic cultures, many officials have little experience working collaboratively with law enforcement to confront modern slavery. Interagency task forces are one possible solution to this challenge. If well-structured, such task forces can combine the resources of relevant agencies to help ensure that enforcement efforts are collaborative and comprehensive, accounting for a wide range of factors, whether planning for the conduct of a raid, screening of possible victims, or developing provisions to protect survivors after they have been taken out of harm's way.

Anti-trafficking training for government officials and targeted professionals should go beyond awareness raising. Clear guidelines on how to proceed when someone suspects a case of trafficking, including whether and how to approach a possible victim, and what to expect if a case goes forward, greatly improve the effectiveness of victim identification efforts. While holding regular interministerial meetings are an important step, governments must also achieve measurable results, including in numbers of victims helped and traffickers brought to justice. That means not only developing anti-trafficking mechanism, but also meeting expectations and producing positive outcomes. Both a whole-of-government approach, and whole-of-government commitment are essential.

Enhancing Government Efforts Through Partnerships

While governments are ultimately responsible for identifying victims, protecting their rights, and providing support and services to survivors, NGOs and IOs are experts in victim protection and provide comprehensive trafficking victim assistance services. That's why partnerships between government entities involved in victim identification, especially law enforcement and immigration agencies, and IOs, NGOs, and civil society groups are so important.

Many groups outside government have developed and implemented training that is essential for effective government action. Others operate national hotlines, usually in partnership with government agencies, to receive information about possible cases of human trafficking and relay that information to law enforcement. Additionally, governments often partner with NGOs that offer a safe place for victims to begin recovery, provide critical services, and help victims understand their rights and available options. This type of support is essential for victim recovery and also aids efforts to investigate and prosecute trafficking cases: when victims feel that their needs and concerns are addressed, they are more likely to cooperate with police and prosecutors.

Cyrus Cooper, a teacher from a NGO in Liberia, explains to a class of trafficking survivors how to use a computer during their after school computer lab. The school has no electricity, so Cyrus carries a small generator on a motorcycle to the school during computer lab days to power the computers.









Governments can enhance their efforts by ensuring such partnerships exist at all stages of victim protection.

Partnerships, however, need not be limited to civil society groups. Indeed, partnerships with survivors themselves can prove invaluable in designing, implementing, and assessing responses to human trafficking. Though survivors should not be required to do so, they can provide much-needed information about their experiences and input about the ideal interactions between government agencies and NGO service providers. Such input from survivors has led to a broader understanding of many of the crime's complexities; from the way male victims are often overlooked by authorities, to how traumatizing a law enforcement raid can be for a victim of sex trafficking, to why some victims decline assistance. These details underscore the importance of tailoring the response to human trafficking violations to each specific victim of trafficking, beginning at identification and following through to the steps to offer protection and assistance.

"As foreigners we know nothing about [the United States]. We don't even know [about the emergency number] 911. . . . We need [a] lot of services and education to prepare ourselves to [live] independently, [without] always asking for help. . . . I am looking forward to connecting with more survivors and to help[ing] them realize that they deserve more."

– Ima Matul, Human Trafficking Survivor, CAST Survivor Organizer, 2012-2013

Several anti-trafficking NGOs have adopted mechanisms to ensure that survivors have regular opportunities to provide input into the organization's operation and oversight. Many female survivors of human trafficking have become activists and advocates and are recognized as leaders in the worldwide abolitionist movement. Trafficking survivors often attract significant media attention and help the public understand how people are victimized, how victims can obtain help, and what individuals and communities can do to combat this crime. In many countries, survivors have become articulate spokespersons at public hearings where governments consider their response to trafficking. More recently, male survivors of forced labor have also been recognized for their contribution to bringing attention to this crime. Many have dedicated themselves to helping other migrant laborers to know and understand their rights and to know where to turn if they experience exploitation.

UGANDA – KENYA

Latulo was desperate to find a job to pay for his university school tuition. While in town one day, Latulo met a man who said he needed people to work for him at a factory in Kenya. Hoping this job would help pay for his tuition, Latulo agreed to accompany the man to Kenya and met with him the very next day to travel. Other men and women also met them to travel to Kenya. Eventually they arrived at their final destination in Kenya at a huge house. The man, who had earlier been kind to them all, suddenly became rude and ordered them to give him their identification and phones. They were shown a video of a man who had been suffocated with a bag because he attempted to escape. They were all told that they would not be working at a factory, but rather would be working as sex slaves. Every room had a camera and they were recorded while they were forced to have sex with strangers. After a month and half of captivity, Latulo was allowed to accompany his captors into town. When they stopped to have lunch, he ran away. Law enforcement officials in Kenya opened an investigation and Latulo was able to return to Uganda and recieved medical attention.

Survivor advocacy highlights another key partner in this struggle: the public. Today, an Internet search for the term "human trafficking" yields more than 47 million references, including one of the most far-reaching public awareness campaigns, *SlaveryFootprint.org*. SlaveryFootprint, now expanded to include its companion NGO, *MadeInAFreeWorld.org*, has educated millions of people around the world about modern forms of slavery and how an individual's lifestyle and consumer choices contribute to maintaining modern slavery. Such efforts are essential to increasing the public's knowledge and understanding of how to recognize human trafficking as well as what to do if they see the "red flags" that may indicate a trafficking situation.

While public awareness campaigns alone are not a comprehensive anti-trafficking strategy, governments have an interest in raising awareness of this crime. Increased awareness can prevent some people from becoming victims and build community support for government action to address it. Effective public awareness activities are targeted: they deliver a message designed for a

specific audience, using the medium that will reach that audience, and convey a call to action—helping the public to know what to do.

Raising public awareness about human trafficking also helps enhance victim identification. Traffickers maintain control over victims through violence and coercion, threats of harm to them or their families, false promises of future pay for work already done, threats of arrest or deportation with no pay and crippling debt, and manipulation of an individual's disability or alcohol or drug dependency. Victims are often kept hidden away behind locked doors or chained fences, but they also sometimes come into contact with the public when they are exploited in less confined settings, such as begging on the street or laboring in fields, restaurants, hotels, or construction sites. When the public is aware of the indicators of human trafficking and whom to contact if they see such indicators, victims can more readily be identified and helped. Countless survivors in many countries have been discovered because an interested person recognized their circumstances and contacted authorities. This person can be a neighbor, a school official, or a store owner. And as unsettling as it may be, sex trafficking victims have been helped to leave brothels and strip clubs because a client saw an anti-trafficking message and decided to do the right thing. Public awareness can help break the information monopoly that helps traffickers keep their victims isolated and enslaved.

THAILAND

Tola was seven years old when she was lured away from her parents by a couple who owned the field her family worked. While enslaved, she was forced to take care of cats and dogs for the couple's pet grooming shop. For five years, Tola's parents hoped to see her again, never knowing how she disappeared or where she might be. They never imagined that Tola was close, enduring torture and abuse. If Tola did not do her job properly, she was kicked, slapped, and beaten with a broom. Sometimes the couple locked her in a cage and poured boiling hot water over her. On one occasion, the traffickers cut off her ear lobe with a pair of scissors. One day, she climbed a concrete fence of the house while chasing a cat and realized she was free. A neighbor called the police and she was taken to a nearby shelter where her mother identified her. The couple was arrested and charged with various charges, including torture, detaining a person against their will, enslavement, and kidnapping. The couple posted bail and escaped. As for Tola, injuries on her arms affected her muscles; she can no longer move her left arm. For now, she is safe with her family and is beginning her mental, emotional, and physical journey to recovery.



After being enslaved as a domestic servant from the age of seven and horribly abused for five years, this young survivor was displayed to the news media by the police. Released on bail, her traffickers have absconded and are currently fugitives from justice.



Many of Haiti's trafficking cases are the estimated 150,000 – 500,000 children in forced domestic service. Through the Restavek Freedom Foundation, trafficking survivor Magdala has found refuge in the organization's transitional home where she is learning life skills and getting an education. She is rebuilding her life and maintaining an income by making and selling jewelry.

Myths About Victim Identification

In recent years, some government officials have voiced concern that stepped-up efforts to identify victims of trafficking will have negative consequences. For example, if more victims are identified, it will be interpreted as an upswing in the amount of trafficking in the country or a sign that the government is not doing enough to address it. An increase in the number of victims identified, however, is often considered a measure of progress in efforts to identify trafficking victims, rather than a measure of an increase in trafficking. Efforts to enforce trafficking laws in many countries are quite new and, with training and experience, responsible agencies will identify more cases and successfully investigate and prosecute traffickers and assist victims.

Another concern is that offering a package of protection and assistance to victims of trafficking will promote fraudulent claims that will overwhelm government resources. Countries such as the United States, Belgium, and Italy, which offer comprehensive victim support packages including a reflection period, temporary residence, or even long-term permanent status, have not found false claims to be a problem. Rather, these countries have found that investigations prompted by identification of victims typically result in charges under trafficking statutes and, in those that do not, victims can still be assisted. Rather than leading to fraudulent claims, a robust system of victim protection and immigration benefits appears to bring trafficking victims out of the shadows, and improve law enforcement outcomes.

EFFECTIVE VICTIM IDENTIFICATION IN PRACTICE: THE VICTIM-CENTERED APPROACH

Even after governments have enacted anti-trafficking laws; established protocols, structures, and institutions to implement these laws; and built partnerships to identify victims, they face the challenge of making victim identification successful in practice. That success requires incorporating victim identification into an anti-trafficking strategy in which the plight of victims is recognized, patterns and tactics of traffickers are understood, and victims are offered and ensured protection and assistance. This can only be accomplished if police, labor inspectors, immigration personnel, and others who may come into contact with victims of trafficking are well trained on the characteristics of the crime, its impact on victims, and victim-centered responses. They need to know precisely what steps to take when they recognize modern slavery, and those specific methods and procedures should follow the victim-centered approach that guides all effective anti-trafficking efforts in accordance with the 3P paradigm.

Placing the victim at the center of the prosecution means considering the rights, needs, and requests of the person who has been trafficked before, during, and after an investigation and prosecution. In practice, this approach gains the trust and cooperation of the victim. It begins when a victim is identified and continues through initial steps to establish physical safety and meet the victim's immediate needs. The victim-centered approach helps prevent secondary victimization that can occur when individuals or agencies do not treat the victim with appropriate sensitivity or, even worse, behave in a heavy-handed manner that resembles the coercive methods of traffickers, risking re-traumatization.

COMMON DREAMS LEAD TO COMMON ABUSES

Around the world, domestic work provides jobs to millions of people—mostly women and girls, and mostly in private homes. The promise of steady employment and good pay as a domestic worker often draws people away from communities and conditions where opportunities are scarce.

Yet even with so many people pursuing better lives in this industry, domestic work remains largely unregulated and beyond the reach of law. Rather than workers in a recognized service sector, domestic workers are often viewed more as informal help. At the same time, domestic work usually takes place behind closed doors, where workers are isolated. Because of these factors, domestic workers—especially migrants—face a particular vulnerability to trafficking.

For example, domestic workers may find themselves at risk of trafficking before they even enter employment. If a recruiter charges an applicant an up-front fee for placing her in a job, that worker may find herself owing a burdensome debt from day one. In other cases, domestic workers have reported arriving at a promised job only to be subjected to brutal conditions, ranging from exhausting hours with no days off, to horrific physical and sexual abuse. Yet because of the isolation—sometimes amounting to forced confinement—inherent in the domestic work setting, victims often struggle to escape their situation or inform someone in a position to help.

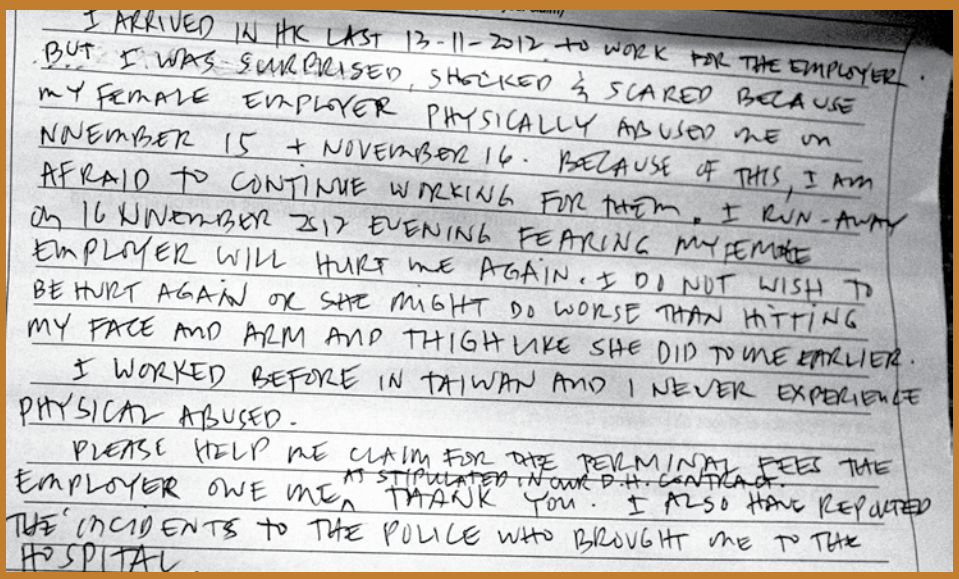
Aspirations for a better life will continue driving women and men around the world to seek new opportunities. Traffickers will continue seeking zones of impunity where lax regulation and poor oversight make workers vulnerable. And so long as domestic workers remain outside the protections governing other industries, the risk of trafficking will continue to plague this sector. ◆



Prospective domestic workers who pay an up-front recruiting fee may find themselves trapped in a job struggling to pay off an insurmountable debt to an unscrupulous recruiter.



A newspaper advertises cheap domestic help, suggesting not a market of potential employees, but rather discounted property waiting to be purchased.



I ARRIVED IN HK LAST 13-11-2012 TO WORK FOR THE EMPLOYER. BUT I WAS SURPRISED, SHOCKED & SCARED BECAUSE MY FEMALE EMPLOYER PHYSICALLY ABUSED ME ON NOVEMBER 15 + NOVEMBER 16. BECAUSE OF THIS, I AM AFRAID TO CONTINUE WORKING FOR THEM. I RUN-AWAY ON 16 NOVEMBER 2012 EVENING FEARING MY FEMALE EMPLOYER WILL HURT ME AGAIN. I DO NOT WISH TO BE HURT AGAIN OR SHE MIGHT DO WORSE THAN HITTING MY FACE AND ARM AND THIGH LIKE SHE DID TO ME EARLIER.
I WORKED BEFORE IN TAIWAN AND I NEVER EXPERIENCE PHYSICAL ABUSED.
PLEASE HELP ME CLAIM FOR THE PERMINAL FEES THE EMPLOYER OWE ME AS STIPULATED IN OUR D.H. CONTRACT. THANK YOU. I ALSO HAVE REPORTED THE INCIDENTS TO THE POLICE WHO BROUGHT ME TO THE HOSPITAL.

A domestic worker, subjected to exploitation but fortunate to escape her situation, reports the abuse she endured to authorities and demands what she is owed.

From the fight against domestic violence and sexual abuse over the last 35 years, we have learned much about the effect of long-term victimization and dependency, and the lessons of those efforts have enabled us to understand the needs of trafficking victims and how to incorporate survivors into the process. The physical and emotional injuries that many trafficking victims endure are likely to affect their ability to concentrate, to make sound decisions, to recall events, and to respond to questions about their experiences. It is important that government officials take these factors into consideration when designing and implementing trafficking victim identification protocols. Time to recover in a safe, comfortable place is essential. Victims should also be able to communicate in their own language and be given written information about rights and available services.

"Here and around the world, trafficking in persons destroys lives. It threatens communities. It creates instability. It undermines the rule of law. And it is a horrendous assault on our most dearly held values of freedom and basic human dignity. We, along with every nation, bear the responsibility to confront modern slavery by punishing traffickers and helping survivors get their lives back on track."

– Secretary of State John F. Kerry
White House Forum to Combat Human Trafficking, 2013

Home to over 75,000 people, West Point, near the heart of Monrovia, Liberia, is one of the world's poorest neighborhoods. The NGO More Than Me works with community leaders in West Point to identify girls in sex trafficking and girls who are at the highest risk of being trafficked to ensure that education and opportunity, not exploitation and poverty, define their lives. Beatrice, pictured here, is currently enrolled in the More Than Me program and thriving. The organization pays her school tuition and provides school lunch while working with her family to make certain she continues to excel.



COMMENDABLE INITIATIVES IN VICTIM IDENTIFICATION: ADDITIONAL OPPORTUNITIES FOR VICTIMS TO SEEK ASSISTANCE

Trafficking victims may have periodic contact with police, immigration officials, hospital staff, and other authorities, for years before being identified and freed from enslavement. A progressive approach to victim identification involves a basic, underlying assumption that "the more you look the more you find," and that periodically identifying trafficking victims can be an indicator of progress, rather than failure. A growing understanding of coercion and debt bondage has led governments to develop more innovative, holistic ways to uncover trafficking victims. It is governments' responsibility to create more opportunities for victims to escape and come forward. While no country's response is perfect and most governments can do more to attain a truly comprehensive response to this crime, below are some good examples of some effective victim identification approaches for governments:

Empowering front line responders beyond just the police to identify victims: Many trafficking victims actively avoid law enforcement. Creative approaches to identify trafficking victims involve social workers, religious institutions, and other community leaders because of their ability to build trust within local communities. For example, the Belgian government has a cooperation project with hospitals to improve detection of potential trafficking victims seeking medical care. Preliminary findings from the pilot project verified that trafficking victims are more willing to talk to medical staff than police.

Recognizing that offenders can be victims: Unidentified trafficking victims are often punished for crimes committed while under coercion. Some countries recognizing this protection need have developed laws or policies to allow courts to forgive trafficking victims for unlawful acts they have committed during the course of their trafficking experience. In the United States, for example, some states have passed "safe harbor" statutes to ensure children are treated as victims and provided services rather than being prosecuted for prostitution, or enacted laws to allow victims to petition the court to vacate prostitution-related criminal convictions that result from human trafficking.

Establishing regulations, agreements, or standard operating procedures with NGOs to identify victims: In Taiwan, foreign workers are screened at detention centers for indicators of trafficking. If individuals are identified as potential trafficking victims, they are offered services in a shelter and a reflection period to come forward as a victim. If they report their trafficking experience by the end of the reflection period and are confirmed by Taiwan authorities to be victims of trafficking, they are entitled to remain at the shelter and receive comprehensive services including help obtaining employment. In Scotland, local law enforcement officials facilitate better victim identification by taking children from cannabis farms to safe houses instead of into detention centers.



Overseas Filipino Workers (OFWs), most of whom are young women who worked in domestic service fleeing the civil war in Syria, fill out immigration forms at the Ninoy Aquino International Airport in Manila, the Philippines, upon arrival via a chartered flight by the International Organization for Migration (IOM).

Employing a taskforce model or multidisciplinary approach: By encouraging collaboration in victim identification, governments ensure stakeholders can find victims between potential front line responders and NGOs. In the Netherlands, the "barrier-model" views trafficking as a business model, with different barriers to be overcome before traffickers can start making money (entry, identification, housing, work, and financial situation) and attacks trafficking at these stages: local governments may detect trafficking through housing inspections, and tax or fire protection inspectors may find irregularities that can trigger a law enforcement investigation into trafficking. ◆

COUNTRIES THAT ARE NOT STATES PARTIES TO THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME

AFGHANISTAN
ANDORRA
ANGOLA
BANGLADESH
BARBADOS
BHUTAN
BRUNEI
COMOROS
CONGO, REPUBLIC OF
CZECH REPUBLIC
ERITREA
IRAN
JAPAN
KOREA (DPRK)
KOREA, REPUBLIC OF
MALDIVES
NEPAL
PAKISTAN
ST. LUCIA
SIERRA LEONE
SINGAPORE
SOMALIA
SOUTH SUDAN
SRI LANKA
SUDAN
THAILAND
UGANDA
YEMEN
ZIMBABWE

Sex trafficking survivor, Nicole Campbell, was “branded” with a horseshoe-shaped tattoo to show she belonged to her trafficker. With the help of Chris Baker, of Oswego, Illinois, the Founder of INK 180, she plans to have the tattoo covered up. INK 180 provides free tattoo cover-ups and tattoo removals to remove the constant visual reminders of a trafficking survivor’s experience. To date, INK 180 has provided 118 cover-ups or removals for trafficking victims.





A poster located just inside Thailand near the border with Burma at Mae Sai warns the public about human trafficking. The majority of the trafficking victims within Thailand are migrants from neighboring countries who are forced, coerced, or defrauded into labor or commercial sexual exploitation.

Interviewing Victims

The determination of whether someone is a victim of human trafficking is usually based on the individual's account of what happened. Victims, however, often do not provide information about their trafficking experience immediately following law enforcement intervention. In fact, victims who are rescued in a police raid—even in a raid that is carried out well—often suffer from shock and confusion. Trauma may impair their ability to process information and make choices. The threats traffickers used to maintain control may be foremost in their minds. These difficulties often persist through the first few hours, days—even weeks, months, and years—after being freed or escaping, as victims adjust to being outside of their traffickers' control and reintegrate into society.

Initial high-stakes victim identification by law enforcement is often stymied by months or years of traffickers conditioning victims for that exact moment. Traffickers often coach their victims to lie to the authorities, and convince them that police will arrest them for breaking immigration, prostitution, or labor laws. To victims, a rescue and a raid may actually look like what their traffickers have taught them to expect and their fears combined with the shock of a law enforcement intervention

ZAMBIA – SOUTH AFRICA

Chewazi was offered a better life in South Africa working for an organization that ran a Boy Scouts group. Excited about the job, he left Zimbabwe for South Africa. Instead of receiving the job he was promised, he was forced to work every day on a farm for a piece of bread and some water. For six months, Chewazi was transported between farms in Zambia and South Africa, enduring physical and other abuses, dreaming of the day he would escape. When Chewazi and a friend finally did escape, they made their way to Cape Town; a security guard on the street found them and helped them to safety. Through the Department of Social Development, they were taken to an NGO, which helped provide support and services to them both. Chewazi suffers from post-traumatic stress, but decided to stay in South Africa, hopeful that he will still find that better life that led him away from home.

NARROWING THE SCOPE OF TRAFFICKING: "BUYING OR SELLING" PROVISIONS

Many countries have trafficking laws that require proof of a person "buying or selling" a trafficking victim to convict the person of human trafficking. Other countries' courts have read a "buying or selling" requirement into their interpretation of national trafficking laws. Such a practice, however, risks missing the vast majority of trafficking victims in the world today, because they are never bought or sold. These requirements also exceed the proof required under the definition of human trafficking in international law. While the Palermo Protocol definition does include payment as one of the means to achieve control over a victim—specifically, "the giving or receiving of payments or benefits to achieve the consent of a person having control over another person"—the full definition in Article 3(a) is much broader. The recruitment, transport, receipt, or harboring of a victim for the purpose of exploitation through *"the use of force or other forms of coercion,"* for example, suffices to prove a case of trafficking in the absence of a proof of sale. Thus a factory owner whose employees came willingly and were never bought or sold should be found guilty of human trafficking when he holds them through passport confiscation and threats; so should a man who kidnaps a girl from the street and forces her into domestic servitude in his house. The mistaken emphasis on transactions frequently results in acquittals in trafficking cases where the defendants have allegedly coerced victims into forced labor or forced prostitution through threats, force, or abuse of power, but have not exchanged money with a third party. "Buying or selling" provisions in statutes inappropriately narrow the scope of human trafficking and reduce accountability for this serious crime. ◆

In Peru's jungles, the extraction of gold has contributed to the sex trafficking of women and girls, who travel to towns near gold mines in response to the promise of legitimate employment only to be exploited in nightclubs, bars, and brothels.



may well lead victims to provide false or misleading information in hopes that by so doing, they are protecting themselves or their families.

Law enforcement, immigration, and other officials who interview victims of trafficking must understand the traumatic impact of being trafficked and factors that influence what a victim may say in response to questioning. It is optimal for this reason that cases are built, whenever possible, on a variety of sources of evidence to take some of the pressure off victims.

More than a decade of experience has revealed effective practices for establishing rapport and conducting interviews with people who may have been victims of trafficking:

- Victims need to feel safe before they will discuss what happened to them, and most victims disclose more details of their experiences over time. Thus, it is important that victims be allowed time to recover from physical, sexual, and psychological injuries in a safe and comfortable place with access to support services. Neither detention with the threat of deportation nor being charged with a crime is conducive to a victim's disclosure of the trafficking experience.
- Interviews conducted in a safe, private, and comfortable place—not where the exploitation took place and not in the presence of other victims or suspected traffickers—are most effective. An interpreter should be provided, if needed, and victims should be given the opportunity to speak with a victim advocate as soon as possible.
- Interviewers should work to build the trust of the victim. This can be difficult if there is artificial time pressure, as traffickers use fear of authorities as a tactic to maintain control over their victims; victims of trafficking rarely view police as a source of assistance. The interviewer should dress in civilian clothes and make sure any guns or other weapons are hidden from view.
- At the beginning the interviewer should be up-front about who he or she is, what the victim should expect during the interview, what is expected of the victim, whether an interpreter will be used, and the likely duration of the interview. The interviewer should answer the victim's questions, and provide any other information needed to clarify how the interview will be conducted. The interviewer should ensure that the victim can rely on what the interviewer says.
- Active listening techniques, such as being non-judgmental and non-confrontational, showing empathy, giving the individual time to answer, and not interrupting are helpful.
- Interviewers should provide opportunities for victims to tell their story in their own words, pausing to give them time to formulate their answers, and using a sensitive and caring tone of voice.

LOOKING FORWARD

With the relatively small number of victims identified around the world, it will be critical in the years ahead for governments to focus on identification as a critical part of their anti-trafficking efforts. But the approaches described in this *Report* should not be expected to eliminate trafficking on their own. The techniques described here, when applied effectively, show results. But victim identification is just the *first* step in a long process of survivor protection. An effective government response must follow through by helping survivors restore the lives they choose.

At the same time, because so much of human trafficking remains hidden in the shadows—so many millions toil unseen—the need for further innovation is clear. In the years ahead, governments and their partners should therefore keep doing what works, but also dedicate themselves to developing and supporting new approaches and practices that will help shine a brighter light on this phenomenon. Part of government's responsibility in effectively identifying victims—in carrying out all aspects of the fight against modern slavery—is to learn as much as possible about modern slavery and to fill in the vast gaps in knowledge and research about this crime. Those next steps require dedicated leadership and political will at all levels of government—the commitment to move forward with this struggle. With such leadership, the movement to eradicate modern slavery will only continue to gain momentum. ◆

"Even the police sometimes pay for sex. There is no protection there for anyone. There is no one you can trust. . . . We are like ghosts. We are literally shadows on the highway."

– "Frida," Nigerian Sex Trafficking Survivor, Italy, 2013

PREVENTION: FIGHTING SEX TRAFFICKING BY CURBING DEMAND FOR COMMERCIAL SEX ACTS

If there were no demand for commercial sex, sex trafficking would not exist in the form it does today. This reality underscores the need for continued strong efforts to enact policies and promote cultural norms that disallow paying for sex. Too often, trafficking victims are wrongly discounted as "consenting" adults. The use of violence to enslave trafficking victims is pervasive, but there are other—more subtle—forms of fraud and coercion that also prevent a person from escaping compelled servitude.

A number of other factors that may lead to a person being overlooked as a victim by authorities are a sex trafficking victims' initial consent, the belief that they are in love with their trafficker, not self-identifying as a victim, or being away from a pimp's physical control with what seems to be ample opportunity to ask for help or flee. None of these factors, taken alone or in sum, mean that someone is not a victim of a severe form of trafficking. Dispelling these myths should be an essential part of training for every government employee and everyone who does business with or on behalf of a government.



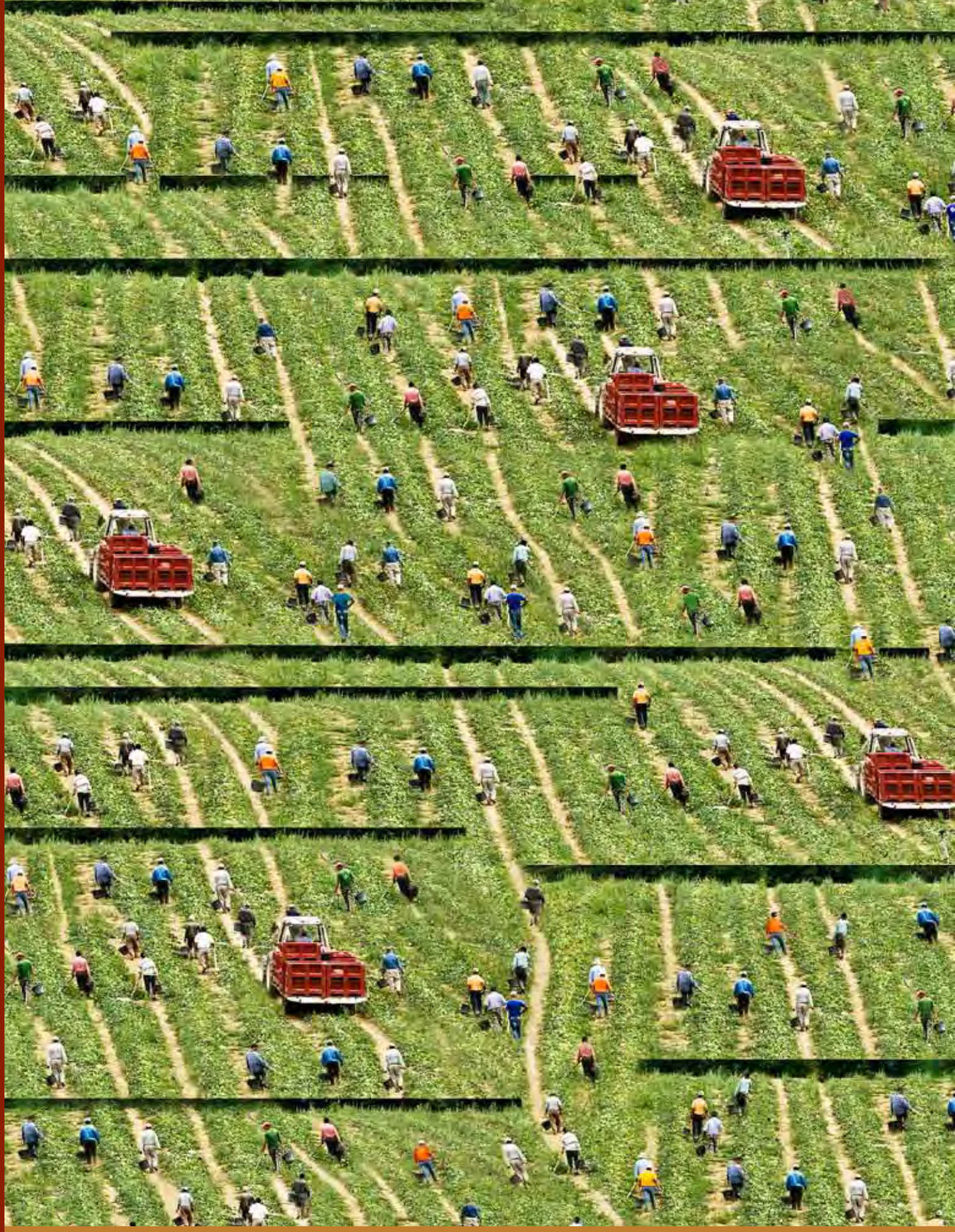
Government Policies to Address Demand for Commercial Sex

Zero-tolerance policies for employees, uniformed service members, and contractors paying for sex—even if legal in the country where these individuals work—and commensurate training for such individuals can help raise awareness regarding the subtle and brutal nature of sex trafficking and how individuals subjected to this crime are victimized through coercion. Moreover, by implementing these policies in procurement activities, governments can have an impact on a wide range of private-sector actors as well.

Beyond Government: Cultural Leadership in Addressing Demand

Rejecting long-held notions such as "boys will be boys" and sending the clear message that buying sex is wrong is not just a task for governments, but will require partnerships throughout society, including the faith and business communities. Business leaders can adopt codes of conduct that prohibit purchasing sex. And leaders in civil society—from teachers to parents to ministers—must foster the belief that it is everyone's responsibility to do their part to reduce the demand for commercial sex. It is especially important to reach young men with a strong message of demand reduction to help them understand the exploitation that permeates the commercial sex trade.

It is every person's individual responsibility to think about how their actions may contribute to human trafficking. Laws and policies, partnerships and activism will continue to be critical to this struggle, but it will also be the day-to-day decisions of individual men and women to reject exploitation that will bring an end to modern slavery. ◆



"People want their food to be cheap.
Without a fair price will there ever be fair working conditions?"

"Lowest on the Foodchain," image by Kay Chernush © ArtWorks for Freedom

DEFINITIONS AND METHODOLOGY

WHAT IS TRAFFICKING IN PERSONS?

"Trafficking in persons" and "human trafficking" have been used as umbrella terms for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion. The Trafficking Victims Protection Act (TVPA) of 2000 (Pub. L. 106-386), as amended, and the Palermo Protocol describe this compelled service using a number of different terms, including involuntary servitude, slavery or practices similar to slavery, debt bondage, and forced labor.

Human trafficking can include but does not require movement. People may be considered trafficking victims regardless of whether they were born into a state of servitude, were transported to the exploitative situation, previously consented to work for a trafficker, or participated in a crime as a direct result of being trafficked. At the heart of this phenomenon is the traffickers' goal of exploiting and enslaving their victims and the myriad coercive and deceptive practices they use to do so.

"In one hotel I know in Amman, you can find Russian, Tunisian, and Moroccan women that are forced to work and stay here until their contracts end because their passports are taken from them and they are threatened and beaten. But this only happens to foreign women, not Jordanians. Their contract does not state that they have to provide sexual services but they must know what they were coming to do here. They did not think they were coming here to pray, did they?"

– Sex Trafficker, Jordan (quoted in "Tricked and Trapped: Human Trafficking in the Middle East." (ILO, April 2013))

PHILIPPINES – QATAR

Dalisay signed a contract with an employment agency in the Philippines to work as a housemaid in Qatar for $400 a month, plus room and board. But when she arrived, her employer said he would pay her only $250 a month. She knew her family back in the Philippines depended on her earnings and felt she had no choice but to stay to help her family. She quickly realized that her low pay was not the only unexpected condition of her work situation. She was fed one meal a day, leftovers from the family's lunch: "If no leftovers, I didn't eat." She worked seven days a week. When she was finished working in her employers' house, she was forced to clean his mother-in-law's house, and then his sister's without any additional pay. After eight months, Dalisay tried to leave but her boss just laughed and said "You can't quit." As a domestic worker not covered under the labor law, Dalisay was subject only to the restrictive *kafala*, or sponsorship system, meaning that she could not resign without her employer's permission, change jobs, leave the country, get a driver's license, or open a checking account without the permission of her employer. She also learned that her employer could withdraw sponsorship at any time and send her back home, so she fled and joined 56 other women who sought shelter at the Philippines Overseas Labor Office.

THE FACE OF MODERN SLAVERY

Sex Trafficking

When an adult is coerced, forced, or deceived into prostitution—or maintained in prostitution through one of these means after initially consenting—that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, transporting, providing, or obtaining a person for that purpose are responsible for trafficking crimes. Sex trafficking also may occur within debt bondage, as women and girls are forced to continue in prostitution through the use of unlawful "debt" purportedly incurred through their transportation, recruitment, or even their crude "sale"—which exploiters insist they must pay off before they can be free. A person's initial consent to participate in prostitution is not legally determinative: if one is thereafter held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

MISPERCEPTIONS LEAD TO MISSED OPPORTUNITIES TO IDENTIFY VICTIMS

Dispelling misperceptions about human trafficking is imperative to proactively identify victims and to counter the isolation on which traffickers rely to keep people in servitude.

"Trafficking doesn't happen here." Approaching human trafficking as a crime that occurs only in far off places ignores situations of forced labor or sex trafficking that may be happening closer to home. Human trafficking is not a problem that involves only foreigners or migrants, but one faced in nearly every corner of the world involving citizens who may be exploited without ever leaving their hometown.

"She's a criminal." Many victims of trafficking first come to the attention of authorities due to an arrest for immigration violations, prostitution, or petty theft. Screening vulnerable populations—even if first encountered as potential defendants—for signs of force, fraud, or coercion used against them is imperative to identify human trafficking properly, to ensure that victims are not punished for acts committed as a result of being subjected to trafficking, and to effectively prevent victims from being returned to an exploitive situation.

"It's cultural." Holding a person in servitude is not a cultural practice; it is a crime. Some victims are subjected to trafficking by members of their own family or ethnic group. Misperceptions that this is a shared value among an ethnic group ignore the methods of force and coercion used by individual traffickers, and can create a zone of impunity in an ethnic community, with the result that victims in that group will never see their abusers brought to justice. These prejudices fail to reduce victims' vulnerability to exploitation and often obscure the true demographics of who is subjected to certain types of trafficking.

"He agreed to do this." Whether or not a person agreed to a certain type of employment, to migrate for a better job, or to work off a debt is irrelevant once that person's free will has been compromised. A person who faces threats or harm should they choose to change their employment is in a situation of servitude. Often, traffickers use the initial consent of victims to stigmatize them for their choice, telling victims they will be deported, arrested, or ostracized if they seek help.

"She's free to come and go." Popular images of human trafficking include dramatic kidnappings and people held under lock and key. More common, but less visible, methods of control include psychological coercion, debt bondage, withholding of documents and wages, and threats of harm. As in domestic abuse cases, observing a person out in public or taking public transportation does not mean that she is free from the effective control of her trafficker.

"He didn't complain." The duty to identify human trafficking must not be left solely to those in servitude. A victim has valid reasons for not accusing his exploiters of trafficking. He may fear physical or financial harm, shame, or repercussions for his family. He may assess that the assistance he could access from coming forward does not offer the needed protection to merit taking this risk. He may be unaware of his rights, or lack trust in authorities to enforce those rights.

"Trafficking doesn't happen where prostitution is legal." The occurrence of trafficking does not depend on the legality of prostitution; it exists whether prostitution is legal, illegal, or decriminalized. It is the obligation of every government, regardless of the legal status of prostitution, to look closely for victims of trafficking and to ensure their protection.

"There's nothing I can do about it." Everyone can learn the signs of human trafficking and take action to alert authorities of possible crimes as appropriate. Citizens can learn about organizations that assist victims of trafficking in their hometowns and how to safely refer potential victims for help. They can spread awareness of, and dispel common misperceptions about, human trafficking. ◆

Child Sex Trafficking

When a child (under 18 years of age) is induced to perform a commercial sex act, proving force, fraud, or coercion against their pimp is not necessary for the offense to be characterized as human trafficking. There are no exceptions to this rule: no cultural or socioeconomic rationalizations should prevent the rescue of children from sexual servitude. The use of children in the commercial sex trade is prohibited both under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for minors, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death.

Forced Labor

Forced labor, sometimes also referred to as labor trafficking, encompasses the range of activities—recruiting, harboring, transporting, providing, or obtaining—involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work. Once a person's labor is exploited by such means, the person's previous consent or effort to obtain employment with the trafficker becomes irrelevant. Migrants are particularly vulnerable to this form of human trafficking, but individuals also may be forced into labor in their own countries. Female victims of forced or bonded labor, especially women and girls in domestic servitude, are often sexually exploited as well.

INDIA

Naveen was 14 years old when a placement agency found him a job as a domestic worker for a couple with two children. For the two years he served the family, Naveen was confined to the house, never allowed to leave. He was beaten regularly for trivial matters and, on several occasions, branded with hot tongs. Unable to endure his situation anymore, he ran away. Naveen is living in a children's home and receiving counseling. The couple, meanwhile, have been charged and are out on bail awaiting a court date.

At a traffic light in Nehru Place, India—an upscale computer and electronics market in South Delhi—children who are trafficked for the purpose of begging work late into the night. Children are forced to beg for long hours, commonly beaten by their bosses, and suffer abuse from individuals they encounter as they beg.



HUMAN TRAFFICKING AND ARMED CONFLICT

In armed conflicts across the world, governments and armed groups commit war crimes and human rights abuses and attack civilian populations. Armed conflict leaves local populations, including men, women, and children vulnerable to violence, abuse, exploitation, forced prostitution, forced labor, and the unlawful recruitment of children as soldiers by government forces and armed groups. Likewise, refugees and internally displaced persons (IDPs) struggle to survive in precarious situations that make them highly vulnerable to exploitation, including trafficking. Women and girls bear enormous hardship during and after armed conflict, and they are particularly vulnerable to sexual slavery.

Current global conflicts have placed populations at serious risk of trafficking. For example, in Somalia, the militant group al-Shabaab has forcibly recruited Somali children to be child soldiers or has forced them into prostitution; some children who flee Somalia to seek refuge in neighboring countries such as Kenya are forced into prostitution and forced labor as herders. In Rwanda, women and children in refugee camps are vulnerable to being lured into forced prostitution in the capital or other countries in the region through false promises of work or schooling opportunities. In Syria, some foreign migrant workers and Iraqi refugees may be trafficking victims and are susceptible to violence, abuse, and arrest by government and opposition forces. Syrian refugees are also vulnerable to trafficking in the countries to which they have fled. ◆

Bonded Labor Or Debt Bondage

One form of coercion is the use of a bond or debt. U.S. law prohibits the use of a debt or other threats of financial harm as a form of coercion and the Palermo Protocol requires its criminalization as a form of trafficking in persons. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of trafficking victims working to pay off their ancestors' debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed as a term of employment.

Debt bondage of migrant laborers in their countries of origin, often with the support of labor agencies and employers in the destination country, can also contribute to a situation of debt bondage. Such circumstances may occur in the context of employment-based temporary work programs when a worker's legal status in the country is tied to the employer and workers fear seeking redress.

"While I was inside the rice mill I was not aware that I was so courageous. Now I don't even hesitate to speak up and talk to government officials. Whatever I learn, I would like to share it with others. I do not want anyone to be enslaved. I want my people to be free . . . ."

– "Suguna," Human Trafficking Survivor and Mother, India, 2012



Mewael, an Eritrean refugee, was forcibly taken by criminal groups in Sudan and transported to Egypt's Sinai Peninsula where he was held for months and tortured by his captors, losing both of his hands. His story is not unlike thousands of other highly vulnerable African migrants, refugees, and asylum seekers—some of whom are trafficking victims—who have been kidnapped along the Eritrea-Sudan border or within Sudan, and subsequently subjected to abuses in Egypt.



Migrant domestic workers hold banners demanding basic labor rights during a march in Beirut, Lebanon. More than 200,000 workers—mostly women from Asia and Africa—work as maids in a country of 4 million people; the majority are from Sri Lanka, the Philippines, Ethiopia, and Eritrea, but many also come from Madagascar and Nepal. Arabic on the placard at center reads, "migrant workers rights are human rights," and at left, "put an end today to modern slavery."



Praccedes Salas, Coalition of Immokalee Workers (CIW) member and trafficking survivor of a recent human trafficking case in Florida, marches in the CIW's 200-mile March for Rights, Respect and Fair Food.

Representatives from NGOs such as World Vision, Kick for Life, and the Red Cross, as well as government officials participate in a walk organized by World Vision Lesotho to raise awareness on the trafficking of women and girls.



Filipino activists shout slogans during a rally in Manila, the Philippines. The Philippines is one of the largest source countries of men and women who become victims of trafficking abroad, in other Asian countries and throughout the Middle East.



Involuntary Domestic Servitude

Involuntary domestic servitude is a form of human trafficking found in unique circumstances—informal work in a private residence—these circumstances create unique vulnerabilities for victims. Domestic workplaces are informal, connected to off-duty living quarters, and often not shared with other workers. Such an environment, which can isolate domestic workers, is conducive to exploitation because authorities cannot inspect homes as easily as they can compared to formal workplaces. Investigators and service providers report many cases of untreated illnesses and, tragically, widespread sexual abuse, which in some cases may be symptoms of a situation of involuntary servitude.

Forced Child Labor

Although children may legally engage in certain forms of work, forms of slavery or slavery-like practices continue to exist as manifestations of human trafficking, despite legal prohibitions and widespread condemnation. A child can be a victim of human trafficking regardless of the location of that nonconsensual exploitation. Some indicators of possible forced labor of a child include situations in which the child appears to be in the custody of a non-family member who requires the child to perform work that financially benefits someone outside the child's family and does not offer the child the option of leaving. Anti-trafficking responses should

UNITED STATES

For over 20 years, the owners and staff of a turkey-processing plant subjected 32 men with intellectual disabilities to severe verbal and physical abuse. The company housed the workers in a "bunkhouse" with inadequate heating, dirty mattresses, and a roof in such disrepair that buckets were put out to catch rainwater; the infestation of insects was so serious the men swatted cockroaches away as they ate. Although the men were as productive as other workers, the company paid them only $15 a week (41 cents an hour) for labor that legally should have been compensated at $11-12 an hour. The employers hit, kicked, and generally subjected the men to abuse, forcing some of the men to carry heavy weights as punishment and in at least one case handcuffed a man to a bed. Supervisors dismissed complaints of injuries or pain, denied the men recreation, cellphones, and health care. The U.S. government filed an abuse and discrimination case against the company for damages under the Americans with Disabilities Act. During the trial, the attorney representing the men said: "The evidence is these men were treated like property…these men are people. They are individuals." A jury awarded the men a total of approximately $3,000,000, the largest jury verdict in the history of U.S. Equal Employment Opportunity Commission.



Graphic journalist Dan Archer uses sketches, illustrated reportage, and comics to tell the stories of human trafficking survivors. His visual narratives from Nepal, Ukraine, and United States preserve the identity of those telling their stories while ensuring their voices are heard so that those most at risk—children and young adults in low-literacy areas—do not fall prey to human trafficking.

MALE VICTIMS OF TRAFFICKING

There is a growing awareness that men and boys are also victims of labor and sex trafficking and that women and girls are also subjected to forced labor. But identification and adequate service provision remains a challenge around the world for male victims.



This *Report* documents male forced labor victims who have been identified in a variety of countries and sectors: Central Asian men exploited in forced labor in Russia; West African boys forced to beg for corrupt religious teachers in Koranic schools; boys in forced labor in illegal drug production and transportation in the United Kingdom and Mexico. In South Asia, entire families are enslaved in debt bondage in agriculture, brick kilns, rice mills, and stone quarries. In South America and Africa, male victims of trafficking are exploited in agriculture, construction, mining and logging, among other industries. The forced labor of men and boys from Burma, and Cambodia on Asian fishing vessels has been the topic of increased press coverage over the last year.

The sex trafficking of boys is often hidden, reflecting cultural taboos in many parts of the world. In Afghanistan and coastal Sri Lanka, boys are more likely than girls to be subjected to prostitution; in Mexico and Central America, boy migrants are vulnerable to commercial sexual exploitation *en route* to the United States; boys in Southeast Asia are exploited in prostitution; to a lesser extent, men are victims of sex trafficking; in recent years, Brazilian men were identified in forced prostitution in Spain and men were identified as sex trafficking victims in the United States.

Trafficking victim identification is a challenge across the board; however, to the degree authorities are trained to identify human trafficking at all, far too many look primarily for female victims and often miss male victims they encounter. When male victims are not identified, they risk being treated as irregular migrants instead of exploited individuals and are vulnerable to deportation or being charged with crimes committed as a result of being trafficked, such as visa violations. Likewise, cases involving male victims are often dismissed as labor infractions instead of investigated as criminal cases.

In implementing anti-trafficking programs, it is important that governments ensure medical, psychological, and legal assistance is sensitive to the needs of all victims, regardless of gender. Assistance could include shelter, medical assistance, vocational training, repatriation, and other aid. Governments may need to adapt some methodologies to better serve men, such as by creating drop-in centers. The goal is that governments ensure that *all* trafficking victims are adequately protected. ◆

"A worrying perception . . . is that adult male victims of labor trafficking are either not in need of assistance or do not want it. There are clear indications in many countries, however, that men do indeed need assistance and will accept it if it is structured to meet their needs."

Trafficking of Adult Men in the Europe and Eurasia Region, USAID (2010)

NON-CRIMINALIZATION OF VICTIMS FOR CRIMES COMMITTED IN THE COURSE OF BEING TRAFFICKED

Trafficking victims are often compelled to commit crimes, which can blind authorities to the victim behind the "criminal" they first encountered. A 14-year-old sex trafficking victim, for example, may be charged with prostitution-related charges. Foreign domestic workers who have fled domestic servitude maybe in violation of immigration laws. Should an uninformed or untrained official come across any of these individuals, or if the government lacks standardized identification procedures, these trafficking victims are likely to face arrest, penalization, incarceration, or deportation.

The U.S. anti-trafficking legislation, the Trafficking Victims Protection Act, requires the protection of trafficking victims and requires the Department of State to take into account, as part of its assessment of foreign government actions for this *Report*, whether foreign governments are ensuring that trafficking victims are not inappropriately incarcerated. Principle 7 of the Recommended Principles and Guidelines on Human Rights and Human Trafficking issued by the United Nations Office of the High Commissioner for Human Rights provides that "[t]rafficked persons shall not be detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons."

As governments around the world work to improve their anti-trafficking efforts, it is critical that officials —including police, immigration, and social services staff—be able to distinguish trafficking victims from criminals. Through a process of appropriately questioning the victim and observing his or her situation —often referred to as a standard identification or screening process—officials are empowered to make an informed determination. Officials should be trained on trafficking indicators: for example, does the person appear to be or report being controlled by someone else? Does he or she show signs of abuse? Does he or she appear fearful?



A plainclothes policeman grabs for a woman in prostitution during a raid in Fujian province, China. Despite being sex trafficking victims, some are often arrested and convicted of prostitution and related offenses.

Identifying the victim is critical to understanding and prosecuting the true crime that has taken place, and ensuring adequate care and support to trafficking victims facilitates their ability to provide testimony in the prosecution of offenders. Treated as criminals, victims can be traumatized by placement in jail and will be less effective witnesses. Further, if victims are treated as criminal and deported they will be unable to support the investigation. This all-too-common practice suppresses the best evidence of trafficking and gets rid of the evidence—undermining prosecutions and often fatally compromising the government's ability to prosecute a case successfully. Treating victims as what they are, not as criminals, is at the heart of the victim-centered approach to combating trafficking. In the United States, one effort to ensure the non-criminalization and protection of trafficking victims is "safe harbor legislation," recently enacted by several states, which protects minor sex trafficking victims by providing them immunity from prosecution. ◆



"However long it would take…I knew I had to be smarter than them to survive this prison."

— Russian woman trafficked in the Netherlands

"Counting Down," image by Kay Chernush © ArtWorks for Freedom

supplement, not replace, traditional actions against child labor, such as remediation and education. When children are enslaved, however, their abusers should not escape criminal punishment by taking weaker administrative responses to child labor practices.

Unlawful Recruitment and Use of Child Soldiers

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment or use of children—through force, fraud, or coercion—by armed forces as combatants or other forms of labor. Some child soldiers are also sexually exploited by armed groups. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are unlawfully made to work as porters, cooks, guards, servants, messengers, or spies. Young girls can be forced to marry or have sex with male combatants. Both male and female child soldiers are often sexually abused and are at high risk of contracting sexually transmitted diseases.

BOUGHT & SOLD: VOICES OF HUMAN TRAFFICKING

"Bought & Sold: Voices of Human Trafficking" is a large-scale outdoor photography exhibit, one example of how ArtWorks for Freedom (AWFF) is using the power of art in the global fight against modern slavery. Through its alliance of artist-activists in diverse fields, AWFF mounts public awareness campaigns nationally and internationally designed to change public attitudes and plant the seeds that can transform the moral landscape in much the same way that *Uncle Tom's Cabin* did more than 150 years ago. ◆

CHILD SOLDIERS

The Child Soldiers Prevention Act of 2008 (CSPA) was signed into law on December 23, 2008 (Title IV of Pub. L. 110-457) and took effect on June 21, 2009. The CSPA requires publication in the annual TIP Report of a list of foreign governments identified during the previous year as having governmental armed forces or government-supported armed groups that recruit and use child soldiers, as defined in the Act. These determinations cover the reporting period beginning April 1, 2012 and ending March 31, 2013.

For the purpose of the CSPA, and generally consistent with the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the term "child soldier" means:

(i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces;

(ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces;

(iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or

(iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state.

The term "child soldier" includes any person described in clauses (ii), (iii), or (iv) who is serving in any capacity, including in a support role such as a cook, porter, messenger, medic, guard, or "sex slave".



A Burmese soldier gives national identity cards to demobilized child soldiers during a ceremony in Yangon where the children were reunified with their families. Burma has signed an action plan with the UN on the identification, release, and rehabilitation of children in the Burmese military.

Governments identified on the list are subject to restrictions, in the following fiscal year, on certain security assistance and commercial licensing of military equipment. The CSPA, as amended, prohibits assistance to governments that are identified in the list under the following authorities: International Military Education and Training, Foreign Military Financing, Excess Defense Articles, and Peacekeeping Operations, with exceptions for some programs undertaken pursuant to the Peacekeeping Operations authority. The CSPA also prohibits the issuance of licenses for direct commercial sales of military equipment to such governments. Beginning October 1, 2013 and effective throughout FY 2014, these restrictions will apply to the listed countries, absent a presidential national interest waiver, applicable exception, or reinstatement of assistance pursuant to the terms of the CSPA.The determination to include a government in the CSPA list is informed by a range of sources, including first-hand observation by U.S. government personnel and research and reporting from various United Nations entities, international organizations, local and international NGOs, and international media outlets.

The 2013 CSPA List includes governments in the following countries:

1. **Burma**
2. **Central African Republic (CAR)**
3. **Chad**
4. **Democratic Republic of Congo (DRC)**
5. **Rwanda**
6. **Somalia**
7. **South Sudan**
8. **Sudan**
9. **Syria**
10. **Yemen**

The CSPA list includes countries that recruited or used child soldiers as defined in the Act, in governmental armed forces or government-supported armed groups during the reporting period. But this represents only some of the countries in the world where children have been unlawfully recruited or used. Separately, there are reports of non-government supported groups using child soldiers in additional countries in Asia, Latin America, Africa, and the Middle East. Some infamous non-state armed groups, such as the Lord's Resistance Army operating in Central Africa or the rebel militias Abu Sayyaf, the New People's Army, and the Moro Islamic Liberation Front in the Philippines, have been recruiting or using child soldiers for many years. Some groups alleged to use child soldiers disbanded or were integrated into state security forces during the year, and in some countries there was progress toward peace agreements that could lead to the demobilization of children.

An alarming trend emerged during the year, however, of numerous non-state armed groups abducting, recruiting, and exploiting children as combatants, porters, spies, and for sex in conflicts that erupted in Africa and in the Middle East. In northern Mali, there were reports of large-scale recruitment of children into separatist groups including Ansar al-Dine, Movement for Unity and Jihad in West Africa, and Al Qaeda in the Islamic Maghreb. Syrian opposition armed groups recruited and used children under 18 years old—some as young as 14—in combat and military support roles. Some anti-government armed groups used children in combat and other roles, making them transport weapons and supplies or serve as guards. A Syrian-based organization also documented the deaths of at least 17 children who fought for the Free Syrian Army. During its rebellion against the government of the Central African Republic, the Seleka coalition—an amalgamation of numerous armed groups known to use child soldiers—recruited and used children in the front lines of combat, some of whom were killed during fighting in March 2013. In the Democratic Republic of the Congo (DRC), several hundred former members of a militia group notorious for its use of child soldiers defected from the Congolese military (FARDC) and formed the M23, a Rwanda-backed armed group that forcibly recruited children in DRC and Rwanda to fight the FARDC for control of eastern DRC. Some progress was made to end impunity for the worst offenders of unlawful child soldier recruitment and use. Bosco Ntaganda, a former FARDC commander who is the subject of two arrest warrants by the International Criminal Court (ICC) for crimes against humanity and war crimes, including the recruitment and use of children under the age of 15. In March, after nearly seven years as a fugitive from justice, Ntaganda voluntarily surrendered to the ICC. He made his first appearance in front of the court in March 2013. ◆



METHODOLOGY

The Department of State prepared this Report using information from U.S. embassies, government officials, nongovernmental and international organizations, published reports, news articles, academic studies, research trips to every region of the world, and information submitted to tipreport@state.gov. This email address provides a means by which organizations and individuals can share information with the Department of State on government progress in addressing trafficking.

U.S. diplomatic posts and domestic agencies reported on the trafficking situation and governmental action to fight trafficking based on thorough research that included meetings with a wide variety of government officials, local and international NGO representatives, officials of international organizations, journalists, academics, and survivors. U.S. missions overseas are dedicated to covering human trafficking issues.

"People work, they don't get paid, and leave. Then a bus comes and unloads a fresh group of workers to repeat the cycle."

– "Maxim," A migrant worker at the construction site of the 2014 Winter Olympics in Sochi, Russia (quoted in "Race to the Bottom" (Human Rights Watch, February 2013))

TIER PLACEMENT

The Department places each country in the 2013 TIP Report onto one of four tiers, as mandated by the TVPA. This placement is based more on the extent of government action to combat trafficking than on the size of the problem. The analyses are based on the extent of governments' efforts to reach compliance with the TVPA's minimum standards for the elimination of human trafficking (see page 412), which are consistent with the Palermo Protocol.

While Tier 1 is the highest ranking, it does not mean that a country has no human trafficking problem. Rather, a Tier 1 ranking indicates that a government has acknowledged the existence of human trafficking, has made efforts to address the problem, and meets the TVPA's minimum standards. Each year, governments need to demonstrate appreciable progress in combating trafficking to maintain a Tier 1 ranking. Indeed, Tier 1 represents a responsibility rather than a reprieve. A country is never finished with the job of fighting trafficking.

WEST AFRICA – EGYPT

Sussan was only 10 when her father sold her to an Egyptian family to serve as a domestic worker. Despite her protests, Sussan accompanied the family back to Egypt. Once there, she was forced to work excessive hours, never received compensation, and her passport was confiscated. She was locked in the house where she was physically and emotionally abused daily. During her six years of enslavement, she was not allowed to speak to her family; when her relatives tried to reach her by phone, Sussan's employer would hang up the phone. One day, she summoned the courage to escape. She was arrested shortly after her escape for immigration violations, but with the cooperation of an international NGO and Egyptian authorities, she was released from detention and recognized as a trafficking victim. While staying at a government shelter in Egypt, the international NGO arranged for Sussan's return to her country in West Africa. Once there, UNICEF and the child protection police arranged for her to stay in a designated shelter for trafficking victims while her family was located. After three weeks, she was reunited with her family and given the chance to enroll in vocational training as part of her reintegration process. Sussan looks to brighter days now and hopes to open an Egyptian restaurant in her town.



Women, girls, boys, and transgender youth from Central America have been identified as victims of sex trafficking. Some are exploited in their home communities while others are exploited in neighboring countries or the United States.

UZBEKISTAN – RUSSIA

Ayauly and Bibihul were among 12 migrants from Kazakhstan and Uzbekistan, including three children, who were held captive for 10 years in a supermarket after being promised employment in Russia. In Russia, they were beaten and forced to work without pay by the couple who owned the supermarket. Their passports were confiscated by their traffickers who said they needed the documents to officially register them as workers with authorities. The passports were never returned. Side by side with 10 others, Ayauly and Bibihul lifted heavy goods in and out of the shop every day. The couple used threats of violence, beatings, and sexual violence to demand subservience. Based on a tip from Ayauly's mother, two Russian civic activists rescued Ayauly and Bibihul as well the other workers found at the supermarket. While a criminal investigation was opened it was closed shortly thereafter. Prosecutors claimed there was no evidence of a crime. Ayauly and Bibihul are now facing deportation for residing in Russia illegally.

Tier rankings and narratives in the 2013 TIP Report reflect an assessment of the following:

- enactment of laws prohibiting severe forms of trafficking in persons, as defined by the TVPA, and provision of criminal punishments for trafficking offenses;
- criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or a more severe penalty;
- implementation of human trafficking laws through vigorous prosecution of the prevalent forms of trafficking in the country;
- proactive victim identification measures with systematic procedures to guide law enforcement and other government-supported front-line responders in the process of victim identification;
- government funding and partnerships with NGOs to provide victims with access to primary health care, counseling, and shelter, allowing them to recount their trafficking experiences to trained social counselors and law enforcement in an environment of minimal pressure;

Some workers assembling electronic devices in factories in China are subjected to forced labor. According to these workers, labor advocates, and companies trying to address the situation, harsh working conditions include forcing excessive overtime hours; maintaining high daily production quotas; implementing subtle discrimination practices by hiring only the youngest and healthiest candidates; punishing workers for small mistakes and verbally harassing workers; and making workers live in crowded dorms.





A young boy sews beads and sequins in intricate patterns onto saris and shawls at a zari (embroidery) factory. Boys in Nepal and India often work long hours seven days a week year-round, and are routinely subjected to physical abuse.

- victim protection efforts that include access to services and shelter without detention and with legal alternatives to removal to countries in which victims would face retribution or hardship;
- the extent to which a government ensures victims are provided with legal and other assistance and that, consistent with domestic law, proceedings are not prejudicial to victims' rights, dignity, or psychological well being;
- the extent to which a government ensures the safe, humane, and to the extent possible, voluntary repatriation and reintegration of victims; and
- governmental measures to prevent human trafficking, including efforts to curb practices identified as contributing factors to human trafficking, such as employers' confiscation of foreign workers' passports and allowing labor recruiters to charge prospective migrants recruitment or placement fees.

"They have suicidal thoughts. They believe they can't trust anyone. They know that people are not playing around, they know that the assailant will carry out their threats. They have anxiety disorders, insomnia, loss of appetite."

– Siliva Saravia, Psychologist
El Salvador, 2012



Withelma 'T' Ortiz Walker Pettigrew, a 22 year-old survivor of sex trafficking, speaks to Rep. Karen Bass (D-CA) at a press conference on Foster Youth Shadow Day during which she accompanied the congresswoman on her daily schedule.

"My definition of freedom is deeper than most. For so long my freedom was nonexistent. My every move was watched, my every conversation was observed. My clothing and food portions and options were at the mercy of another. Living in fear and terror, I had no ability to make or understand decisions and my physical self seemed to belong to everyone but me."

– Withelma "T" Ortiz Walker Pettigrew, Human Trafficking Survivor, Advocate, and Activist, 2012

Tier rankings and narratives are NOT affected by the following:

- efforts, however laudable, undertaken exclusively by non-governmental actors in the country;
- general public awareness events—government-sponsored or otherwise—lacking concrete ties to the prosecution of traffickers, protection of victims, or prevention of trafficking; and
- broad-based law enforcement or developmental initiatives.

A GUIDE TO THE TIERS

Tier 1

Countries whose governments fully comply with the TVPA's minimum standards for the elimination of trafficking.

Tier 2

Countries whose governments do not fully comply with the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

Tier 2 Watch List

Countries where governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards, and

a) the *absolute number* of victims of severe forms of trafficking is very significant or is significantly increasing;

b) there is a failure to provide evidence of *increasing efforts* to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and

TRADITIONAL PRACTICES GONE WRONG

History and cultural practices help define a country or society's DNA. Some of these practices are based in a child's passage into adulthood or a child's informal education and vocational training. Others involve traditional religious practices to ward off evil, or the code by which strangers to the community are treated. Unfortunately, sometimes these practices are abused to facilitate modern slavery.

For example, in the *devdasi* or *jogini* traditions in some parts of India, girls are "dedicated" to a temple in which they become symbolic wives and perform chores to support the temple. While the original practice was intended to honor the religious institution and revere its influence, in modern times it has become corrupted as a mechanism by which to induce girls into prostitution.

The cultural practices of dowries and bride price are also abused in many parts of the world. Both are charges paid to another tribe or family in advance of a marriage as sign of good faith—a pact between two families or communities. Sometimes, however, these payments can give rise to exploitation. In Papua New Guinea, for example, which faces an increase of foreign workers in logging and mining camps, parents sell their daughters to these foreign workers. These girls often are victims of sex trafficking.

Another example is *kafala*, or sponsorship, in many wealthy Middle Eastern countries. *Kafala* has become an oppressive, non-transferable visa regime. Under this system, the foreign worker can only work for the employer who sponsored his/her visa and is then trapped in that employment. When abuses occur, these workers may be vulnerable to arrest for violation of the sponsorship laws if they leave without their employers' permission.



The early marriage of girls in Afghanistan is entrenched in cultural practice. Kinah, who was forced into marriage at 15, was kept in a basement by her in-laws for six months in an attempt to force her into prostitution. They ripped her fingernails out, severely abused her with hot irons, and broke her fingers. In May 2013, Kinah's mother-in-law, sister-in-law, and husband in absentia were sentenced to 10 years in prison for torture, abuse, and human rights violations. An arrest warrant has been issued for her husband, but he has not yet been found.

In some African and Latin American countries, traditional witchcraft plays a role in facilitating modern slavery. *Juju* oaths—once used to protect individuals about to undertake a new challenge or journey—are now abused by traffickers to tie victims to silence and obedience. Before the victims leave their home, a *Juju* priest conducts a ceremony to bind the victims to unconditional obedience to the traffickers; the victims are warned that if they disobey the oath they will suffer the wrath of spirit world through nightmares, madness, or death. Even when these trafficking victims are identified by law enforcement, they fear the consequences if they testify against their traffickers.

Ingrained societal support for these traditional practices can pose difficulties to combating trafficking. Key to defeating the impact of these corruptions of spiritual or traditional practices is awareness among those who are deceived—whether it be parents, the intending emigrant, or the bride. Policymakers can address this by recognizing that these forms of psychological coercion can be used by traffickers, mounting education campaigns aimed at the vulnerable populations, and prosecuting and punishing those who use this form of coercion to traffic people. ◆

decreasing evidence of complicity in severe forms of trafficking by government officials; or

c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take *additional steps over the next year.*

Tier 3

Countries whose governments do not fully comply with the TVPA's minimum standards and are not making significant efforts to do so.

The TVPA lists additional factors to determine whether a country should be on Tier 2 (or Tier 2 Watch List) versus Tier 3. First, the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking. Second, the extent to which the country's government does not comply with the TVPA's minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking. And third, reasonable measures required to bring the government into compliance with the minimum standards in light of the government's resources and capabilities to address and eliminate severe forms of trafficking in persons.

NIGERIA – FRANCE

Since her parents passed away, Ogochukwu had been struggling to care for her younger brothers. An acquaintance offered to take her abroad and find her a job. Ogochukwu was ecstatic; she accepted his offer, believing that she would now be able to help her family in Nigeria. Before setting off to Europe, she was taken to a juju priest to seal the deal with local magic. During the ceremony, she vowed she would obey her boss in Europe and pay back her travel expenses. The "spell" called for death if she failed to fulfill her oath. It was not too long before she realized that something was wrong, she had joined about 30 other women in an open-back truck headed toward the Sahara Desert. They finally reached their destination and were met by a "madam" in France who told her she owed travel expenses for her passage to Europe and would be forced to pay it back by selling her body. She worked the streets as many as 20 hours a day and was forced to pay for her own food and clothes as well as for rent. Despite the juju oath, she was encouraged by a man she befriended to go to the police. Once at the police station, she explained her situation. Her traffickers were arrested but so was she, for being in France illegally. Before her deportation, workers at the detention center gave her money out of good will for her safe return to Nigeria. She is now building her life again and says,"I am very much stronger than juju."

GLOBAL LAW ENFORCEMENT DATA

The Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003 added to the original law a new requirement that foreign governments provide the Department of State with data on trafficking investigations, prosecutions, convictions, and sentences in order to be considered in full compliance with the TVPA's minimum standards for the elimination of trafficking (Tier 1). The 2004 TIP Report collected this data for the first time. The 2007 TIP Report showed for the first time a breakout of the number of total prosecutions and convictions that related to labor trafficking, placed in parentheses.

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2005	6,178	4,379		40
2006	5,808	3,160		21
2007	5,682 (490)	3,427 (326)		28
2008	5,212 (312)	2,983 (104)	30,961	26
2009	5,606 (432)	4,166 (335)	49,105	33
2010	6,017 (607)	3,619 (237)	33,113	17
2011	7,206 (508)	4,239 (320)	41,210	15
2012	7,705 (1,153)	4,746 (518)	46,570	21

The numbers in parentheses are those of labor trafficking prosecutions, convictions and victims identified.

A 2008 amendment to the TVPA provides that any country that has been ranked Tier 2 Watch List for two consecutive years and that would otherwise be ranked Tier 2 Watch List for the next year will instead be ranked Tier 3 in that third year. This automatic downgrade provision came into effect for the first time in last year's report. The Secretary of State is authorized to waive the automatic downgrade based on credible evidence that a waiver is justified because the government has a written plan that, if implemented, would constitute making significant efforts to comply with the TVPA's minimum standards for the elimination of trafficking and is devoting sufficient resources to implement the plan. The Secretary can only issue this waiver for two consecutive years. After the third year, a country must either go up to Tier 2, or down to Tier 3. Governments subject to the automatic downgrade provision are noted as such in the country narratives.

Penalties for Tier 3 Countries

Pursuant to the TVPA, governments of countries on Tier 3 may be subject to certain sanctions, whereby the U.S. government may withhold or withdraw nonhumanitarian, non-trade-related foreign assistance. In addition, countries on Tier 3 may not receive funding for government employees' participation in educational and cultural exchange programs. Consistent with the TVPA, governments subject to sanctions would also face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions such as the International Monetary Fund and the World Bank.

Imposed sanctions will take effect upon the beginning of the U.S. government's next Fiscal Year—October 1, 2013—however, all or part of the TVPA's sanctions can be waived if the President determines that the provision of such assistance to the government would promote the purposes of the statute or is otherwise in the United States' national interest. The TVPA also provides for a waiver of sanctions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.

No tier ranking is permanent. Each country, including the United States, can do more. All countries must maintain and increase efforts to combat trafficking.

Human trafficking survivors and other members of Maiti Nepal act out a story about human trafficking in the village of Nangle Bhare, Nepal. The organization uses music, dance, and drama to engage illiterate audiences.



2013 TIP REPORT HEROES

Each year, the Department of State honors individuals around the world who have devoted their lives to the fight against human trafficking. These individuals are NGO workers, lawmakers, police officers, and concerned citizens who are committed to ending modern slavery. They are recognized for their tireless efforts—despite resistance, opposition, and threats to their lives—to protect victims, punish offenders, and raise awareness of ongoing criminal practices in their countries and abroad.

LAURA ANYOLA TUFON

Cameroon



In her 10 years as the Northwest Regional Coordinator of the Justice and Peace Commission, Laura Anyola Tufon has been relentless in her commitment to fight child trafficking and forced labor in Cameroon. Despite a challenging environment where poverty, culture, and tradition converge to create vulnerabilities that facilitate trafficking in persons, Ms. Anyola is directly involved in the identification of, and delivery of assistance to, victims of human trafficking. In 2012, she identified 80 trafficking victims, and provided assistance to over 100 such individuals.

Ms. Anyola's leadership has transformed her organization into a model for Central Africa. In 2009, the Justice and Peace Commission created the first community-based protection system in Cameroon to identify at-risk children and to protect victims from being re-trafficked. Additionally, Ms. Anyola has worked within the appropriate legal systems to compel traffickers to compensate survivors and their families, leading to nearly 300 victims and their families receiving reintegration assistance and education.

Ms. Anyola continues to call for the government to enforce its human trafficking legislation by regularly prosecuting traffickers and ensuring that victims receive the protection they need.

KATRIN GLUIC

Croatia



Katrin Gluic has spearheaded Croatian Police efforts to combat human trafficking since January 2010. She is frequently identified as a driving force for creating necessary changes on anti-trafficking efforts, including those related to Croatia's EU accession.

As a chief police inspector within the National Police Office for the Suppression of Corruption and Organized Crime (PNUSKOK), Ms. Gluic coordinates trafficking investigations in Croatia. She oversees initial assistance to victims as a leader of Croatia's highly effective and innovative mobile teams, which she helped to create. These teams consist of specialized government, Red Cross, and NGO personnel, and rapidly deploy in order to handle initial care and placement of victims in suspected trafficking cases. She also designed and executed an extensive anti-trafficking training program involving several branches of the Ministry of Interior, including the border police, police academy, and virtually all police precincts.

Ms. Gluic has been pivotal in Croatia's international cooperation in the fight against trafficking. In 2012, she coordinated efforts to shut down an international forced prostitution and narcotics ring, creating joint initiatives with counterparts in Spain, Serbia, Hungary, and Slovenia. She ensured that victims returning to Croatia received the assistance they needed in the difficult process of reintegration.

SIMONA BROOMES

Guyana



Simona Broomes is a courageous leader in assisting human trafficking victims and raising awareness about human trafficking in Guyana. After 25 years as a miner, in 2012 she established the Guyana Women Miners Organization (GWMO), a volunteer membership and advocacy organization, to empower women miners and address the economic discrimination and physical intimidation that women miners face. The GWMO is the first organization of its kind in Guyana comprising women miners advocating on a cross-section of social and economic issues. Ms. Broomes has worked relentlessly to engage the government, the international community, and the media to raise public awareness about human trafficking, identify traffickers, promote access to victim care in remote mining communities, improve the law enforcement response, and increase job training for women in mining.

In April, Ms. Broomes was physically assaulted by traffickers while rescuing victims. Despite the dangers of retaliation, however, she has assisted several victims, and GWMO members have temporarily housed survivors before transporting them from remote areas to government care and law enforcement officials in the capital. Under her dynamic leadership, the GWMO and its 440 members have become undeniably powerful anti-trafficking advocates and a recognized force in combating human trafficking while promoting equality and economic opportunities for women in Guyana.

MOHAMMED BASSAM AL-NASSERI

Iraq



Mohammed Bassam Al-Nasseri has played a critical role in the development, passage, and implementation of Iraq's comprehensive 2012 anti-trafficking legislation. As a capacity building officer at the International Organization for Migration, Mr. Al-Nasseri has provided superior leadership and unflagging support to the International Trafficking in Persons Working Group in Iraq, a forum for Iraq's Central Committee to Combat Trafficking in Persons, to coordinate with the international community to fight human trafficking.

Mr. Al-Nasseri also served as a tireless advocate for 35 stranded Ukrainian and Bulgarian construction workers in Iraq. During daily visits to the construction site where the workers were living in crowded, dark, dirty, and unventilated conditions without electricity, money, or water, Mr. Al-Nasseri delivered essential medical assistance, potable water, and hot food, and assisted the workers so they could call home. Mr. Al-Nasseri worked closely with various government ministries on the workers' case. Through his advocacy efforts, the workers were spared from even more dire circumstances and were repatriated back to their home countries, where they continue to participate in legal proceedings against their former employer. Mr. Al-Nasseri's heroic and continuing involvement in this case is just one example of his exceptional commitment to fighting human trafficking.

JAVIER ANTONIO MORAZÁN
Nicaragua



JUAN VICTORIANO RUÍZ
Nicaragua



The partnership that Javier Antonio Morazán and Juan Victoriano Ruíz have forged in their efforts to combat human trafficking has been one of the most important law enforcement advances in Nicaragua.

Mr. Morazán, the Head of the Public Prosecutor's Anti-Corruption and Anti-Organized Crime Unit, is one of the Nicaraguan government's most knowledgeable officials on human trafficking. Since 2009, he has been personally responsible for the vast majority of convictions against traffickers, and under his leadership, the number of human trafficking prosecutions went from zero to a record-high of 35 in 2012.

But Nicaragua's progress in prosecutions is not due solely to Mr. Morazán's work in the Public Prosecutor's office. Without Lieutenant Ruíz and his team's efforts to collect evidence against traffickers and shut down human trafficking rings, none of the success of Mr. Morazán's unit would have been possible. As the head of the Nicaraguan National Police's Anti-TIP Unit (NNP), Lieutenant Ruíz leads a small but dedicated group of officers responsible for investigating human trafficking cases throughout Nicaragua. Over the three years since Mr. Ruíz assumed leadership, the NNP has investigated an average of 24 cases a year, compared to an average of 11 cases a year over the two years before Mr. Ruíz's unit was created.

Each of these officials is extraordinary in his own right; however, what is truly remarkable is the partnership they have formed. Their work together, and the level of coordination and trust they have developed, has been key to advancing Nicaragua's success in the fight against human trafficking.

IPPEI TORII

Japan



Ippei Torii has been a forceful leader in anti-trafficking efforts as the secretary general for Solidarity Network with Migrants Japan (SMJ), which has provided shelter and assistance to more than 4,000 foreign workers in Japan who have escaped from exploitative conditions or sought help recovering unpaid wages. SMJ has offered advice and assistance by telephone to more than 1,200 foreign workers in Japan's Industrial Trainee and Technical Intern Program (TTIP), a government-run program that recruits unskilled labor to work at factories and farms in Japan. Awareness of Mr. Torii's network has spread by word of mouth by foreign workers, who distribute mobile phone numbers of SMJ staff to those in need of assistance.

The organization has also engaged in public awareness and lobbying campaigns both domestically and abroad to raise concerns about how traffickers exploit the TTIP to coerce foreign workers into conditions of forced labor. Mr. Torii meets regularly with various ministries that are responsible for oversight of the program, and he has provided guidance to the UN Special Rapporteur on the Human Rights of Migrants. His persistence has kept this issue squarely before the press and on the political agenda in Japan.

SUSAN OPLE

The Philippines



Susan "Toots" Ople is founder and president of the Blas F. Ople Policy Center and Training Institute, a Philippine non-profit organization dedicated to helping distressed Overseas Filipino Workers (OFWs) with labor and migration issues. The Ople Center provides free legal assistance to survivors of human trafficking, as well as other free reintegration services. It represents the OFW sector on the Inter-Agency Council Against Trafficking (IACAT), a successful multi-agency government body that, with the help of the private sector, civil society, and international partners, combats all forms of human trafficking. With an estimated 10 million Filipinos working abroad, the Ople Center has been a leader in calling for an increased focus on combating labor trafficking.

Ms. Ople works tirelessly to reintegrate trafficking victims into Philippine society, believing that skills training combined with good job placement will empower these workers to secure safer employment. Through her leadership, the Ople Center has entered into partnerships with hotels, private sector companies, and legislative offices to secure jobs and training for trafficking survivors. One woman trained at the center, a former domestic worker in Libya, now heads the housekeeping unit of a major resort hotel in Cebu, while another trafficking survivor works as an employee of IACAT.

PAUL HOLMES

United Kingdom



Paul Holmes is an internationally-renowned expert in combating human trafficking. His expertise is founded upon a long and successful career as an operational officer and criminal investigator with New Scotland Yard. For the past 10 years he has provided anti-trafficking expertise across six continents, primarily in the design and delivery of specialized training for practitioners and performing technical capacity assessments for national governments.

With a focus on a victim-first, human rights-based approach to criminal justice responses to trafficking, his interactive training program encompasses the full range of reactive and pro-active investigative techniques. Within the training sphere, his uniquely practical and effective style has secured his reputation as one of the world's foremost trainers on the subject. He has developed and published wide-ranging investigative "good practice" manuals for a number of national governments and international organizations such as the United Nations, the International Organization for Migration, the Organization for Security and Cooperation in Europe, and Interpol. Additionally, he has held various advisory roles in the international arena and currently serves as a member of the UN Office on Drugs and Crime Expert Group on the Palermo Protocol.

IN MEMORIAM



Eunice Kisembo, Uganda

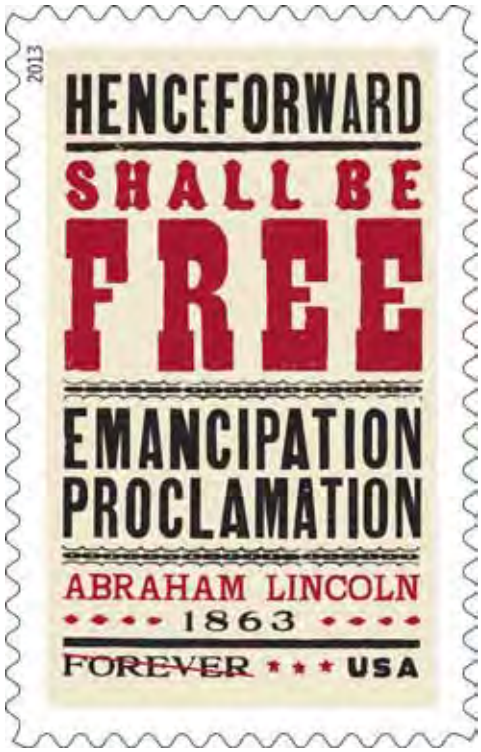
2012 saw the tragic loss of Eunice Kisembo, the former Head of the Counter Trafficking in Persons Office of the Government of Uganda. Her trailblazing efforts were critical in addressing human trafficking in Uganda, assisting Ugandan victims of trafficking around the world by aggressively investigating potential trafficking crimes, and establishing Uganda's National Task Force against Human Trafficking.

A report published by UNODC and the Brazilian government in 2013 highlighted that, between 2005 and 2011, most of the Brazilian trafficking victims identified by consular officials abroad were Brazilian women exploited in sex trafficking in Europe. However, many Brazilian sex trafficking victims—children and adults, male, female, and transgender—are also exploited within the country.



"[A]s we review our pledge to erase modern forms of slavery from the face of this earth, let us also draw strength from the monuments of the past. . . ."

– President Barack Obama
December 31, 2012



In January 2013, the United States Postal Service issued a stamp commemorating the 150th Anniversary of the Emancipation Proclamation, a promise that continues to drive United States Government anti-trafficking activities.



Gold has increasingly become a source of income for armed groups operating in eastern Congo. According to a report published on October 25, 2012, by the Enough Project, this gold has ended up in jewelry stores around the world. Artisanal gold miners—and those who mine other minerals as well—work in exploitative conditions and are often subjected to debt bondage.





THE TIERS

TIER 1

Countries whose governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards.

TIER 2

Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

TIER 2 WATCH LIST

Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:

a) The **absolute number of victims** of severe forms of trafficking is very significant or is significantly increasing;

b) There is a **failure to provide evidence of increasing efforts** to combat severe forms of trafficking in persons from the previous year; or

c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on **commitments by the country to take additional future steps over the next year.**

TIER 3

Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.

TIER PLACEMENTS

AFGHANISTAN	2WL
ALBANIA	2WL
ALGERIA	3
ANGOLA	2WL
ANTIGUA & BARBUDA	2
ARGENTINA	2
ARMENIA	1
ARUBA	2
AUSTRALIA	1
AUSTRIA	1
AZERBAIJAN	2
THE BAHAMAS	2
BAHRAIN	2WL
BANGLADESH	2
BARBADOS	2WL
BELARUS	2WL
BELGIUM	1
BELIZE	2
BENIN	2
BHUTAN	2
BOLIVIA	2
BOSNIA & HERZEGOVINA	2
BOTSWANA	2
BRAZIL	2
BRUNEI	2
BULGARIA	2
BURKINA FASO	2
BURMA	2WL
BURUNDI	2WL
CAMBODIA	2WL
CAMEROON	2
CANADA	1
CAPE VERDE	2
CENTRAL AFRICAN REP.	3
CHAD	2WL
CHILE	2
CHINA (PRC)	3*
COLOMBIA	1
COMOROS	2WL
CONGO (DRC)	3
CONGO, REPUBLIC OF	2
COSTA RICA	2
COTE D'IVOIRE	2
CROATIA	2
CUBA	3
CURACAO	2
CYPRUS	2
CZECH REPUBLIC	1
DENMARK	1
DJIBOUTI	2WL
DOMINICAN REPUBLIC	2
ECUADOR	2
EGYPT	2
EL SALVADOR	2
EQUATORIAL GUINEA	3
ERITREA	3
ESTONIA	2
ETHIOPIA	2
FIJI	2
FINLAND	1
FRANCE	1
GABON	2
THE GAMBIA	2WL
GEORGIA	2
GERMANY	1
GHANA	2
GREECE	2
GUATEMALA	2
GUINEA	2WL
GUINEA-BISSAU	3
GUYANA	2WL
HAITI	2WL
HONDURAS	2WL
HONG KONG	2
HUNGARY	2
ICELAND	1
INDIA	2
INDONESIA	2
IRAN	3
IRAQ	2
IRELAND	1
ISRAEL	1
ITALY	1
JAMAICA	2
JAPAN	2
JORDAN	2
KAZAKHSTAN	2
KENYA	2WL
KIRIBATI	2
KOREA, NORTH	3
KOREA, SOUTH	1
KOSOVO	2
KUWAIT	3
KYRGYZ REPUBLIC	2
LAOS	2
LATVIA	2
LEBANON	2WL
LESOTHO	2WL
LIBERIA	2WL
LIBYA	3
LITHUANIA	2
LUXEMBOURG	1
MACAU	2
MACEDONIA	1
MADAGASCAR	2WL
MALAWI	2
MALAYSIA	2WL
MALDIVES	2WL
MALI	2WL
MALTA	2
MARSHALL ISLANDS	2WL
MAURITANIA	3
MAURITIUS	2
MEXICO	2
MICRONESIA	2WL
MOLDOVA	2
MONGOLIA	2
MONTENEGRO	2
MOROCCO	2WL
MOZAMBIQUE	2
NAMIBIA	2WL
NEPAL	2
NETHERLANDS	1
NEW ZEALAND	1
NICARAGUA	1
NIGER	2
NIGERIA	2
NORWAY	1
OMAN	2
PAKISTAN	2
PALAU	2
PANAMA	2
PAPUA NEW GUINEA	3
PARAGUAY	2
PERU	2
PHILIPPINES	2
POLAND	1
PORTUGAL	2
QATAR	2
ROMANIA	2
RUSSIA	3*
RWANDA	2WL
ST. LUCIA	2WL
ST. MAARTEN	2
ST. VINCENT & THE GREN.	2
SAUDI ARABIA	3
SENEGAL	2
SERBIA	2
SEYCHELLES	2WL
SIERRA LEONE	2
SINGAPORE	2
SLOVAK REPUBLIC	1
SLOVENIA	1
SOLOMON ISLANDS	2WL
SOUTH AFRICA	2
SOUTH SUDAN	2WL
SPAIN	1
SRI LANKA	2WL
SUDAN	3
SURINAME	2WL
SWAZILAND	2
SWEDEN	1
SWITZERLAND	2
SYRIA	3
TAIWAN	1
TAJIKISTAN	2
TANZANIA	2WL
THAILAND	2WL
TIMOR-LESTE	2
TOGO	2
TONGA	2
TRINIDAD & TOBAGO	2WL
TUNISIA	2WL
TURKEY	2
TURKMENISTAN	2WL
UGANDA	2
UKRAINE	2WL
UNITED ARAB EMIRATES	2
UNITED KINGDOM	1
UNITED STATES OF AMERICA	1
URUGUAY	2WL
UZBEKISTAN	3*
VENEZUELA	2WL
VIETNAM	2
YEMEN	3
ZAMBIA	2
ZIMBABWE	3
SOMALIA	Special Case

* Auto downgrade from Tier 2 Watch List



YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2006	170	51		3
2007	123 (28)	63 (26)		5
2008	109 (18)	90 (20)	7,799	10
2009	325 (47)	117 (30)	10,861	8
2010	272 (168)	163 (113)	9,626	5
2011	257 (99)	218 (116)	10,094	2
2012	493 (273)	252 (177)	10,043	4

The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

Tier Placements

Tier 1 | Tier 2 | Tier 2 Watch List | Tier 3 | Tier 3 (Auto downgrade) | Special Cases



EAST ASIA & PACIFIC

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2006	1,321	763		3
2007	1,047 (7)	651 (7)		4
2008	1,083 (106)	643 (35)	3,374	2
2009	357 (113)	256 (72)	5,238	3
2010	427 (53)	177 (9)	2,597	0
2011	1,581 (55)	1,213 (55)	5,357	4
2012	1,682 (115)	1,251 (103)	8,521	4

The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

Tier Placements

Tier 1 | Tier 2 | Tier 2 Watch List | Tier 3 | Tier 3 (Auto downgrade)



YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2006	2,950	1,821		7
2007	2,820 (111)	1,941 (80)		7
2008	2,808 (83)	1,721 (16)	8,981	1
2009	2,208 (160)	1,733 (149)	14,650	14
2010	2,803 (47)	1,850 (38)	8,548	4
2011	3,162 (271)	1,601 (81)	10,185	2
2012	3,161 (361)	1,818 (112)	11,905	3

The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

* As part of the Kingdom of the Netherlands, Aruba and Curacao are covered by the State Department's Bureau of European Affairs.

Tier Placements

Tier 1 | Tier 2 | Tier 2 Watch List | Tier 3 | Tier 3 (Auto downgrade)



NEAR EAST

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2006	295	187		2
2007	415 (181)	361 (179)		1
2008	120 (56)	26 (2)	688	6
2009	80 (9)	57 (8)	1,011	6
2010	323 (63)	68 (10)	1,304	1
2011	209 (17)	60 (5)	1,831	2
2012	249 (29)	149 (15)	4,047	1

The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

Tier Placements

Tier 1 | Tier 2 | Tier 2 Watch List | Tier 3 | Tier 3 (Auto downgrade)



SOUTH & CENTRAL ASIA

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2006	629	275		0
2007	824 (162)	298 (33)		4
2008	644 (7)	342 (7)	3,510	2
2009	1,989 (56)	1,450 (10)	8,325	1
2010	1,460 (196)	1,068 (11)	4,357	1
2011	974 (24)	829 (11)	3,907	2
2012	1,043 (6)	874 (4)	4,415	1

The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

Tier Placements

Tier 1 | Tier 2 | Tier 2 Watch List | Tier 3 | Tier 3 (Auto downgrade)



WESTERN HEMISPHERE

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2006	443	63		6
2007	426 (1)	113 (1)		7
2008	448 (42)	161 (24)	6,609	5
2009	647 (47)	553 (66)	9,020	1
2010	732 (80)	293 (65)	6,681	6
2011	1,023 (42)	318 (52)	9,836	3
2012	1,077 (369)	402 (107)	7,639	8

The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

Tier Placements

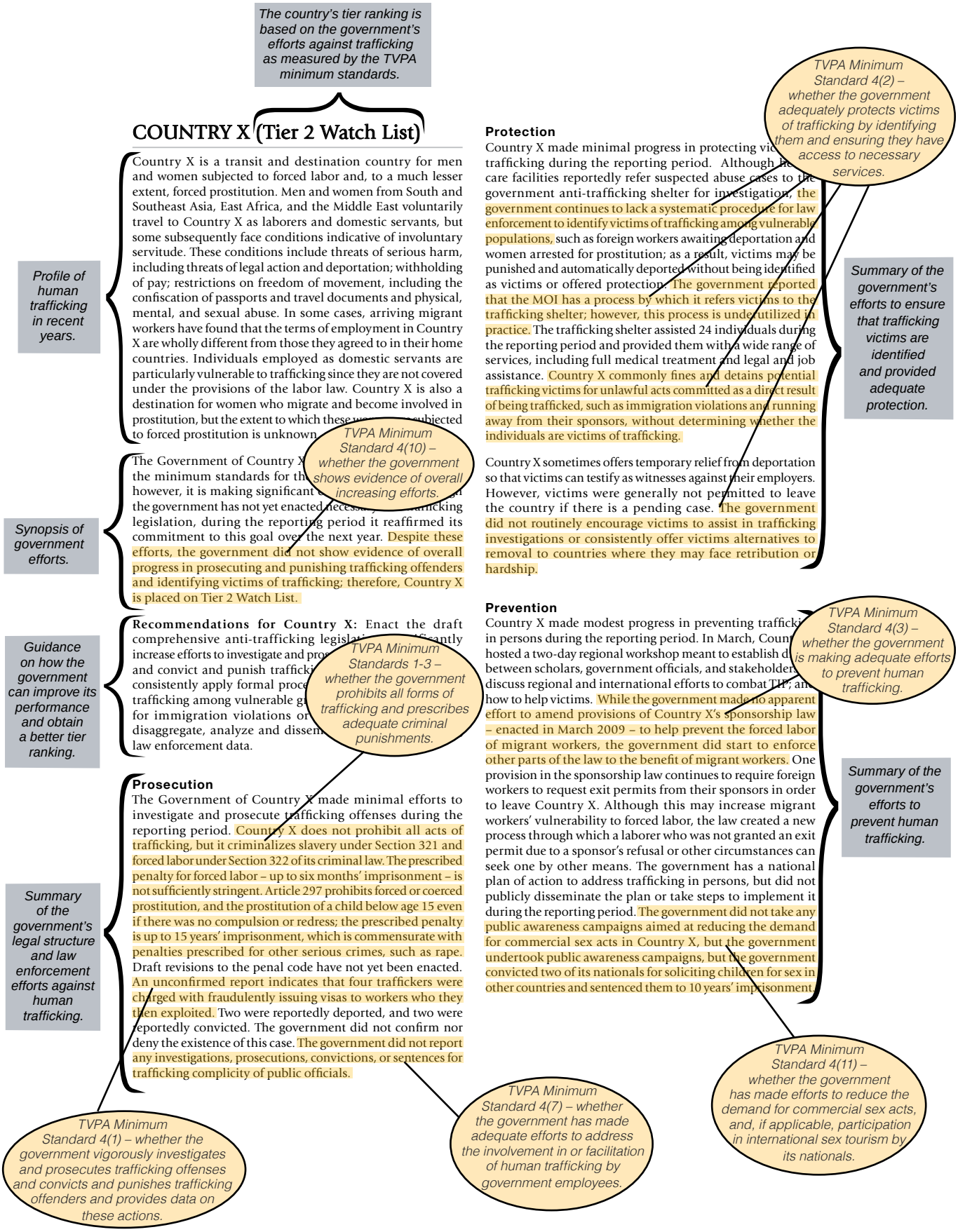
Tier 1 | Tier 2 | Tier 2 Watch List | Tier 3 | Tier 3 (Auto downgrade)



In Brazil, men subjected to forced labor in rural areas live where they work, often in remote areas. They produce charcoal, log trees, and clear jungle for cattle pastures. Many spend their nights in shelter they make from plastic sheeting they throw over branches, in places open to rain and snakes. They may drink contaminated water from stagnant pools shared with cattle or eat rancid scraps of meat along with rice, beans or watery stews. Their bathrooms often are open holes they dig in the earth.

How to Read a Country Narrative

This page shows a sample country narrative. The Prosecution, Protection, and Prevention sections of each country narrative describe how a government has or has not addressed the relevant TVPA minimum standards (see page 388), during the reporting period. This truncated narrative gives a few examples.



COUNTRY NARRATIVES



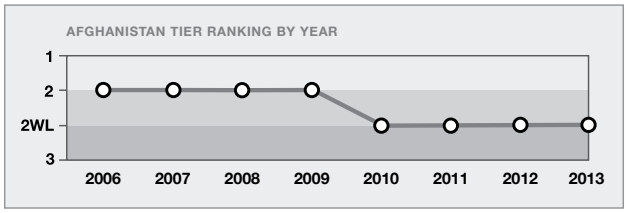
Children who work in stone quarries are subjected to long days of harsh, unhealthy, and hazardous working conditions that are harmful to their growth and development. In exchange they are paid little and exposed to physical, emotional, and sometimes even sexual abuse.

AFGHANISTAN (Tier 2 Watch List)

Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. The majority of Afghan victims are children subjected to human trafficking in carpet-making and brick kiln factories and domestic servitude, and in commercial sexual exploitation, begging, and transnational drug smuggling within Afghanistan and in Pakistan, Iran, and Saudi Arabia. Some Afghan families knowingly sell their children for forced prostitution, including for *bacha baazi*—where wealthy or influential men, including government officials and security forces, use young boys for social and sexual entertainment. Other families send their children through labor brokers for employment, but the children end up in forced labor. Opium-farming families sometimes sell their children to settle debts with opium traffickers. According to the government and the UN, insurgent groups force older children to serve as suicide bombers. Some Afghan families are trapped in debt bondage in the brick-making industry in eastern Afghanistan.

Increasing numbers of men, women, and children in Afghanistan pay intermediaries to assist them in finding employment in Iran, Pakistan, India, Europe, or North America; some of these intermediaries force Afghan citizens into labor or prostitution after their arrival. Afghan women and girls are subjected to forced prostitution and domestic servitude in Pakistan, Iran, and India. Afghan boys and men are subjected to forced labor and debt bondage in the agriculture and construction sectors in Iran, Pakistan, Greece, Turkey, and the Gulf states. There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, and China subjected to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan. Traffickers also recruit Afghan villagers to Afghan cities and then sometimes subject them to forced labor or forced prostitution after their arrival.

The Government of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking. The government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Afghanistan is placed on Tier 2 Watch List for a fourth consecutive year. Afghanistan was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and would devote sufficient resources to implement that plan. During the reporting period, the Afghan government recorded the first known convictions of trafficking offenders under its 2008 law. The government continued, however, to penalize and re-victimize trafficking victims for offenses committed in the course of being trafficked. Government officials' complicity in trafficking remained a serious problem. The level of understanding of human trafficking among Afghan government officials remained very low.



Recommendations for Afghanistan: Eliminate police and court penalization of trafficking victims for offenses committed as a direct result of being trafficked, such as prostitution or adultery; increase use by law enforcement of the 2008 anti-trafficking law, including prosecuting suspected traffickers and convicting trafficking offenders; consider amending the 2008 anti-trafficking law to prohibit and penalize all forms of trafficking in persons; investigate and prosecute government officials suspected of being complicit in human trafficking; strengthen the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling, and implement the anti-trafficking national action plan; educate government officials, including law enforcement and judicial officials, on the definition of human trafficking as well as protection and law enforcement strategies; segregate older and younger boys in trafficking shelters to prevent the abuse of younger boys; strengthen the capacity of the ministry of interior's anti-trafficking/smuggling unit, including by ensuring the unit is fully staffed and differentiating between smuggling and trafficking; undertake initiatives to prevent trafficking, such as running a public awareness campaign to warn at-risk populations of the dangers of trafficking, and encourage religious leaders to incorporate anti-trafficking messaging in religious teachings; improve efforts to collect, analyze, and accurately report counter-trafficking data; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Afghanistan improved anti-trafficking law enforcement efforts over the reporting period, though official complicity in human trafficking remained a problem. Afghanistan's 2008 Law Countering Abduction and Human Trafficking/Smuggling, along with Article 516 of the penal code, prohibits many, but not all, forms of human trafficking. Government officials, including law enforcement and judicial officials, continued to have a limited understanding of human trafficking. In Dari—the language spoken most widely in Afghanistan—the same word denotes both human trafficking and human smuggling, compounding the confusion. The law prescribes between eight and 15 years' imprisonment for persons convicted of some forms of labor trafficking and prescribes penalties of up to life imprisonment for those convicted of some forms of sex trafficking. The 2009 Elimination of Violence Against Women (EVAW) law and other provisions of the penal code contain penalties for most forms of trafficking. These penalties are sufficiently stringent and commensurate to those prescribed for other serious crimes, such as rape. The attorney general's office reported the convictions of four Afghan and Pakistani men who forced four Pakistani women into prostitution. The first-level court's verdict, which sentenced the four trafficking offenders to 20 years' imprisonment, was upheld by the appellate court. These are the first known convictions under the government's anti-trafficking law. A husband was convicted under the EVAW law for killing his wife because she refused to engage

in prostitution. He was sentenced to 18 years' imprisonment, and his accomplice, a male child, was sentenced to 10 years' imprisonment. International organizations and NGOs continued to provide training to police, prosecutors, and other government officials on identifying and investigating trafficking cases. The Ministry of Interior (MOI) and Ministry of Justice provided venues and provincial government trainers for some of the programs.

Government employees' complicity in human trafficking remained a serious problem. Reports indicated that government officials, including commanders of the Afghan National Security Forces and provincial governors, were complicit in the practice of *bacha baazi*. There have been reports that national and border police facilitated trafficking and raped sex trafficking victims. Police at the western border with Iran routinely collaborated with child traffickers and let traffickers pass through the border controls with their victims. An Afghan National Army (ANA) sergeant was convicted and sentenced to 11 years' imprisonment under the EVAW law for forcing his wife into prostitution; clients were local power brokers and ANA colleagues. There were no other reports of investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Afghanistan did not make discernible progress in protecting victims of trafficking. Afghanistan did not develop or employ systematic procedures to identify victims of trafficking or refer them to protective services. However, some provincial and federal government agencies worked with international organizations at border crossing points with Iran to identify potential victims and refer them to protective services. The Ministry of Labor and Social Affairs, Martyrs, and the Disabled (MOLSAMD) owns three short-term trafficking shelters, which were operated by IOM and partner NGOs and paid for by a foreign government. MOLSAMD was responsible for the registration of victims and the security of the facilities, while the vast majority of victim assistance was provided by the NGOs. Multiple NGOs noted good cooperation with the MOLSAMD. The Ministry of Women's Affairs (MOWA) oversaw a number of NGO-operated and foreign government-funded shelters that provided services to women, including trafficking victims. NGOs reported that MOWA placed restrictions on the freedom of movement of some female trafficking victims in these shelters. Child trafficking victims were sometimes placed in shelters or orphanages; there have been reports that older boys sexually abused younger boys in shelters. Funding gaps impeded more effective protection efforts. IOM reported it assisted 284 victims during the reporting period, the majority of whom were boys and 150 of whom were referred by the Afghan government. There was no evidence that the government encouraged victims to assist in investigations of their traffickers during the reporting period.

Government officials punished victims of trafficking for acts they may have committed as a direct result of being trafficked. Afghan officials continued to arrest, imprison, or otherwise punish female trafficking victims for prostitution or adultery or for escaping from husbands who had forced them into prostitution, even if the destination was a shelter. In the reporting period, government officials from several ministries issued statements emphasizing that running away is not considered a crime in the Afghan legal system; however, these practices continued. NGOs reported instances of child trafficking victims placed in juvenile detention centers, sometimes for several years. Officials often placed trafficked women who could not be accommodated in shelters in prison. Some trafficked boys were placed in a facility for juvenile criminals, and trafficked adult men were incarcerated, in part because they could not stay in shelters. The government does not have a policy that provides relief from deportation for foreign victims of trafficking who may face retribution or hardship in the countries to which they would be deported; however, Afghan law allows foreign victims of trafficking to remain legally in Afghanistan for at least six months. There was no information that the government forcibly deported any foreign victims of trafficking during the reporting period.

Prevention

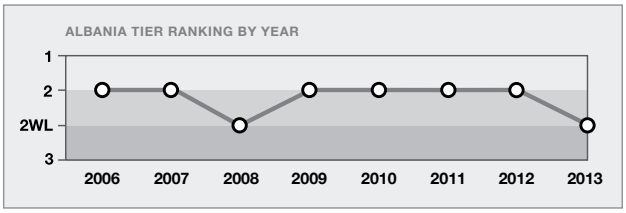
During the reporting period, the Government of Afghanistan made no discernible progress in preventing human trafficking, though it did adopt an anti-trafficking action plan. The High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling continued to meet on a quarterly basis, though it was ineffective due in part to its lack of a designated budget. While the terms of reference of the group require that ministries send deputy minister-level members to participate in meetings, many ministries sent lower-level officials or failed to attend meetings entirely. Nevertheless, in January 2013, the High Commission approved a national action plan which obligated specific anti-trafficking actions to its members. While the MOI increased the number of officers to staff the anti-trafficking/smuggling unit and designated two officers to work on trafficking issues in each of Afghanistan's 34 provinces, in practice, the majority of the personnel were temporarily reassigned to other duties. The government adopted the Abu Dhabi Dialogue Framework of Regional Collaboration, which includes provisions to familiarize workers with their rights and reduce recruitment fees. The government did not undertake initiatives to prevent trafficking, such as public awareness campaigns to warn at-risk populations of the danger of trafficking. There was no progress reported toward fulfilling the goals of the action plan signed in January 2011 to combat the practice of *bacha baazi* by the Afghan National Security Forces. The government did not take steps to reduce the demand for commercial sex acts. Afghanistan is not a party to the 2000 UN TIP Protocol.

ALBANIA (Tier 2 Watch List)

Albania is a source country for men, women, and children subjected to sex trafficking and forced labor. Albanian victims are subjected to sex trafficking within Albania and in Greece, Italy, Macedonia, Kosovo, Belgium, Netherlands, Germany, Switzerland, Ireland, and the United Kingdom. Many women are subjected to trafficking after accepting offers of employment in waitressing, bartending, dancing, or singing in neighboring countries, specifically in Kosovo, Greece, and Macedonia. Victims of labor trafficking from the Philippines were identified in Albania during the year. Albanian children are subjected to begging and other forms of compelled labor. Some Albanian girls are subjected to sex trafficking or forced labor following arranged marriages.

The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite

these efforts, the government failed to demonstrate evidence of increasing efforts to address human trafficking over the previous reporting period; therefore, Albania is placed on Tier 2 Watch List. The government modestly funded NGO shelters that provided services to victims of trafficking and judges were reported to take a more victim-centered approach during trials. The government, however, decreased the number of offenders it investigated, prosecuted, and convicted for trafficking. Albanian authorities continued to prosecute and punish victims for unlawful acts that were a direct result of the victims being subjected to sex trafficking. The government removed the national anti-trafficking coordinator, who was highly effective in collaborating with NGOs to develop the national referral mechanism (NRM) and standard operating procedures, and left the position vacant for five months. This left the national coordinator's office without the authority to convene interagency meetings. Some ministries failed to designate representatives to participate in the NRM and lack of coordination stalled implementation of the anti-trafficking legislation. Assistance to child victims of trafficking was inconsistent.



Recommendations for Albania: Reduce the high rates of turnover among government officials, specifically within local police forces, to maintain capacity gained from officials who are specially trained in addressing human trafficking; allocate a budget for the national anti-trafficking coordinator's office to reduce its dependence on international donors and to increase prevention efforts; systematically train police and officials at the local level on standard operating procedures to increase the number of victims identified and assisted in Albania; ensure victims of sex trafficking are not punished for prostitution offenses; ensure the full implementation of the NRM by designating responsible representatives from each ministry; train officials in child protection units to increase the identification of trafficking indicators and refer victims to appropriate services; fund protective services for child victims of trafficking; vigorously investigate and prosecute trafficking offenders; implement victim-sensitive procedures for accessing healthcare; expand community-based services for victims' reintegration and empowerment to help reduce the stigma associated with trafficking; and continue to expand efforts to increase awareness of labor trafficking.

Prosecution

The Government of Albania decreased its anti-trafficking law enforcement efforts over the last year. The criminal code for Albania prohibits sex and labor trafficking under articles 110(a), 128(b), and 114(b), which prescribe penalties of five to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The Serious Crimes Prosecution office reported investigating 11 human trafficking suspects in 2012, compared with 27 suspects in 2011. The government did not disaggregate data to demonstrate that it made efforts against both sex trafficking and forced labor. Courts dismissed prosecutions against two defendants due to lack of evidence. The government convicted two sex trafficking offenders in 2012, compared with five trafficking offenders convicted in 2011. The two offenders convicted were sentenced to 15 years' imprisonment and a fine equivalent of approximately $57,100 and 10 years' imprisonment and a fine equivalent of approximately $38,100 respectively. Two prosecutions remained ongoing. Albanian law enforcement officials coordinated with police in Italy and Germany to investigate and prosecute sex trafficking cases. During 2012, the government trained 114 judges, prosecutors, and judicial police officers on trafficking awareness. NGOs reported that judges adopted a more victim-centered approach during trials after a series of government-sponsored trainings. While media reports alleged that a Republican Guard officer subjected a child to sex trafficking and received a reduced sentence of one year in prison for admitting to the crime of exploitation of prostitution, the government did not report any investigations or prosecutions of government employees allegedly complicit in human trafficking offenses during the year.

Protection

The government maintained efforts to refer victims of trafficking to appropriate services during the reporting period, but lack of coordination among ministries and sporadic implementation of standard operating procedures resulted in punishment for victims of trafficking. In the last year, the government reported identifying 42 new victims. NGOs identified an additional 50 new victims in 2012. This was an increase over a total of 84 victims identified in 2011. A total of 138 victims were cared for in state-run and NGO shelters. Eleven victims identified were men and 26 were children. Two identified victims were subjected to labor trafficking. Law enforcement officials continued to miss opportunities to identify and refer victims to services using standard operating procedures. The government trained approximately 500 police, government officials, and civil society members on implementing standard operating procedures, though high rates of turnover in government positions—specifically within the police—prevented progress at the local level in identifying and protecting victims of trafficking. Most police and regional authorities remain untrained on trafficking issues, and use of standard operating procedures is inconsistent. As a result, many victims were treated as suspects in prostitution – related offenses and not provided access to services through the NRM.

The government provided the equivalent of approximately $7,280 to NGO shelters; however, this money was strictly allocated for food expenses only and was minimal in light of the number of victims served. The government provided no financial support for services to trafficking victims' dependent children. The government reported that it allocated the equivalent of approximately $280,952 for social services for adult victims of trafficking; however, it did not release information on how much of this was spent on these services. Three shelters were operated by NGOs and provided comprehensive services. A fourth state-run shelter provided limited services, but worked in collaboration with NGOs to meet the needs of victims. Two adults and one child housed in the state shelter disappeared during the reporting period. Victims' freedom of movement in the state-run shelter was limited. In 2012, the government approved access to free healthcare for victims of trafficking, but service providers reported that bureaucratic hurdles prevented victims from accessing free healthcare during the reporting

period. In practice, potential beneficiaries attempting to access healthcare were required to self-identify as victims of trafficking to numerous professionals in violation of privacy laws. One hundred new child protection units were established at the local level; the units have a direct role in increasing identification of child victims of trafficking and ensuring protection, but most employees lacked the training and resources to effectively identify and assist child victims of trafficking. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders by providing victim witnesses access to social workers and psychologists during trials. The Serious Crimes Prosecution office in Tirana includes a victim witness coordinator; however, victims outside Tirana did not have access to this service and local prosecutors lacked training on how to effectively work with victim witnesses. This problem was exacerbated for trafficking victims in cases in which the trafficker was prosecuted for prostitution-related offenses and not under the trafficking law. As an alternative to removal for foreign trafficking victims, Albania's anti-trafficking law provides a two-year reflection period with temporary residency status and the opportunity to apply for permanent residency after five years in the country, as well as authorization to work. However, in practice, the government has yet to grant this status to a victim.

NGOs reported that victims were punished as a direct result of being in human trafficking situations. In 2012, at least three victims of sex trafficking were convicted of prostitution. In one case, the court issued both a conviction against the defendant for trafficking in persons, and simultaneously convicted the victim for prostitution. Lack of training and the high rate of turnover among prosecutors was a challenge to progress on this problem.

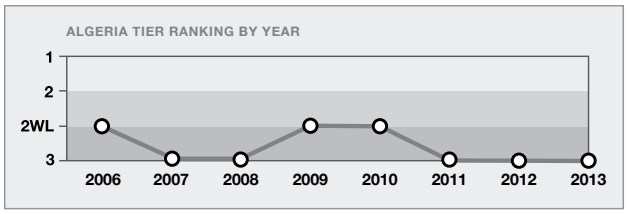
Prevention

Albania sustained efforts to prevent trafficking in persons during the year. The government trained 245 school personnel in mostly rural areas. The government, with support from the OSCE, trained 20 labor inspectors on anti-trafficking awareness and launched a project on labor exploitation and the promotion of corporate social responsibility. While the government updated the NRM through collaboration with civil society, the removal of the national coordinator hindered efforts to implement the national action plan against trafficking adopted in 2011. The government made no discernible efforts to reduce the demand for commercial sex acts, and made limited public awareness efforts aimed at reducing the demand for forced labor.

ALGERIA (Tier 3)

Algeria is a transit and, to a lesser extent, a destination and source country for women and, to a lesser extent, men, subjected to forced labor and sex trafficking. Most commonly, sub-Saharan African men and women enter Algeria voluntarily but illegally, often with the assistance of smugglers, for the purpose of traveling to Europe. Some of these women may be forced into prostitution. Criminal networks, which sometimes extend to sub-Saharan Africa and to Europe, are involved in smuggling and human trafficking. The "chairmen," or leaders, of the "African villages"—small non-Algerian ethnic enclaves located in and around the southern city of Tamanrasset—may be among those responsible for forcing some women into prostitution. Some sub-Saharan African men, mostly from Mali, are forced domestic workers. Homeowners sometimes confiscate their identification documents, which is indicative of forced labor. Some Algerian women are also forced into prostitution. Civil society groups believe that Algeria is increasingly becoming a destination for both undocumented migration and trafficking.

The Government of Algeria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. For another year the government did not hold any perpetrators of sex trafficking or forced labor accountable with jail time. The government continued to conflate human trafficking and smuggling, and trafficking victims were therefore commonly treated as illegal immigrants and subject to arrest, detention, and deportation. The government lacked adequate measures to protect victims. The government's anti-trafficking committee met monthly since June 2012, but it did not publicly report its activities or accomplishments.



Recommendations for Algeria: Investigate, prosecute, and convict sex and labor trafficking offenders, including public officials complicit in human trafficking, and punish them with imprisonment; establish capacity to identify victims of trafficking among illegal migrants; ensure that trafficking victims are offered necessary assistance, such as shelter, medical, psychological, and legal aid; establish a policy to ensure identified victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; establish partnerships with relevant international organizations and NGOs in source countries to ensure the safe and voluntary repatriation of trafficking victims; establish formal procedures to guide officials in how to identify trafficking, handle trafficking cases and protect victims; and expand existing efforts to increase public awareness of trafficking, including on the differences between human smuggling and trafficking.

Prosecution

The Algerian government made minimal efforts to address human trafficking through law enforcement means during the reporting period. Algeria prohibits all forms of trafficking under Section 5 of its criminal code, enacted in March 2009. Prescribed penalties under this statute range from three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed under Algerian law for other serious crimes, such as rape. By law, Algerian courts must hear testimony from the victim in order to convict the trafficking offender; therefore courts are unable to secure a conviction if a trafficking victim has already left the country. The government does not have an effective system to collect and report anti-trafficking law enforcement data, and government officials admitted difficulty distinguishing between human trafficking and smuggling data. This inability

to differentiate between alien smuggling and human trafficking led to continued conflation, with the November 2012 arrests of seven smugglers for moving Nigerien migrants *en route* to Libya under the anti-trafficking statute. During the reporting period, the government prosecuted these seven individuals under its anti-trafficking law but did not differentiate whether the prosecutions were for sex trafficking or forced labor. For another year, the government did not report any convictions of trafficking offenders. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses despite some allegations of complicity. Previous reporting has indicated that some police in Tamanrasset have released sex trafficking victims back to their pimps, who are often also village "chairmen." The government funded and implemented a trafficking victim identification training program in November 2012 for 74 police brigades, including 24 newly established police brigades that focus on illegal immigration and human trafficking. The anti-trafficking committee also collaborated with an international organization in the development of a judicial anti-trafficking training program for government officials.

Protection

The government made no discernible progress in protecting victims of trafficking over the last year. It did not develop or employ systematic procedures for the identification of trafficking victims among vulnerable populations, such as foreign women arrested for prostitution or undocumented migrants, nor did the government have a victim referral procedure in place to provide victims with appropriate protection and assistance. NGOs reported that some trafficking victims were jailed for unlawful acts committed as a result of their being subjected to human trafficking—such as engaging in prostitution or lacking adequate immigration documentation. Similarly, NGOs indicated that if a prostitution operation became too public, police arrested women in prostitution and deported them through Algeria's southern border, making no attempt to identify potential sex trafficking victims among the women. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. In previous years, NGOs reported that deported migrants, some of whom may have been trafficking victims, received a liter of milk and some bread and were transported to desert borders with Mali and Niger; NGOs also reported that in some cases, migrants died in the Saharan desert. The government reported that undocumented migrants detained in Tamanrasset spent a week in a detention center before being deported to neighboring countries to the south.

There were no government-operated shelters, and civil society groups were prohibited from operating any such shelters because they would be penalized for harboring undocumented migrants. However, NGOs operated care facilities for some vulnerable populations, such as abandoned women, and these were—in theory—accessible to some female trafficking victims. The government reported that it identified 100 potential victims of trafficking and referred them to short-term NGO-operated care facilities before deporting them; many of them may have been falsely identified as trafficking victims and instead were smuggled migrants. Government-operated health clinics continued to be available for trafficking victims, and some victims used these services; however, a number of victims were either unaware of these clinics or declined to use them due to fear of deportation. There is no formal program to encourage trafficking victims to participate in investigations or prosecutions of trafficking offenders. The government did not provide counseling or legal services to victims.

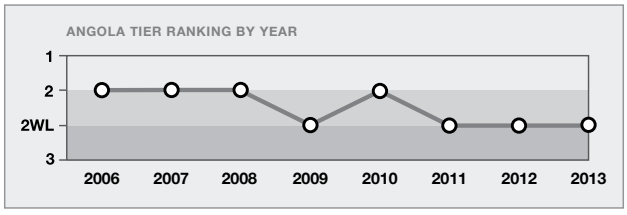
Prevention

The Algerian government made no significant progress in its prevention efforts during the reporting period. The government did not conduct a public awareness campaign on trafficking in persons, despite its effort in the previous reporting period. The government did not have a formal anti-trafficking policy or a national plan of action to complement its anti-trafficking law. It did not attempt to forge effective anti-trafficking partnerships with civil society organizations. The government did not take measures to establish the identity of the populations most at risk of being trafficked. The government did not report taking any measures to reduce the demand for commercial sex acts in Algeria or child sex tourism among Algerians traveling abroad. The government reported that its inter-ministerial anti-trafficking committee met every month since June 2012 but the group did not produce a public report on its activities or accomplishments.

ANGOLA (Tier 2 Watch List)

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans are reportedly forced to labor in agriculture, construction, domestic service, and artisanal diamond mines within the country. Chinese nationals in Angola exploit Angolan children in brick-making factories and rice farming. There are reports of girls as young as 13 years old in prostitution in the provinces of Luanda, Benguela, and Huila. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as couriers as part of a scheme to skirt import fees in cross-border trade with Namibia. Angolan adults may use children under the age of 12 for forced criminal activity, as children cannot be tried in court. Angolan women and children are subjected to domestic servitude in South Africa, the Democratic Republic of the Congo (DRC), Namibia, and European countries, primarily Portugal. Angolan men are victims of labor trafficking in the Netherlands. Vietnamese and Brazilian women in prostitution in Angola may be victims of sex trafficking. Chinese women are recruited by Chinese gangs and construction companies with promises of work but later are deprived of their passports, kept in walled compounds with armed guards, and forced to pay back the costs of their travel by engaging in prostitution. Chinese, Southeast Asian, Namibian, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; conditions include the withholding of passports, threats, denial of food, and confinement. The Chinese workers are brought to Angola by Chinese companies who have obtained large construction or mining contracts; the companies do not disclose the terms and conditions of the workers at the time of their recruitment before they arrive in Angola. Undocumented Congolese migrants enter Angola for work in its diamond-mining districts, where some experience conditions of forced labor or forced prostitution in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from DRC's Kasai Occidental province to Angola for various forms of exploitation.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts since the previous reporting period; therefore, Angola is placed on Tier 2 Watch List for a third consecutive year. Angola was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Overall, the government continued to demonstrate minimal political will to address trafficking offenses in Angola involving both Angolans and foreign nationals. The government has never convicted a trafficking offender. It also made negligible efforts to increase understanding of trafficking on the part of government officials and the Angolan population generally, a major factor inhibiting progress. Despite undertaking law enforcement action in partnership with Chinese authorities to repatriate 37 alleged trafficking offenders and 14 trafficking victims to China and its investigation of one potential internal trafficking case, the government has failed to prosecute trafficking offenses vigorously. The government neither adopted amendments to its penal code to prohibit trafficking in persons nor finalized draft anti-trafficking legislation, both pending from previous reporting periods. Although it identified and assisted 54 potential child trafficking victims, the government did not complete development of a manual to assist law enforcement officials in identifying victims of trafficking among vulnerable populations; the lack of victim identification may have contributed to the arrests and deportation of foreign victims during the year.



Recommendations for Angola: Amend the penal code to prohibit and punish all forms of human trafficking and provide sufficient protections for victims; train law enforcement officials to use relevant portions of the existing penal code to prosecute trafficking offenses involving Angolan or foreign victims and convict offenders; investigate and prosecute forced labor abuses in the construction sector; develop and implement procedures for the identification of trafficking victims among vulnerable populations; train law enforcement, social services, and immigration officials in identification and referral procedures; collect and analyze anti-trafficking law enforcement data; expand nationwide anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Angola continued to make minimal law enforcement efforts during the year. Although the government cooperated with Chinese authorities to allow Chinese trafficking offenders to be taken to China and opened one investigation into potential internal labor trafficking, it failed to initiate the prosecution of trafficking offenders in 2012 and has never convicted a trafficking offender. Angola does not have a criminal law that specifically prohibits all forms of trafficking, though the constitution promulgated in February 2010 prohibits human trafficking. The penal code, in force since 1886, is undergoing a comprehensive review and update, which remained pending; thus, the penal code has not yet been amended to incorporate this constitutional provision. Draft comprehensive anti-trafficking legislation also remained pending with the assembly. Some articles of the current penal code may cover trafficking crimes. Article 406 of the current penal code prohibits corruption of those under 21 and imposes an insufficiently stringent penalty of between three months' and one years' imprisonment and a fine. These penalties are not commensurate with those prescribed for other serious crimes, such as rape. Article 4 of the General Labor Law prohibits forced, coerced, or bonded labor, but also prescribes insufficient penalties of a fine of between five and 10 times the average workers' salary. In August 2012, the government adopted the Law on the Protection and Integral Development of Children, which, in Article 7, prohibits the exploitation of children and, in Article 33, the kidnapping, sale, trafficking, or prostitution of children; however, the law fails to define and prescribe penalties for these crimes, limiting its utility.

In January 2013, the national police intercepted a truck carrying 54 children from Huila to Namibe province, allegedly for work on tomato farms; this investigation—the first involving potential Angolan trafficking victims in more than four years—remained pending, with the suspects in detention. The national director of the National Institute of Children (INAC) led a delegation to these provinces to investigate this case, and met with the potential victims, their families, police, the Ministry of Social Assistance and Reintegration (MINARS), the Ministry of Public Administration, Employment, and Social Security (MAPESS), traditional authorities, and farmers. In August 2012, Angolan authorities allowed Chinese authorities to repatriate 37 alleged trafficking offenders and 14 sex trafficking victims whom Chinese law enforcement authorities had identified during their operations within Angola. In 2012, the Angolan government did not initiate criminal prosecutions in this or any other trafficking case. One suspected trafficking offender, arrested and charged with organized crime after a raid on a Chinese construction site in Luanda in April 2011, remained in jail pending trial. Although the government began implementation of a labor agreement with China that requires Chinese companies to follow Angolan labor laws, Angolan authorities have not sought to criminally prosecute Chinese construction companies for alleged forced labor abuses. The government took no action to address allegations of official complicity in trafficking from this or previous reporting periods. For example, in 2012, there were allegations that officials condoned forced child labor at Chinese-owned brick companies and rice farms. Overall, due to a culture of corruption, law enforcement efforts are stymied in many areas, including counter-trafficking. IOM instructed 107 officials on identifying and protecting trafficking victims during two training sessions held in government facilities in Zaire and Uige provinces.

Protection

The government made minimal efforts to protect victims during the year. Though the government identified one case of suspected trafficking and provided short-term assistance to 54 potential victims, both a systematic process for the identification of trafficking victims and legal remedies for

victims remained lacking. INAC oversaw child protection networks (CPN) in all 18 provinces that offered health care, legal and social assistance, and family reunification for crime victims under the age of 18. Following their rescue, INAC and MINARS assisted the 54 potential child trafficking victims, providing shelter, food, clothing, and counseling through INAC and MINARS social workers and psychologists. MINARS, the Ministry of Family and Women's Promotion (MINFAMU), and the Organization of Angolan Women operate 27 victim counseling centers, seven multi-purpose shelters, and 51 children's shelters that trafficking victims could access. The 54 children remained one night in a MINARS shelter in Namibe and one night in a MINARS shelter in Huila before being reunited with their families.

Law enforcement, immigration, and social services personnel continued to lack a formal system for proactively identifying victims of trafficking among vulnerable groups, including women in prostitution and undocumented immigrants. During the reporting period, the Ministry of Interior continued its partnership with IOM to develop manuals and standard operating procedures on victim identification based on manuals created for the southern African region. Without standardized procedures for identifying trafficking victims among vulnerable populations, some trafficking victims were likely penalized for unlawful acts committed as a direct result of being trafficked. The government did not offer victims long-term assistance and did not provide foreign victims with temporary residency or other legal alternatives to their removal to countries where they may face retribution or hardship. In addition, documented and undocumented foreign workers are not screened for trafficking victimization and may be arrested and deported for unlawful acts committed as a result of having been trafficked, including immigration and employment violations. For example, if during inspections, workers are found to be without work permits, authorities fine employers and arrest and deport the workers. Even when authorities identified Chinese trafficking victims, the Angolan government routinely repatriated them to China without providing care or ensuring proper treatment upon their arrival in China. The Ministry of Exterior Relations (MIREX) and MINFAMU are responsible for coordinating the repatriation of and providing assistance to Angolans victimized abroad; MIREX investigated cases involving Angolans, mostly women, used to smuggle drugs internationally but determined that they were not trafficked.

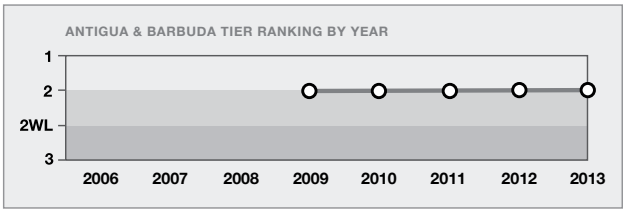
Prevention

The government made limited efforts to prevent human trafficking during the reporting period. The government failed to launch any new anti-trafficking awareness campaigns for a second consecutive year. INAC and the Ministry of Social Communication continued to publish anti-trafficking advertisements in the press. In addition, following discovery of 54 children being moved for farm labor in Namibe province in January 2013, INAC officials made unannounced visits to farms in the province to investigate the extent of child labor and meet with MAPESS and local farming associations to request collaboration in preventing child labor in the agricultural sector. The national director of labor led an inter-ministerial commission, formed in May 2012, to examine Chinese labor in Angola and implement a labor accord with the Chinese government, which was signed into effect by the president in March 2012 and called for proper treatment of Chinese workers and compliance with Angolan labor law by Chinese employers and recruitment firms. The government did not make efforts to reduce the demand for commercial sex acts during the year. Angola is not a party to the 2000 UN TIP Protocol.

ANTIGUA AND BARBUDA (Tier 2)

Antigua and Barbuda is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Legal and undocumented immigrants from the Caribbean region, notably from Jamaica and the Dominican Republic, as well as from southeast Asia, reportedly comprise the population most vulnerable to trafficking. According to several sources, forced prostitution occurs in bars, taverns, and brothels. Incidences of forced labor have occurred in domestic service and in the retail sector.

The Government of Antigua and Barbuda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite severe budget limitations, the Government of Antigua and Barbuda demonstrated a proactive approach to identifying trafficking victims and providing them with quality services. Both the minister of national security and the director of gender affairs continued to be leaders in the prevention of human trafficking. For another year, the government did not report any convictions or punishments of trafficking offenders.



Recommendations for Antigua and Barbuda: Vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in human trafficking; consider ways to ensure human trafficking cases are handled in the high court and treated as a serious crime; continue identifying and protecting trafficking victims by formalizing procedures to guide law enforcement, child welfare officials, and other front-line responders in identifying victims and referring them to available services; and continue efforts to raise awareness among child protection specialists about child sex trafficking, underscoring that all prostituted children—regardless of movement—are considered trafficking victims by UN definitions.

Prosecution

The government made little discernible progress in the prosecution of trafficking offenders during the reporting period. Antigua and Barbuda's Trafficking in Persons (Prevention) Act 2010 prohibits forced prostitution and forced labor, including bonded labor, and prescribes punishments of 20 to 30 years' imprisonment with fines. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law is comprehensive, and includes extensive victim protection measures, though several officials have expressed concern that the law requires

trafficking crimes be heard in lower court, which appears to treat trafficking as a less serious crime. The government initiated one new sex trafficking investigation during the reporting period. A sex trafficking prosecution from the previous year remained pending, and authorities dismissed a labor trafficking prosecution from the previous year. The government did not report any new prosecutions, convictions, or punishments of trafficking offenders during the reporting period. Some sources raised concerns of possible trafficking-related complicity within the immigration department and also about an apparent conflict of interest in the practice of off-duty police officers sometimes providing security for sex trade establishments, an arrangement that could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade. Nevertheless, the government did not report any investigations or prosecutions of such government employees for alleged complicity in trafficking-related offenses. The government provided in-kind support to IOM-led capacity building and technical skills training workshops for government officials.

Protection

The government made some progress in the protection of trafficking victims during the reporting period. The Gender Affairs Department continued to take a proactive approach to identifying new victims and following through with high quality, long-term assistance. The Gender Affairs Department forged relationships with NGOs to raise awareness about human trafficking indicators and available government services. Government victim protection specialists identified proactively two potential sex trafficking victims during the reporting period. The government provided start-up funds in 2012 for the establishment of a shelter that will offer mental health and other care for crime victims, including specialized services for trafficking victims. With assistance from IOM and using creative private-public partnerships, such as an emergency safe haven network, the government referred trafficking victims to care providers after conducting needs assessments. The Gender Affairs Department went beyond basic service provision for trafficking victims and offered job placement and other ongoing support for victims identified in previous reporting periods. Child protection officials did not report having a specialized protocol to identify and refer local and foreign children in prostitution for assistance. The government encouraged trafficking victims to assist in the prosecution of trafficking offenders. The Trafficking in Persons (Prevention) Act 2010 protects identified victims from punishment for unlawful acts committed as a direct result of their having been trafficked, and authorities collaborated with IOM to repatriate foreign victims safely and voluntarily. However, there was one report that authorities deported a suspected trafficking victim during the reporting period. The government offered the one identified foreign victim long-term residency as a legal alternative to removal to a country where he or she might have faced retribution or hardship.

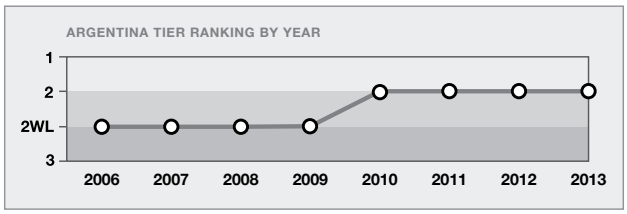
Prevention

The government demonstrated significant trafficking prevention efforts during the reporting period. Senior officials, such as the minister of national security, spoke publicly about the importance of a victim-centered approach to addressing human trafficking, and chaired a committee to address trafficking prevention. The gender affairs department led a national anti-trafficking coalition which met regularly and was comprised of representatives from the ministries of social welfare, social transformation, health, labor, immigration and customs, and foreign affairs, as well as officials from the Royal Antigua and Barbuda Police Force, members of various civil society groups, and community activists. The coalition completed a national action plan to address human trafficking that includes establishment of a centralized system for data collection and a review of legal tools to combat human trafficking. Authorities continued to distribute and share with other officials in the Caribbean region human trafficking public awareness materials; they also aired radio spots in English and Spanish that targeted victims as well as the general public. The Gender Affairs Department hosted community talks and distributed posters throughout Antigua and Barbuda to raise anti-trafficking awareness. The government continued to operate a hotline with operators trained to identify and assist human trafficking victims. The government did not report any initiatives aimed at reducing the demand for forced labor or commercial sex. The government and local NGOs reported no evidence that child sex tourism occurs in Antigua and Barbuda and reported no child sex tourism investigations.

ARGENTINA (Tier 2)

Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Argentine women and children, including many from rural areas or northern provinces, are forced into prostitution within the country, particularly in urban centers or provinces in central and southern Argentina. A significant number of foreign women and children, primarily from Paraguay and the Dominican Republic, are subjected to sex trafficking in Argentina. A large number of Bolivians, Paraguayans, and Peruvians, as well as Argentine citizens often from poorer northern provinces, are subjected to forced labor in sweatshops, agriculture, supermarkets, and domestic work. Children in street vending or begging are reportedly vulnerable to forced labor. To a more limited extent, Argentine women and girls have been found in sex trafficking in other countries.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities convicted approximately 17 trafficking offenders and identified a significant number of potential victims. The government continued to support four shelters that provided specialized services to female trafficking victims and passed a new comprehensive trafficking law in December 2012. Funding for victim services, however, remained inadequate in light of the number of victims identified during the year, particularly in forced labor. Trafficking-related corruption remained a serious concern, while the government failed to hold criminally accountable any officials complicit in human trafficking through convictions or sentences during the year.



Recommendations for Argentina: Follow through on numerous investigations of trafficking-related complicity by prosecuting, and when appropriate, convict officials complicit in human trafficking; increase funding for shelters and specialized services, particularly for forced labor victims, in partnership with NGOs, at the federal, provincial, and local level; ensure that foreign victims are consistently offered services, including shelter and job consultations, and the opportunity to remain in the country after being identified; increase efforts to investigate, prosecute, convict, and punish trafficking offenders, especially labor trafficking offenders; continue to develop and implement protocols for local-level officials to identify and assist trafficking victims; and strengthen anti-trafficking coordination among the federal and provincial governments, civil society, and different actors on the federal level.

Prosecution

The Government of Argentina maintained law enforcement efforts during the year, though there were few convictions for forced labor and no reported convictions of public officials complicit in trafficking. The government enacted a new, more comprehensive trafficking law in December 2012, prohibiting all forms of human trafficking and prescribing penalties of four to 15 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The previous federal anti-trafficking law prohibited all forms of human trafficking, prescribing penalties of three to 10 years' imprisonment but included a legal loophole involving victim consent that was closed in the new law. NGOs and officials noted that some prosecutors used prostitution-related statutes to address sex trafficking crimes. NGOs and officials commented these statutes can yield inadequate criminal penalties.

Authorities carried out 368 preliminary trafficking investigations in 2012. The anti-trafficking prosecutor's office (UFASE) did not report how many prosecutions were initiated during the year but noted an overall decrease in prosecutions. In 2012, the government convicted 15 sex trafficking offenders and two labor trafficking offenders with sentences ranging from two to 15 years' imprisonment. Sentences were suspended in cases where penalties were two years' imprisonment or less. The government also secured convictions of two sex trafficking offenders under other penal code statutes; the two were sentenced to 21 and 23 years' imprisonment. In comparison, in 2011 authorities reported convicting 28 sex trafficking and three labor trafficking offenders. In December 2012, judges acquitted all of the defendants in Argentina's most high-profile sex trafficking case after 10 years of investigation due to a reported lack of evidence; many NGOs and political organizations alleged complicity between judicial officials and trafficking offenders in this case, while other observers suggested the case was poorly investigated and executed.

The Ministry of Security coordinated the efforts of different federal law enforcement entities. Some NGOs reported that coordination between law enforcement officials and judicial officials was sometimes weak at the critical local level. Although trafficking is a federal crime, some trafficking cases were investigated or prosecuted at the local level under other statutes, such as those penalizing servitude or the promotion of prostitution, and were not immediately transferred to the appropriate federal authorities. This was sometimes due to misclassification or a desire to pursue cases at the local level. Some officials and NGOs noted significant delays caused by confusion over which authorities had jurisdiction, and in some cases testimonies were discarded during this process. The government continued to provide anti-trafficking training to law enforcement, judicial, and immigration officials, sometimes in partnership with international organizations, and reported training 800 senior police officials in 2012. Argentine prosecutors coordinated with the Government of Paraguay and other foreign governments on transnational trafficking investigations.

According to NGOs, international organizations, and officials, the trafficking-related complicity of some government officials was a serious concern. Some police officers reportedly condoned human trafficking activity or tipped off brothel owners about impending raids, and some judges reportedly did not adequately investigate signs of official complicity in trafficking cases. Authorities reported filing 71 cases of trafficking-related complicity in 2012, including one of a deputy police commissioner accused of holding four trafficking victims captive. It was unclear what progress had been made in the investigations initiated in 2010 of 75 Buenos Aires police officers accused of trafficking-related complicity and of the former head of the anti-trafficking police unit accused of running brothels. The government did not report convicting any government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Argentine government reported identifying a significant number of potential trafficking victims and continued to fund several shelters providing services to female sex trafficking victims, but resources dedicated to specialized services, particularly for forced labor victims, did not fully meet the needs of the large number of trafficking victims identified during the year. The Ministry of Security reported identifying approximately 1,000 potential human trafficking victims: 525 potential labor trafficking victims and 430 potential sex trafficking victims; 169 children and 807 adults. The majority of sex trafficking victims identified were Argentine citizens, while the majority of labor trafficking victims were Bolivians. NGOs asserted that some officials erroneously categorized cases of labor exploitation that did not rise to the level of forced labor as human trafficking. The Ministry of Security reported developing written procedures on victim assistance during and immediately following raids, and immigration officers received training on victim identification procedures, but implementation of systematic procedures to identify victims among vulnerable populations varied by province.

Authorities did not report how many victims received comprehensive services, such as shelter, in 2012. According to NGOs and some officials, the quality and level of victim care varied widely by province, and most provinces lacked dedicated resources to care for trafficking victims, particularly forced labor victims. The Office for Rescue, with an inter-disciplinary team located in Buenos Aires, took initial victim statements, generally within a week of identification, and reportedly provided emergency post-rescue care to some victims, including access to legal, medical, and psychological services. NGOs gave mixed assessments of the office's effectiveness. Two provincial-level offices were reportedly opened in Chaco and Santa Fe during the year, but the government did not publicly report on the budget or staffing for these offices. After victims provided their initial testimony, the Secretariat for Childhood,

Adolescence, and Family (SENAF) was responsible for providing follow-up assistance to them. However, specialized services and reintegration efforts were limited.

The Office for Rescue maintained a shelter in the capital to care temporarily for trafficking victims, though it was unclear how many of the victims identified during the year stayed at this shelter, or where they were housed immediately following law enforcement raids. Federal, provincial, and municipal authorities provided various amounts of funding to four shelters for women and child victims of sex trafficking and abuse across the country, one of which was operated by an NGO, but authorities did not report how many of the victims they identified were assisted at these shelters in 2012. There were no specialized shelters for forced labor victims, and it is unclear how many of the 525 potential labor trafficking victims identified during the year received services after giving their initial statements to authorities.

Argentine authorities encouraged victims to assist with the investigation and prosecution of their traffickers, and some victims did so during the year. NGOs reported that some victims and families had difficulty obtaining security protection. Despite legal provisions for financial restitution to trafficking victims, there were no known cases of victims receiving restitution during the year. There were no specific reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. Authorities did not report how many foreign victims received temporary residency during the reporting period. Long-term residency was available through Argentine immigration policy, though it was not trafficking-specific, and it was unclear how many foreign victims received this status during the year. It was also unclear to what extent foreign victims were fully informed of their residency and assistance options before their repatriation. NGOs stated that the federal government's *de facto* protocol of quickly returning foreign victims to their country or province of origin was not always in the victims' best interest, and asserted that federal entities do not consistently refer victims to specialized services in their place of origin. The government did not report identifying or assisting any repatriated Argentine victims of trafficking.

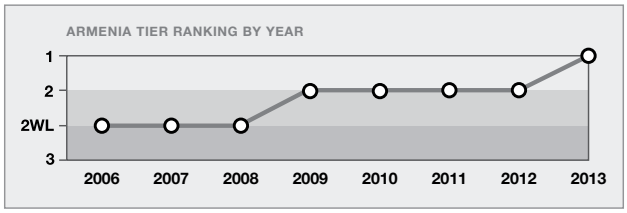
Prevention

The Government of Argentina maintained prevention efforts during the year. The trafficking law mandated new interagency coordination mechanisms, including a federal council and an executive committee, both under the presidency. Federal authorities reported funding public awareness efforts, including public service announcements about trafficking shown on long distance buses and aired on television, and maintaining two anti-trafficking hotlines administered by the ministry of security and the Office of Rescue. Some provincial governments partnered with NGOs in prevention efforts and developed anti-trafficking action plans. UFASE published a review of its anti-trafficking efforts in 2012. The government started requiring Dominican citizens traveling to Argentina to have tourist visas, citing the high number of Dominicans exploited in sex trafficking in the country. NGOs continued to report some isolated cases of child sex tourism, though there were no reported investigations or prosecutions for this crime. The government did not report providing anti-trafficking training to Argentine troops prior to their deployment abroad on international peacekeeping operations.

ARMENIA (Tier 1)

Armenia is a source country for men, women, and children subjected to forced labor and sex trafficking; sex and labor trafficking within the country is also a problem. Women and girls from Armenia are subjected to sex trafficking within the country and in the United Arab Emirates and Turkey. Armenian men and women are subjected to forced labor in Russia and Turkey. Armenian men incur debt to pay for travel expenses; this may contribute to their subsequent victimization in destination countries. Their labor recruitment is organized by family members, close acquaintances, and legal but unlicensed private employment agencies. Isolated cases were reported of Armenian boys subjected to forced labor within the country. Some children work in agriculture, construction, and service provision within the country and some children serve as domestic workers in Armenia and Turkey. Russian and Ukrainian dancers in Armenian nightclubs may be vulnerable to trafficking. Child abuse victims and minors departing from child care institutions are particularly vulnerable to human trafficking.

The Government of Armenia fully complies with the minimum standards for the elimination of trafficking. In 2012, the government's law enforcement and protection activities expanded to address a wide range of trafficking offenses—sex and labor trafficking, domestic and transnational. The government investigated and prosecuted more suspected traffickers than during the previous year and prosecuted a case of domestic forced child begging. The government also continued convicting criminals for subjecting Armenians to forced prostitution within the country. Officials maintained strong partnerships with civil society groups, continued to train hundreds of government personnel, provided in-kind contributions to a counter-trafficking shelter, and maintained strong anti-trafficking prevention efforts. However, the number of victims identified by the government during the year continued to decrease, in part due to a defect in proactive victim identification procedures as well as a deficiency in linking formal victim identification with participation in law enforcement efforts. The lack of formal victim-witness protection, although provided on an *ad hoc* basis, continued to be a concern.



Recommendations for Armenia: Increase efforts to identify victims of forced labor, including by strengthening victim identification training of front line staff, empowering labor inspectors to identify victims through unannounced visits, and having stronger cooperation with law enforcement; increase efforts to investigate and prosecute labor trafficking offenses; improve efforts to investigate trafficking cases even without victim testimony and when the exploitation occurs in a foreign country; educate law enforcement and labor inspectors on how to distinguish between labor trafficking and civil law labor violations; ensure that victims who are unwilling or unable to assist in investigations or prosecutions

have access to short- and long-term services and protection; improve efforts to protect victims who consent to serve as witnesses in prosecutions; establish a compensation mechanism for trafficking victims; provide sensitivity training to judges to foster a culture of empathy for trafficking victims; provide legal aid services to trafficking victims, including to improve their ability to obtain civil restitution; establish protection services for male victims; de-link the intermediate and final stages of formal victim identification with participation in law enforcement efforts; continue to provide and expand funding for NGOs that provide victim assistance; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; continue to raise awareness on employment assistance available for trafficking victims, and devise measures to ensure victims' confidentiality in accessing this assistance; continue robust partnerships with civil society groups; and expand awareness-raising campaigns to rural and border communities as well as to children leaving child-care institutions.

Prosecution

The Armenian government increased its investigations and prosecutions against alleged human traffickers during the reporting period, and though convictions declined, all convicted defendants received significant sentences. Armenia prohibits both sex trafficking and labor trafficking through Articles 132 and 132-2 of its criminal code, which prescribe penalties of five to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 22 trafficking cases in 2012, compared with 17 in 2011, and prosecuted 18 defendants for trafficking offenses—including one case of child forced begging—compared with prosecutions against 15 alleged traffickers in 2011. Eight traffickers were convicted, including one for transnational labor, compared to 13 convictions in 2011. All eight offenders convicted in 2012 received sentences ranging from four to 11 years' imprisonment; the majority received sentences of eight years. The government provided information about a potential labor trafficking case to Russian authorities; Russian law enforcement bodies, however, were not cooperative or responsive. While observers noted the Armenian police's victim-centered approach, they criticized some judges as aggressive and prejudiced against victims. Human trafficking continued to be included in the curricula of all education facilities of law enforcement bodies including the police academy, the prosecutors' school, and the judicial school. The Government of Armenia did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Armenia maintained efforts to protect identified victims of trafficking, though victim identification remained a concern. The Armenian government sustained strong partnerships with anti-trafficking NGOs, international organizations, and foreign governments to provide anti-trafficking training, including training on victim identification, to hundreds of government officials including prosecutors, police, border guards, members of the judicial system, and labor inspectors. The government certified one male and seven female trafficking victims in 2012—one of whom was subjected to forced begging within the country—and offered assistance, including referrals to NGO shelters, to all of them; seven of these eight certified victims were identified by police. In 2011, the authorities certified 13 victims. NGOs identified at least six additional trafficking victims who were not certified subsequent to criminal investigations; the investigations were stymied because the victims chose not to cooperate with Armenian law enforcement and their exploitation occurred in Russia. The Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) report concluded that the government's system to certify victims was not effective since it excluded victims who were unable or unwilling to cooperate with law enforcement and take part in judicial proceedings against the alleged traffickers. In practice, NGOs and government officials provided short-term assistance to these victims, although the provision of long-term assistance remained a concern. Despite receiving training, the Labor Inspectorate did not identify any victims of forced labor in the reporting period, in part due to legal restrictions on their cooperating with law enforcement and conducting surprise inspections. The government continued to provide the equivalent of approximately $16,000 to an NGO-run, long-term shelter, which assisted 26 female victims of trafficking in 2012. Adult victims could leave the shelter at will. The country did not have specialized care centers for male victims; however, existing shelters are able to assist male trafficking victims when necessary. During the reporting period, one trafficking victim received assistance in obtaining employment. In the previous reporting period, by comparison, no victims received this assistance. Law enforcement officers provided victims with security at court proceedings on an ad hoc basis when requested by victims' attorneys or NGOs. In 2012, all certified victims officially recognized by the government assisted police with trafficking investigations. NGOs continued to report the absence of appropriate protections for victims who provide testimony was a concern. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government permits foreign victims to stay in the country through temporary residency permits and to obtain temporary employment; however, no foreign victims were identified by the government in the reporting period.

Prevention

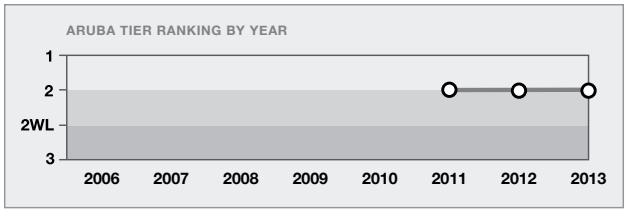
The Armenian government demonstrated strong trafficking prevention efforts during the reporting period. The government spent the equivalent of approximately $21,000 of dedicated funds in the budgets of the Ministry of Labor and Social Affairs and the Ministry of Youth and Sport Affairs to further increase public awareness of human trafficking. Government agencies undertook a variety of prevention activities, including an anti-trafficking media contest with a cash prize designed to improve professional journalism and the broadcasting of anti-trafficking public service announcements and other programs on national and regional stations during peak viewing periods. The Ministerial Council to Combat Trafficking in Persons, chaired by the deputy prime minister, and the Inter-Agency Working Group (IAWG) against Trafficking in Persons continued to meet regularly and to coordinate the implementation of the government's anti-trafficking action plan in strong partnership with NGOs and international organizations. One result of the sub-groups established by the IAWG in the reporting period was the inclusion of anti-trafficking recommendations from the 2012 TIP Report and GRETA Report in the 2013-2015 TIP National Action Plan, which improves on the previous plan by emphasizing victim identification efforts, including for child laborers. The government approved the 2013-2015 plan in February 2013.

An international organization independently monitored the government's implementation of its 2010-2012 action plan and determined that 80 percent of the plan's performance goals had been attained. In 2013, the police added an anti-trafficking component to their hotline for migration-related calls; this number was advertised on their daily television program. The government regularly published reports of its anti-trafficking activities during the reporting period. The government did not take steps to reduce the demand for commercial sex acts during the reporting period. The government provided anti-trafficking training to Armenian troops before their deployment overseas on international peacekeeping missions.

ARUBA (Tier 2)*

Aruba is a destination and source country for women and men subjected to sex trafficking and forced labor. Those at greatest risk continue to be foreign women in Aruba's commercial sex trade and foreign men and women in the service and construction industries. Specific at-risk communities include Chinese men and women working in supermarkets, Indian men in the jewelry sector, and Caribbean and South American women in domestic service. A 2013 international organization report identified Aruba's regulated and unregulated prostitution sectors, domestic workers, and small retail shops as the groups and sectors most susceptible to trafficking. Media reports published in 2011 indicated several Aruban women were allegedly subjected to debt bondage in the Netherlands. Regional experts report that Aruban women and girls studying in the Netherlands may be vulnerable to sex trafficking by residents of the Netherlands.

The Government of Aruba does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's anti-trafficking taskforce, via its national coordinator, continued to demonstrate regional leadership in the coordination of anti-trafficking efforts and prevention activities; this task-force continued to distribute a list of trafficking indicators for officials to use in the proactive identification of trafficking victims. However, the work of the taskforce and national coordinator was undercut by the government's overall decline in anti-trafficking law enforcement efforts in 2012; it did not initiate any new anti-trafficking investigations and has yet to successfully prosecute any sex or labor trafficking offenders.



Recommendations for Aruba: Aggressively investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; enhance capacity to protect victims of sex trafficking and forced labor by formalizing cooperation with anti-trafficking NGOs; formalize standard operating procedures for all front-line responders to replace the current ad hoc approach to identifying and referring trafficking victims; facilitate training to improve the ability of immigration officials, NGOs, health workers, labor inspectors, and other front-line responders to identify potential trafficking victims, including domestic workers, migrants in construction and retail shops, and women in the sex trade and on adult entertainment visas; ensure that weekly medical check-ups for foreign women in the regulated prostitution sector include screening for trafficking indicators; continue to consult with the Dutch government on how it proactively uncovers victims of trafficking; systematically provide information to all immigrant populations upon their arrival in Aruba to ensure they are familiar with their rights and where to go for help; provide the anti-trafficking committee with an independent budget, and establish the national coordinator as a full-time position to improve overall anti-trafficking response; and develop ways to educate clients of the sex trade about trafficking.

Prosecution

The Government of Aruba's anti-trafficking law enforcement efforts declined during the reporting period. Aruba prohibits all forms of trafficking in persons through Articles 203a and 286a of its criminal code which prescribe penalties ranging from four to 15 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. The government did not initiate any new trafficking investigations in 2012, compared with six labor trafficking investigations during the previous reporting period and seven in 2010. The government prosecution of a forced labor offender stemming from a 2010 case continued. Two other cases also remained pending. The government did not report any investigations or prosecutions of public officials allegedly complicit in human trafficking-related offenses. In an apparent conflict of interest, security for sex trade establishments was reportedly sometimes provided by off-duty police officers, which experts note could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade. The government reported that adequate funding and staffing for police remained a problem. The government provided a venue for a human trafficking seminar titled "Why the fight against human trafficking matters" for police, justice, health, immigration, children's services, victim assistance, and women's affairs personnel in 2012. The seminar was funded by a foreign donor, as were most other anti-trafficking efforts. Aruba continued to incorporate human trafficking awareness into the police academy curriculum during the reporting period.

Protection

The Government of Aruba demonstrated limited progress in its victim identification and protection efforts in 2012. The government identified one potential trafficking victim during the reporting period; this is a decline from three identified trafficking victims in 2011 and 46 in 2010. Aruba's anti-trafficking taskforce continued to provide law enforcement and social services officials with a checklist of the 10 most common signs of human trafficking and requested that any potential

** Aruba is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Aruba is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Aruba would be assessed if it were a separate, independent country.*

trafficking cases be reported to the national coordinator. The government had agreements with local NGOs and private sector accommodations for sheltering adult victims. Although police and health department officials inspected bars in Aruba with regulated prostitution, these inspections did not include an assessment of trafficking indicators, nor were these checks conducted during prime hours of operation. Further, although labor inspectors reportedly inspected work sites where vulnerable migrants were present, they did not undertake screenings for trafficking indicators. According to a recent expert report, the government did not have a written formalized policy for the identification of trafficking victims or their referral for care. The government reported it encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not charge victims for crimes committed as a direct result of being trafficked. According to Aruban officials, the government has the authority to provide identified trafficking victims relief from immediate deportation and work permits for a maximum of six months; however, it granted no such relief to any trafficking victims in 2012. This is a decline from three labor trafficking victims provided with relief from deportation in the previous reporting period.

Prevention

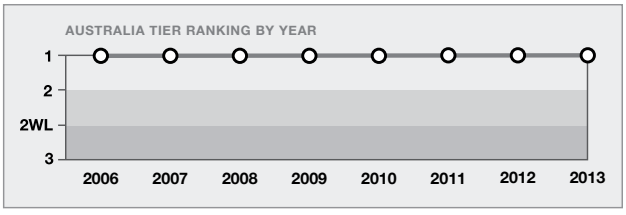
The government continued to proactively develop and implement anti-trafficking awareness campaigns in partnership with IOM in 2012. An expert report released during the year praised Aruba's integrated task-force approach to address trafficking. During the year, this taskforce, led by the national coordinator, developed and drafted provisions for a temporary residency permit for trafficking victims in Aruba. The government continued to promote its human trafficking awareness campaign in four languages targeted to both victims and the general public and linked to a hotline with operators trained to assist trafficking victims. An October anti-trafficking campaign helped raise awareness about trafficking. The national coordinator gave several interviews on local radio and television to raise awareness about human trafficking and the hotline during the reporting period. The government did not have any awareness campaigns targeting potential clients of the sex trade in Aruba in an effort to reduce the demand for commercial sex acts. There were no known reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism.

AUSTRALIA (Tier 1)

Australia is primarily a destination country for women subjected to forced prostitution and, to an increasing extent, for women and men subjected to forced labor. Child sex trafficking occurs with a small number of Australian citizens, primarily teenage girls, exploited within the country, as well as foreign victims. Some women from Thailand, Malaysia, the Philippines, the Republic of Korea, China, and to a lesser extent India, Vietnam, Eastern Europe, and Africa migrate to Australia voluntarily intending to work legally or illegally in a number of sectors, including the sex trade. Subsequent to their arrival, some of these women are coerced into prostitution in both legal and illegal brothels. These foreign women and girls are sometimes held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, and obliged to pay off unexpected or inflated debts to their traffickers. There were reports of some victims of sex trafficking and some women who migrated to Australia for arranged marriages being subsequently subjected to domestic servitude.

Men and women from several Pacific Islands, India, China, the Republic of Korea, and the Philippines are recruited to work temporarily in Australia. After their arrival, some are subjected by unscrupulous employers and labor agencies to forced labor in agriculture, horticulture, construction, cleaning, nursing, hospitality, manufacturing, meat processing, seafaring, and domestic service. They face confiscation of their travel documents, confinement on the employment site, threats of physical harm, and debt bondage through inflated debts imposed by employers or labor agencies. Most often, traffickers are part of small but highly sophisticated organized crime networks that frequently involve family and business connections between Australians and overseas contacts. Some traffickers attempted to hide foreign victims from official notice or prevented victims from receiving assistance by abusing the legal system to create difficulties for victims who contact authorities for help. Individuals on student visas, particularly those from Asia, were vulnerable to sex and labor trafficking. There are over 450,000 foreign students in Australia, many of whom spend up to the equivalent of tens of thousands of dollars in placement and academic fees, as completion of courses often leads to permanent residency in the country. Some of these foreign students work in housekeeping, restaurant, and other service industries and are subject to a restriction of working a maximum of 20 hours per week under their visas. When employers coerced them to work for more than 20 hours, exceeding the terms of their visas, they faced the risk of being deported, making them vulnerable to exploitation by unscrupulous employers; there have previously been reports of such exploitation near Melbourne.

The Government of Australia fully complies with the minimum standards for the elimination of trafficking. During the year, the government continued to prosecute a modest number of trafficking cases and improved its legal framework for combating trafficking—particularly labor trafficking—through the enactment of amendments to the criminal code. The government funded its victim support program and made efforts to proactively identify victims among many vulnerable groups; however, it did not increase the overall number of victims identified, nor did it enhance efforts to identify potential victims among immigrants arriving to the country without documentation. The government continued efforts to combat child sex tourism and announced plans to develop a procurement policy to ensure the government's supply chains are free from trafficking.



Recommendations for Australia: Vigorously prosecute, convict, and stringently sentence trafficking offenders, with increased focus on labor trafficking; continue to increase efforts to train police, local councils, health inspectors,

diplomats, and other front-line officers to recognize indicators of trafficking, and respond to suspected cases of both sex and labor trafficking; develop and implement a formal mechanism for government agencies to refer cases with elements of trafficking to law enforcement officials to consider criminal prosecutions; continue to strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as migrants arriving in the country without documentation, through methods other than immigration compliance actions; utilize standardized procedures to employ multidisciplinary groups of law enforcement officers and social service providers when planning to interview potential victims; further improve the access of trafficking victims to opportunities to seek financial compensation and civil remedies; consider additional ways to streamline and expedite visa processes for trafficking victims; increase availability of shelter services for victims, perhaps through additional funding to NGOs; continue funding NGOs to conduct campaigns to raise public awareness of all forms of trafficking, particularly among rural communities and migrant populations that are not easily accessed through mainstream media; consider appointing an ambassador dedicated to addressing human trafficking issues worldwide; and continue to play an active role educating countries in the Asia-Pacific region on the important distinction between trafficking and smuggling, highlighting the need for a victim-centered approach to combating trafficking.

Prosecution

The Government of Australia continued efforts to investigate and prosecute trafficking offenses during the year and strengthened its legal framework for combating trafficking. Australia prohibits sex and labor trafficking and trafficking-related offenses through divisions 270 and 271 of the Commonwealth criminal code, which prescribe maximum penalties of 12 to 25 years' imprisonment and fines of up to the equivalent of $152,000. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The Migration (Employer Sanctions Amendment) Act of 2007 prohibits exploiting migrant employees through forced labor, sexual servitude, or slavery and prescribes penalties of up to five years' imprisonment and various fines; these also are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. In March 2013, the government enacted the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act, which amended the criminal code and addressed gaps in previous legislation, most notably by including specific prohibitions of forced labor and prescribing sufficiently stringent penalties of nine years' imprisonment for this offense. The legislation also expanded the definition of coercion to include non-physical forms such as psychological oppression, abuse of power, and taking advantage of a person's vulnerability. This is an improvement over previous legislation, which had focused primarily on the use of physical force or threats of physical force. Australia's laws continued, however, to require the movement of an individual as an element of human trafficking, which is inconsistent with the 2000 UN TIP Protocol.

The Australian Federal Police (AFP) received 44 case referrals and, among these, initiated 29 investigations during 2012. The government reported that approximately 38 percent of the new investigations were related to suspected transnational sex trafficking, with the remainder relating to labor trafficking. The majority of labor trafficking cases were addressed through civil mechanisms. The government has never identified or prosecuted a domestic sex trafficking offense committed against an Australian citizen or resident, whether adult or child. During the year, a Thai woman who transported a victim from Thailand and subjected her to debt bondage and sex trafficking was convicted of possessing a slave and sentenced to eight years and 10 months' imprisonment. The convicted offender is currently appealing the length of her sentence and remains in custody. The government initiated one prosecution for sex trafficking during the reporting year; two cases pending from the previous reporting period did not reach trial, and the government dismissed charges against a Chinese woman accused of fraudulently recruiting two women from China and subjecting them to debt bondage and sex trafficking. AFP investigators in Human Trafficking Teams (HTT) specialized in investigating trafficking offenses and the online sexual exploitation of children; their efforts have typically focused on transnational sex trafficking, although labor trafficking investigations are becoming more common. The government continued to provide specialized training on human trafficking investigation procedures to some AFP and state and territory police investigators; 37 immigration officials received anti-trafficking training. No Australian government officials were investigated, prosecuted, or convicted for trafficking or trafficking-related criminal activities during the reporting period.

Protection

The Government of Australia sustained efforts to provide protection to identified victims of trafficking, though the number of identified victims remained low. In 2012, the government and NGOs identified 16 trafficking victims—including 11 subjected to sex trafficking and five subjected to labor trafficking—and referred them to the government's victim support program, which provided access to accommodation, living expenses, legal advice, health services, and counseling. The government provided the equivalent of approximately $1.2 million to fund its victim support program. All victims who received services during the year were foreigners. Most victims were placed in hotels, as there were no government-run shelter facilities and few NGO shelters specifically for trafficking victims. The government encouraged victims to participate in trafficking investigations; 68 percent of identified victims participated in an investigation or prosecution during the reporting period. In 2012, the government granted 11 Permanent Witness Protection (Trafficking) visas to victims and their immediate family members, which required contribution to an investigation or prosecution of a trafficking offense. Victims identified by authorities were not incarcerated, fined, or penalized for unlawful acts committed as a direct result of being trafficked. Officials follow formal procedures for proactively identifying victims involved in the legal sex trade and referred them for services; however, efforts to identify victims of forced labor could be improved. International observers expressed concern that Australia's vigorous efforts to identify and criminally prosecute cases of human smuggling could potentially lead to unidentified trafficking victims, including children, being treated as criminals and detained or jailed. Additionally, the majority of trafficking victims were identified through immigration compliance actions, an environment in which the fear of detainment and deportation could potentially make victims reluctant to communicate with law enforcement officers. The government did not ensure social service professionals were present during initial screening interviews, which may have hampered the success of victim

identification efforts and caused further distress to victims. Trafficking victims whose cases resulted in convictions were eligible to receive compensation, but few victims have had access to this form of redress. There were some allegations that victims were not always informed about visa options available to individuals who wish to remain in Australia to pursue compensation or civil remedies.

In March 2012, the AFP conducted forums in five cities to train state police and other community stakeholders on identifying indicators of trafficking and referring suspected victims to government and NGO support networks, and in October 2012, an international organization conducted 59 government-funded training workshops on victim identification and protection reaching 1,055 community service providers throughout the country. However, many front-line officers, particularly at the sub-national level, would benefit from additional training to identify indicators of trafficking, particularly labor trafficking.

Prevention

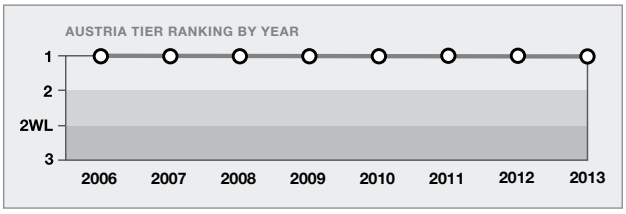
The Government of Australia continued to demonstrate notable efforts to prevent trafficking in persons during the year. Government anti-trafficking efforts were coordinated by the interdepartmental committee, chaired by the Attorney General's Department, which produced an annual report on its efforts for parliament. The government funded four NGOs' awareness-raising projects and five organizations' awareness projects that focused specifically on labor trafficking. The Fair Work Ombudsman conducted awareness campaigns and pursued civil efforts through the courts for workplace violations such as underpayment of wages; however, none of the cases it investigated were referred to the AFP or the Department of Immigration and Citizenship for criminal investigation potential forced labor.

The Australian Agency for International Development continued to fund anti-trafficking activities in the Asia-Pacific region, and the prime minister announced the equivalent of approximately $52.5 million in new funding for the third phase of a criminal justice assistance project in the ASEAN region. Projects to combat child sex tourism continued to operate at the same level as the previous year. In April 2012, the AFP hosted a symposium in Bangkok aimed at enhancing relationships between law enforcement and NGOs involved in combating child sex tourism, and during the year the government provided information to the Government of Burma that led to the denial of entry to two Australian nationals suspected of being child sex tourists. The Australian government refused passports to two convicted child sex offenders, and the government obtained one conviction in a case of child sex tourism initiated in the previous year. In March 2013, the prime minister announced plans to revise the government procurement strategy to ensure the government does not purchase goods whose supply chains use slavery. The government did not take significant steps to reduce the demand for commercial sex acts within its legal sex trade. The Australian government educated troops and police officers on human trafficking prior to their deployments on international peacekeeping missions.

AUSTRIA (Tier 1)

Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Victims originate from Eastern Europe, Africa, and Asia. Some forced domestic work occurs at the hands of foreign diplomats from Asia, the Middle East, and Africa working in Austria. Forced labor also occurs in the agricultural, construction, and catering sectors. During the year, Chinese men were allegedly subjected to forced labor in the restaurant sector. Authorities cited an increase in Chinese women in massage parlors suspected to be victims of trafficking. Roma children and other children from Eastern Europe remain vulnerable to forced begging. Austrian police reported over 800 people in organized begging rings in 2012; officials observed the majority are subjected to trafficking. Police report trafficking offenders' increasing use of social media to organize their operations, recruit victims, and solicit customers. There were reports that during 2012, there were approximately 200 registered Nigerian women asylum seekers who were possible trafficking victims. In previous years, an NGO that assists Nigerian trafficking victims reported traffickers abuse the legal prostitution and asylum processes in Austria to control their victims.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. The government continued to identify and refer trafficking victims for victim-centered assistance in partnership with NGOs. It implemented a new law that allows trafficking victims unlimited access to the Austrian labor market, issuing a significant number of these permits to facilitate victims' recovery and rehabilitation in 2012. The government demonstrated proactive efforts to identify and prevent domestic servitude in diplomatic households. It reported two cases of domestic servitude perpetrated by diplomats in 2012. However, anti-trafficking experts within the country increasingly criticized the judiciary's lenient sentences for trafficking offenders. The government's conviction rate for trafficking offenders charged under its trafficking law declined during the reporting period.



Recommendations for Austria: Aggressively prosecute and convict trafficking offenders to ensure that more of them receive sentences that are proportionate to the gravity of the crime; monitor human trafficking trial procedures and encourage prosecutors to give more serious attention to trafficking cases by appealing non-custodial and excessively lenient sentences for trafficking offenders; follow through on plans to increase statutory penalties for trafficking offenses; step up training efforts for prosecutors and others in the judicial sector to encourage aggressive prosecution of trafficking cases; step up training and local outreach efforts to proactively identify trafficking victims among children in prostitution and men working in agriculture, construction, and other sectors where foreign migrants are vulnerable to exploitation; continue to ensure victim protection organizations

have access to potential trafficking victims in brothels in the legal sector; establish and formalize a nationwide trafficking identification and referral system, including in reception centers for asylum seekers; continue to proactively refer child trafficking victims, including minors in prostitution, to care and ensure they are not treated as offenders; ensure adequate services are available for men who are victims of trafficking; continue a targeted campaign for clients in the prostitution sector to alert them to the links between prostitution and trafficking.

Prosecution

The Austrian government sustained a vigorous level of investigation of trafficking cases and referred these cases for prosecution in 2012. However, during the year, experts increasingly criticized the judiciary's lenient sentencing of trafficking offenders in Austria. Overall convictions for trafficking offenders declined. The government prohibits both sex trafficking and labor trafficking under Article 104(a) of the Austrian criminal code, but continued to use primarily Article 217, which prohibits the transnational movement of persons for prostitution, to prosecute suspected traffickers. Paragraph 1 of Article 217 prohibits the movement of people into Austria for prostitution and Paragraph 2 prohibits the use of deception, threats, or force in the transnational movement of persons for prostitution. Article 104 criminalizes "trafficking for the purpose of slavery" and prescribes penalties ranging from 10 to 20 years in prison. Penalties prescribed in Article 104(a) range up to 10 years' imprisonment, while penalties prescribed in Article 217 range from six months' to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government reportedly prosecuted 45 offenders in 2012; 38 under Article 217; six under Article 104(a); and one offender under Article 104. Austrian courts convicted eight sex trafficking offenders and one forced labor offender in 2011, the most recent year for which sentencing data was available. This represents a continued decline from 14 convicted trafficking offenders in 2010 and 32 convicted trafficking offenders in 2009 under the trafficking statutes, although trafficking is often prosecuted under other statutes. The majority of trafficking offenders convicted in 2011 were prosecuted under Article 217. One offender was sentenced to over five years' imprisonment, four were sentenced to one to five years' imprisonment; two received partial suspended sentences, one received a fully suspended sentence; and six received partially suspended sentences resulting in jail time of one month to one year. One offender convicted under Article 104(a) received a sentence of one to three months imprisonment. In January 2013, courts sentenced four labor trafficking offenders to partially suspended sentences ranging from 27 to 36 months' imprisonment. Press accounts reported the victims were forced to work in Chinese restaurants in Carinthia until they repaid their smuggling debts. The offenders were charged with violations of customs, social security, and other laws.

Although Paragraph 1 of Article 217 does not require illegal means such as deceit or force, approximately half of those convicted under this statute are trafficking offenders; in the other half, trafficking elements were present but evidence was insufficient to prove in court. On October 19, 2011, the Supreme Court upheld a trafficking conviction under Article 217(1) for recruiting women in Bulgaria in order to exploit them in a brothel; the trafficker took the majority of their earnings. In October 2012, the Supreme Court upheld a trafficking conviction under 217(1) for hiring an intermediary to recruit Romanian women to work in a brothel; the court found the victims' travel documents were taken away until they had repaid travel costs to Austria. In October 2012, the Innsbruck provincial court convicted two Hungarian women for child sex trafficking under Article 217; one was given a 21-month prison sentence (14 months non-suspended), and her accomplice received a five-month suspended prison sentence and a fine. The women were accused of having lured a 17-year old Hungarian girl to Austria and exploited her in prostitution. On January 17, 2012, the Graz Provincial Criminal Court convicted a Bulgarian to a 10 month partially suspended prison sentence (one month not suspended) under Article 217. The accused brought four Bulgarian women to Austria, confiscated part of their earnings, and subjected them to beatings and threats. In February 2013, a court in Styria convicted four persons under Article 217. One offender received an 18-month prison sentence, of which 13 months were suspended. The court found he recruited women from Romania, made them dependent, and then forced them into prostitution. During the year, country experts expressed increasing concerns that lenient penalties for serious trafficking offenders are not sufficient deterrents to trafficking in Austria and may dissuade future victims' from testifying against their traffickers.

The government took steps to address trafficking perpetrated by diplomats posted in Austria, despite challenges that diplomatic immunity posed to the prosecution of these offenders. The government reported domestic workers increasingly applied for tourist visas, in an attempt to evade government scrutiny. The government reported that a small number of foreign diplomats suspected of subjecting domestic workers to forced labor left the country in 2012 due to pressure from the Austrian government, which included requiring diplomats suspected of trafficking to renew their diplomatic identification cards every three months. The government did not prosecute any acts of trafficking-related complicity in 2012.

Protection

The Government of Austria continued to deliver comprehensive, victim-centered assistance to female victims of sex trafficking and domestic servitude in partnership with NGOs in 2012. It proactively identified trafficking victims and implemented its new policy of granting trafficking victims access to the Austrian labor market. The government, in coordination with NGOs, identified 242 trafficking victims in 2012, compared to 251 identified in 2011. The government funded a specialized anti-trafficking NGO that provided housing, psycho-social, and legal services in Vienna to female trafficking victims; victims provided such shelter were not detained involuntarily. The government did not provide specialized services for male trafficking victims in 2012. The government provided the equivalent of approximately $815,000 to this NGO in 2012, compared with the equivalent to approximately $744,000 in 2011. During the year, the NGO provided counseling, outreach, and other assistance services, including responsible repatriation, to all 242 trafficking victims. The government reported it provided foreign victims of trafficking with legal alternatives to their removal through its 2009 Residence and Settlement Act, and reported it issued 12 new residency permits to trafficking victims under Article 69a in 2012 and 23 extensions in 2012. Residence permits are generally granted for a period of one year. Under the July 2011 amendment to the Law on Foreigners, the government granted trafficking

victims who hold residence permits unconditional access to the Austrian labor market. The government reported granting 111 residence permits to trafficking victims under the "red-white-red card" immigrant program between July 2011 and October 2012. During the reporting period, an NGO estimated approximately four victims of domestic servitude were identified in the residences of Asian, Middle Eastern, and African diplomats working in Austria. The government did not report the extent of care to male victims of labor trafficking in 2012.

During the year, human rights experts, including the Austrian chapter of Amnesty International, cited inadequate protections for foreign trafficking victims in the country, indicating victims are under constant threat of deportation, and victims who agree to testify in court against their traffickers are rarely granted the right to stay in Austria. An NGO that specializes in providing assistance to Nigerian trafficking victims reported that some criminal investigations against trafficking offenders for Nigerian victims are dismissed or closed prematurely, despite the availability of victim testimony. Further, the 2011 Council of Europe's Group of Experts on Action against Trafficking of Human Beings (GRETA) report for Austria noted previously that potential victims of child trafficking are sometimes treated as offenders and arrested for theft, drug trafficking, or prostitution-related offenses. The Federal Criminal Police reported it made efforts to assess the existence of any trafficking links to children who committed property crimes, but did not find that any children arrested for prostitution or other offenses were subsequently identified as trafficking victims and referred for care.

The government's regulation of Austria's sizable, legal, commercial sex sector included weekly health checks for sexually transmitted infections and periodic police checks of registration cards. In 2012, the police continued screening women in prostitution for trafficking indicators using various manuals on trafficking and victim identification — including a pocket card developed in coordination with NGOs — that listed the main indicators for identifying victims of trafficking. During the year, the police rescued an underage Romanian girl subjected to trafficking in regulated legal brothels in Graz and Klagenfurt. She was referred to an NGO for care and assistance. The government encouraged victims to assist with investigations and prosecutions. The government reported that 50 trafficking victims assisted in the prosecution of their traffickers in 2012. Most trafficking victims declined to cooperate with authorities due to fears of retaliation. The government funded the city of Vienna's specialist center for unaccompanied minors; however, the center did not identify any child victims of trafficking in 2012. Although the government reported that it had a policy that identified victims should not be punished for unlawful acts committed as a direct result of being trafficked, an NGO reported some Nigerian trafficking victims continued to be deported.

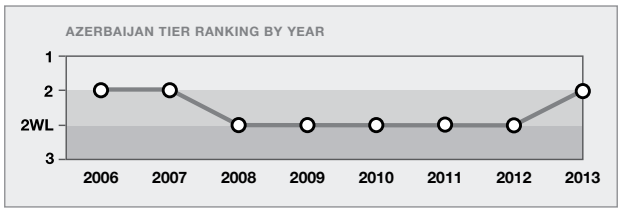
Prevention

The Government of Austria sustained strong efforts to prevent domestic servitude within diplomatic households, requiring all foreign domestic workers to appear in person at the Ministry of Foreign Affairs to receive information on how to get help if they become victims of forced labor. In addition, the government required diplomatic employers of domestic workers to provide evidence of direct salary transfers to accounts held in the domestic worker's name and required domestic workers to obtain their own ATM cards. During the year, authorities pointed to an increased incidence of diplomatic household workers requesting tourist visas rather than registering as diplomatic staff in order to circumvent the government's increased scrutiny of diplomatic personnel employing domestic workers. On March 20, 2012, the government adopted its third national action plan on combatting trafficking, covering the period of 2012-2014. The government published an assessment on the implementation of its 2009-2011 national action plan during the previous reporting period. However, it did not publish or disseminate a review of its anti-trafficking efforts in 2012. The government continued its series of school exhibitions to sensitize Austrian youth to sex trafficking and ran an anti-trafficking hotline. Austria continued a campaign to encourage tourists and travel agencies to report cases of child sex tourism. The government did not undertake any awareness campaigns to reduce the demand for commercial sex acts in 2012, but did conduct awareness campaigns to sensitize clients of prostitution about sex trafficking. The government funded courses conducted by an anti-trafficking NGO to sensitize troops prior to their deployment on peacekeeping missions.

AZERBAIJAN (Tier 2)

Azerbaijan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Azerbaijani men and boys are subjected to conditions of forced labor in Russia and in Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country and in the United Arab Emirates, Turkey, Russia, and Iran. Some migrant workers from Turkey, as well as Turkmenistan, Uzbekistan, Afghanistan, the Philippines, Romania, India, and Ukraine are subjected to conditions of forced labor in Azerbaijan's construction industry. Within the country, forced begging of children, particularly ethnic Roma children, is a problem. Domestic servitude of Filipina victims in Azerbaijan is an emerging problem. In the past, Chinese men and women have been subjected to forced labor in the construction, street vending, and agriculture sectors in Azerbaijan.

The Government of Azerbaijan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased law enforcement efforts against labor trafficking of Azerbaijanis, continued to provide protection and reintegration services to identified trafficking victims, and continued to raise awareness of trafficking crimes. However, the government did not identify any foreign victims of human trafficking nor demonstrate a willingness to thoroughly investigate companies that allegedly engage in forced labor of migrant workers. Systemic government corruption hindered effective law enforcement and victim identification efforts. Civil society groups criticized the government's anti-trafficking efforts for producing limited results but noted improved partnerships with some government agencies.



Recommendations for Azerbaijan: Strengthen efforts to identify foreign victims of labor trafficking within the country; increase law enforcement efforts against trafficking offenders, including individuals or companies that subject migrant workers to forced labor, and increase the number of convicted offenders who are sentenced to time in prison; vigorously investigate and prosecute alleged government officials complicit in human trafficking; investigate potential trafficking crimes at the detection of a single trafficking indicator; improve the definition of forced labor in the labor code to empower labor inspectors to identify trafficking crimes; consider permitting civil society representatives to accompany potential victims during initial police interviews; enhance victim protection during court proceedings; send court verdicts to addresses chosen by the victims; increase funding to victim service providers and expand the network of providers outside Baku; provide sensitivity training to law enforcement officers, prosecutors, and the judiciary, including on how to work with trafficking victims who experienced psychological trauma; educate judges on the legal definition of human trafficking; improve communication between government agencies, including victim referrals and details on potential cases; target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help; and continue efforts to raise public awareness about both sex and labor trafficking in cities and rural areas.

Prosecution

The Government of Azerbaijan demonstrated anti-trafficking law enforcement efforts during the reporting period. Azerbaijan's 2005 Law on the Fight Against Trafficking in Persons and Article 144 in the penal code prohibit sex trafficking and forced labor and prescribe penalties of five to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government reported two labor trafficking investigations and 10 sex trafficking investigations in 2012, compared with two labor trafficking investigations and 17 sex trafficking investigations in 2011. The government reported prosecuting two individuals for labor trafficking and 12 for sex trafficking crimes in 2012, compared with no prosecutions for labor trafficking crimes and 20 individuals prosecuted for sex trafficking in 2011. The government convicted 12 sex trafficking offenders in 2012, compared with 10 sex trafficking offenders convicted in 2011. Six of these 12 convicted trafficking offenders were sentenced to time in prison; three of these six offenders were sentenced to between four and ten years' imprisonment, while sentencing information for the remaining three offenders was not reported. Article 70 of the criminal code—often used in the case where a criminal is a female with young children—was applied to suspend the sentences of five of these 12 offenders. The government did not convict any labor trafficking offenders in 2012 or 2011; however, in February 2013 the government, for the first time convicted a labor trafficking offender with a sentence of eight and a half years' imprisonment. Although the government recently adopted amendments enhancing measures that can be imposed against legal entities for the use of forced labor, as noted in the 2012 TIP Report, there were no criminal prosecutions against such entities in the reporting period.

Systemic corruption in Azerbaijan hindered anti-trafficking efforts. Civil society groups reported that law enforcement bodies did not adequately investigate accusations of forced labor in the construction sector for fear of recrimination by influential figures who control the sector, including government officials. Local police were also accused of accepting bribes from prostitution establishments, some of which have sex trafficking victims, to ignore those businesses' illegal activities. The Government of Azerbaijan did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. An NGO reported a case in which local authorities solicited bribes from trafficking victims in order to continue investigating their exploitation; the victims decided not to pursue the case. Some local observers reported the Ministry of Internal Affairs Anti-Trafficking Department (MIA ATD) subjected trafficking victims to interrogations and intimidation during investigations.

Protection

The Government of Azerbaijan made progress during the reporting period to protect and assist victims of trafficking, although the failure to identify foreign labor trafficking victims remained a concern. The MIA ATD has a description of indicators for identifying trafficking victims, but there was no information on how this list was used or whether it was distributed to other government agencies. In 2012, the government certified 17 men as labor trafficking victims and 36 women as sex trafficking victims, compared with no labor trafficking victims and 29 female victims of sex trafficking in 2011. Despite more than 5,000 raids conducted by the MIA ATD and the Labor Inspectorate, the government did not identify a single foreign labor trafficking victim. In part, this failure to identify victims is because the Labor Inspectorate is not authorized by the labor law to identify trafficking victims. In 2012, government authorities identified 455 children who were subjected to forced begging. The government referred approximately 130 of these street children to NGOs and "child police desks," where they were given assistance; there is no information on the children who were not referred.

The government did not ensure victims of trafficking were not penalized for unlawful acts committed as a direct result of their being trafficked. In fact, there were reports that some labor and sex trafficking victims were subjected to administrative penalties for working without permits and for prostitution offenses, respectively. Moreover, the government allegedly deported foreign sex and labor trafficking victims who it did not identify as victims. In 2012, the MIA ATD assisted 53 victims of human trafficking, compared with 38 victims assisted in 2011. Of those victims, 43 received temporary shelter at a government-run facility, which adult victims could reportedly enter and leave freely. Thirty-five of these victims were provided with a one-time subsidy payment in the equivalent of approximately $500, an increase from the equivalent of approximately $250 in 2011. The government offered some of the victims other forms of financial compensation, as well as medical and legal assistance and psychological counseling.

On an *ad hoc* basis, the government encouraged trafficking victims to participate in investigations and prosecutions. There was no information as to whether trafficking victims received social services from local governments based on recent changes which amended the Law on Social Services.

The MIA ATD often referred potential trafficking victims to NGOs or the labor ministry's victim assistance center, but referrals between other relevant government agencies were poor, hindering victim identification and appropriate protection. While the anti-trafficking law authorized victims to receive temporary relief from deportation, this was not applied in practice because the government did not identify any foreign victims. In December 2012, the government provided in-kind assistance, including the provision of facilities, for a three-day anti-trafficking conference in Baku. Prosecutors, judges, and police investigators responsible for trafficking crimes participated in the event, which included sessions on victim identification and sensitivity training.

Prevention

The Government of Azerbaijan sustained its trafficking prevention efforts during the reporting period. The National Referral Mechanism (NRM) served as the national coordinating body of relevant ministries responsible for fighting trafficking. Despite efforts to improve the ministries' investigative and victim identification procedures through two interagency conferences and four national-level seminars held in 2012, anti-trafficking coordination across ministries was limited, and there was limited understanding of each agency's responsibilities under the law. Many working-level officials in the NRM appeared to be focused mainly on sex trafficking and to have a limited understanding of labor trafficking indicators.

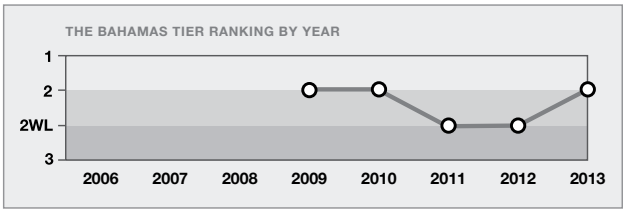
The government's Council on State Support to NGOs provided financial support to anti-trafficking activities in 2012. The MIA ATD gave financial awards to 15 NGOs involved in anti-trafficking issues, compared to 10 NGOs in 2011. The government funded and continued to disseminate anti-trafficking pamphlets and posters and continued to run public service announcements to raise awareness of human trafficking. The government continued to fund an NGO-operated trafficking hotline that provided information to the public and assisted potential victims of trafficking; two of the 13,000 phone calls led to the investigation of two labor trafficking cases. The government organized anti-trafficking seminars for representatives of government ministries, municipal governments, NGOs, teachers, and college students throughout the country, and the MIA ATD trained representatives from 15 travel companies on the identification of trafficking victims.

The Azerbaijani government focused on administrative violations of the labor code such as lack of payment of wages, passport withholding, and lack of provision of work permits, rather than on investigating those violations as potential indicators of forced labor. The government fined companies for employing undocumented workers and failing to provide work permits, secured labor contracts for thousands of migrant workers, and recovered the equivalent of hundreds of thousands of dollars of unpaid wages from employers, which were provided to migrant workers. However, the government did not investigate any of these companies for human trafficking, including one that repeatedly exploited migrant workers. A civil society group noted that this administrative rather than criminal approach creates an enabling environment for the exploitation of migrant workers, as alleged trafficking offenders are not criminally prosecuted. The government provided identity documents to 19 undocumented minors and provided citizenship to 105 stateless people; stateless and undocumented individuals in Azerbaijan are vulnerable to trafficking. The government did not take actions to reduce the demand for commercial sex acts. The Government of Azerbaijan has a 2009-2013 action plan to combat trafficking.

THE BAHAMAS (Tier 2)

The Bahamas is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Migrant workers are especially vulnerable to involuntary servitude in The Bahamas, particularly the thousands of Haitians who arrive in The Bahamas largely voluntarily to work as domestic employees, laborers, and in agriculture. Other large, vulnerable, migrant worker communities are from China, Jamaica, and the Philippines. Children born in The Bahamas to foreign-born parents do not automatically receive Bahamian citizenship and face potential discrimination and vulnerability to trafficking due to their statelessness. Groups especially vulnerable to sex trafficking in The Bahamas include foreign citizens in prostitution or exotic dancing and local children under 18 engaging in sex with men for basics such as food, transportation, or material goods.

The Government of The Bahamas does not comply fully with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made tangible progress over the past year, implementing a victim-centered approach to addressing human trafficking. The government achieved results in the proactive identification and assistance of trafficking victims and launched its first prosecution under its human trafficking law. The government has not yet reported a conviction of a trafficking offender.



Recommendations for The Bahamas: Prosecute, convict, and punish trafficking offenders with jail time; use the new victim identification and referral protocol to identify more potential victims of forced labor and forced prostitution from within vulnerable groups and provide them with appropriate protection and assistance; make efforts to involve independent interpreters when conducting inspections of migrant worker labor sites, and conduct private interviews of workers to enhance their ability to speak openly and ensure their rights are protected; and ensure funding to NGO partners is adequate to provide appropriate assistance for human trafficking victims as outlined in the protocol.

Prosecution

The Government of The Bahamas demonstrated progress in its anti-trafficking law enforcement efforts during the reporting period. All forms of human trafficking are prohibited through the country's Trafficking in Persons Prevention and Suppression Act of 2008, which prescribes penalties ranging from three years to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported 10 new human trafficking investigations (at least four of which were labor trafficking investigations) during the reporting period, an increase from one human trafficking investigation in the previous reporting period. The government reported one sex trafficking prosecution during the reporting period; this marked the first time the government has initiated a prosecution using its human trafficking act. Authorities placed the suspect in pre-trial detention. There were no convictions of trafficking offenders during the reporting period. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses. The government provided funding for several government representatives to attend training provided by a foreign donor. During the reporting period, the Royal Bahamas Defense Force and Royal Bahamas Police Force required all new recruits to undertake a "Trafficking in Persons Awareness Training Module." Over 240 new officers completed this training in 2012.

Protection

The government demonstrated increased efforts in victim protection during the reporting period. In early 2013, the government implemented a newly developed formal protocol to guide front-line responders in how to identify human trafficking victims and refer them to available services. The protocol provided a step-by-step proactive approach to victim identification and defined the role of key government and NGO entities involved in victim protection for women, men, and children. Immediately after the government published the protocol, officials identified two adult trafficking victims—a positive development as the government had not reported any trafficking victim identifications earlier in the year or in previous reporting periods. Officials then further implemented the protocol and referred the two suspected victims to shelter and provided assistance tailored to their needs. The government's Public Hospital Authority provided medical and psychological services to victims during the reporting period. Late in the reporting period, the government established a fund equivalent to approximately $100,000 for the care of trafficking victims. The government encouraged trafficking victims to assist in the prosecution of trafficking offenders and provided foreign victims with legal alternatives to their removal to countries in which they would face retribution or hardship. Experts raised concerns that prior to the January 2013 implementation of its victim identification and referral the protocol, the government was not referring suspected foreign victims to NGOs, and instead penalized and deported them. After January 2013, however, the government worked with IOM to offer safe and voluntary repatriation assistance to foreign victims identified. The trafficking act provided victims with immunity from prosecution for unlawful acts committed as a direct result of their being subjected to human trafficking.

Prevention

The government demonstrated continued efforts to prevent human trafficking during the reporting period. The government's inter-ministerial committee to coordinate anti-trafficking policy met regularly during the reporting period, as did the government's trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. Both groups opened formal channels of communication with the diplomatic corps in The Bahamas; diplomats and honorary consular corps members were instrumental in bringing several potential cases to the attention of law enforcement officials. In June 2012, the Ministry of National Security and an international organization launched a six-month trafficking in persons victim awareness program at a restaurant chain. In September 2012, the chair of the inter-ministerial committee addressed local and regional government and law enforcement officials and NGO representatives on trafficking awareness at the Regional Conference of Caribbean Crisis Centers. Labor inspectors began to incorporate trafficking indicators in inspections of labor sites. The government did not undertake measures to reduce the demand for commercial sex acts. Authorities did not consider child sex tourism to be a problem in The Bahamas during the reporting period and reported no child sex tourism investigations.

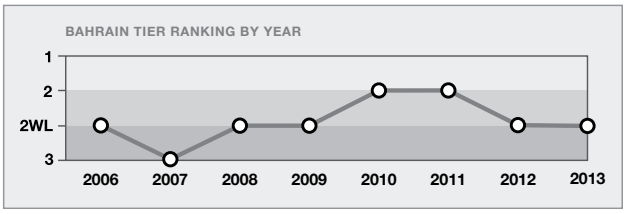
BAHRAIN (Tier 2 Watch List)

Bahrain is a destination country for migrant workers subjected to forced labor and sex trafficking. Men and women from India, Pakistan, Nepal, Sri Lanka, Bangladesh, Indonesia, Thailand, the Philippines, Ethiopia, Ghana, and Eritrea migrate voluntarily to Bahrain to work as domestic workers or as unskilled laborers in the construction and service industries. Some, however, face conditions of forced labor after arriving in Bahrain, through the use of such practices as unlawful withholding of passports, restrictions on movement, contract substitution, nonpayment of wages, threats, and physical or sexual abuse. NGOs report that Bangladeshi unskilled workers are in particularly high demand in Bahrain and are considered exploitable since they do not typically protest difficult work conditions or low pay. Domestic workers are also considered to be highly vulnerable to forced labor and sexual exploitation because they are largely unprotected under the labor law. Government and NGO officials report that abuse and sexual assault of female domestic workers are significant problems in Bahrain; however, strict confinement to the household and intimidation by employers prevent these workers from reporting abuse.

In the last year, 40 suicides among migrant workers in Bahrain were reported, especially those from India, allegedly due at least in part to conditions of forced labor and debt bondage, including the withholding of wages and passport confiscation. A 2011 study by the Bahrain government's Labor Market Regulatory Authority (LMRA) found that 65 percent of migrant workers had not seen their employment contract and that 89 percent were unaware of their terms of employment upon arrival in Bahrain. Many labor recruitment agencies in Bahrain and source countries require workers to pay high recruitment fees—a practice that makes workers highly vulnerable to forced labor once in Bahrain. The LMRA study found that 70 percent of foreign workers borrowed money or sold property in their home countries in order to secure a job in Bahrain. Some Bahraini employers illegally charge workers exorbitant fees to

remain in Bahrain working for third-party employers (under the "free visa" arrangement). In previous years, the LMRA has estimated that approximately 10 percent of migrant workers were in Bahrain under illegal "free visa" arrangements—a practice that can contribute to debt bondage—while source country embassies put the figure at 20 percent. Women from Thailand, the Philippines, Morocco, Jordan, Syria, Lebanon, Russia, Ukraine, China, Vietnam, and Eastern European states are subjected to forced prostitution in Bahrain.

The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not, however, demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Bahrain is placed on Tier 2 Watch List for a second consecutive year. The government made limited efforts to prosecute and punish perpetrators of forced labor and sex trafficking during the reporting period. There was no indication that the government took steps to institute a formal trafficking victim identification procedure and referral mechanism or to provide foreign victims with legal alternatives to their removal to countries where they faced hardship or retribution. Though a government-funded shelter began accepting female trafficking victims in 2012 and police identified some trafficking victims, trafficking victims continued to be susceptible to arrest, detention, and deportation for offenses directly related to being trafficked. Despite past commitments, the government's migrant worker sponsorship—or "*kafala*"—system was not abolished and continued to give employers inordinate power over foreign workers and contributed to forced labor and debt bondage.



Recommendations for Bahrain: Enforce the 2008 anti-trafficking law, and significantly increase the investigation and prosecution of trafficking offenses—particularly those involving forced labor—including convictions and punishment of trafficking offenders; actively enforce labor law protections for domestic workers; reform the sponsorship system to eliminate obstacles to migrant workers' access to legal recourse for complaints of forced labor; institute and apply formal procedures to identify victims of trafficking among vulnerable groups, such as domestic workers who have fled from abusive employers and women in prostitution; institute a formal victim referral mechanism for law enforcement and other government officials to refer identified victims to protection services, and properly train officials on these referral mechanisms; ensure that identified victims of trafficking are not punished for unlawful acts committed as a direct result of being trafficked, such as illegal migration or prostitution; expand the government-run shelter to protect all victims of trafficking, including victims of forced labor and male victims of trafficking, and ensure that shelter staff receive anti-trafficking training and speak the languages of expatriate workers; and continue to publicly raise awareness of trafficking issues in the media and other outlets for foreign migrants, specifically domestic workers, in their native languages.

Prosecution

The government made few discernible efforts to investigate, prosecute, and convict trafficking offenses during the reporting period, and it frequently treated potential cases of forced labor as labor disputes in civil court instead of treating them as serious crimes. Bahrain's anti-trafficking law, Law No. 1 of 2008 with Respect to Trafficking in Persons, prohibits all forms of trafficking in persons and prescribes penalties ranging from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported it investigated seven trafficking cases, a significant decrease from the 18 investigations in the previous reporting period. Of these, six were sex trafficking cases and one was forced labor that also involved forced prostitution; in one case, the accused was acquitted. The criminal court prosecuted three trafficking offenders in this reporting period, but did not convict any trafficking offenders. Four of the cases remained open and under investigation at the end of the reporting period. During the year, the Thai government investigated and arrested in Thailand a Thai woman for operating a sex trafficking ring in Bahrain. In August 2012, the Government of Bahrain began a separate investigation of this trafficking ring, which was ongoing at the end of reporting period; however, the two Thai victims found in Bahrain were deported. NGOs and foreign embassy officials reported that the government failed to penalize and punish employers for forced labor offenses. Cases of unpaid or withheld wages, passport retention, and other abuses—common indicators of trafficking—were typically treated as labor disputes and taken to civil court. These potential trafficking cases were rarely if ever investigated or taken to criminal court to prosecute sponsors and employers for trafficking offenses under Bahrain's anti-trafficking law. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. Bahraini government officials indicated there was a general lack of awareness of trafficking crimes among working-level police. The Ministry of Foreign Affairs organized an anti-trafficking seminar in July 2012 for government officials and local NGOs.

Protection

The Bahraini government made minimal progress in improving protection for victims of trafficking over the last year. The government continued to lack systematic procedures to identify victims among vulnerable groups, such as migrant domestic workers who have fled their employers or women arrested for prostitution, putting trafficking victims at risk for being punished for employment or immigration violations, and subjected to detention or deportation. Government officials failed to recognize that some contract violations or salary disputes (including withholding of salaries) are indicators of forced labor and required further investigation. A government-funded 120-bed NGO-run domestic violence shelter began to offer services to female victims of trafficking and their children, assisting 25 suspected trafficking victims in 2012. Shelter residents could freely leave the shelter unchaperoned. The government provided no shelter services for male trafficking victims. While law enforcement officials' victim identification efforts remained *ad hoc*, police identified and referred 18 suspected victims of trafficking to shelter services in this reporting period. The majority of trafficking victims in Bahrain continued to seek shelter at their embassies or at the NGO-operated trafficking shelter, which reported assisting 124

female victims of abuse—some of whom were likely trafficking victims—in this reporting period. These women were referred primarily by the local police. Foreign embassies stated that when foreign victims of trafficking or abuse approached Bahraini labor officials for assistance, they were typically advised to seek assistance at their embassies, with no effort to proactively identify trafficking victims among those who make complaints or to refer potential forced labor cases to law enforcement for further investigation.

Bahraini government officials stated that they encouraged victims to participate in the investigation and prosecution of traffickers; however, workers typically did not file complaints against employers due to fear or ignorance of the law, distrust of the legal system and lengthy court procedures, inability to afford legal representation, lack of interpretation and translation, fear of losing residency permits during proceedings, and to avoid additional maltreatment at the hands of the employer. The government did not provide foreign victims with legal alternatives for their removal to countries where they faced retribution or hardship. The government also did not have policies to protect trafficking victims from punishment for crimes committed as a direct result of being subjected to human trafficking. Migrant workers who were able to flee their abusive employers were frequently charged as "runaways," sentenced to 10 days or more in detention, and deported.

Prevention

The government made some efforts to prevent trafficking in persons during the reporting period. Despite past commitments and pledges, the government did not end the migrant worker sponsorship system, which contributed greatly to forced labor and debt bondage. The new Labor Law (Law No. 36), which was adopted in September 2012, provided some protections to domestic workers for the first time; it required that domestic workers be provided with a proper labor contract, which specified working hours, annual leave, and bonuses. It also required the employer to pay the worker at least once a month; however, it was unclear how this law will be enforced. Law 19 of 2006, amended in 2011, requires that a foreign worker complete a minimum of one year of work with an employer before transferring to a different employer. Under the law, in order to change sponsors, a foreign worker is required to give a minimum of 30 days' notice to the sponsor and must also have a valid visa. The option to transfer sponsors was only available to workers who successfully completed mediation after filing a complaint with the Ministry of Labor, but it remained unavailable to workers whose cases were not resolved. This law lengthened the minimum amount of time a worker must remain with an employer, thereby expanding the length of time a worker could be vulnerable to forced labor. The Ministerial Order against the withholding of workers' passports—a common practice that restricts the mobility of migrant workers and contributes to forced labor—was not effectively enforced. Additionally, although a worker must file a complaint with the police against an employer for withholding a passport, police did not have the authority to arrest the employer for non-compliance. Manpower agencies were poorly regulated or penalized for abuses committed against workers, and labor inspectors reportedly failed to properly inspect work camps. There were unofficial reports that labor inspectors were paid by employers or manpower agencies not to report labor abuses.

The government's interagency Committee for Combating Trafficking in Persons met at least once a month during the reporting period, hosted two national seminars to raise awareness about trafficking, and participated in several regional trainings and workshops. The committee also conducted a trafficking survey, though the results of the survey were unknown. The Committee's overall effectiveness was hampered by slow interagency processes, a lack of strategic goals, and no mandate to proactively address trafficking issues. The LMRA continued to disseminate trafficking-related information to vulnerable workers through its website and media outlets, including a weekly radio show in English, as well as podcasts in Hindi and Malayalam, to educate workers on their rights. The Ministry of Interior continued to operate a toll-free hotline for trafficking victims, but officials declined to provide statistics on the use of the hotline. The LMRA also operates an abuse hotline during working hours, though it is unknown if any trafficking victims were identified through this number. The government reported no efforts to reduce the demand for commercial sex or forced labor during the year.

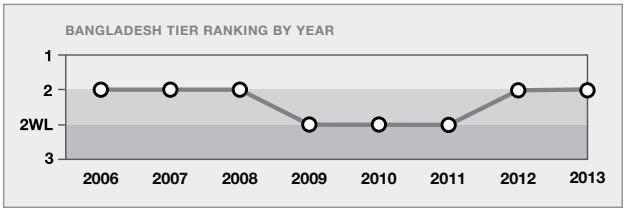
BANGLADESH (Tier 2)

Bangladesh is a source country for men, women, and children subjected to forced labor and sex trafficking. Some of the Bangladeshi men and women who migrate willingly to the Gulf, Maldives, Iraq, Iran, Lebanon, Malaysia, Singapore, Brunei, Europe, and elsewhere for work subsequently face conditions indicative of forced labor, such as restrictions on movement, withholding of passports, threats of force, physical or sexual abuse, and threats of detention or deportation for immigration violations. Before their departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) and illegally by unlicensed sub-agents; this places some migrant workers in debt bondage. Some recruitment agencies and agents also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions but then change the job, employer, conditions, or salary after arrival. There are reports of an increased number of Bangladeshis transiting through Nepal to obtain Nepalese visas and work permits for employment in the Gulf; some are trafficking victims. A civil society group reported that some Bangladeshi men in the Gulf, particularly in the United Arab Emirates, are vulnerable to being subjected to forced labor in other countries, including Greece and Spain. Some women and children from Bangladesh are transported to India and Pakistan, where they are subjected to commercial sexual exploitation or forced labor. Some in the Rohingya community in Bangladesh have been subjected to human trafficking.

Within the country, some Bangladeshi children and adults are subjected to sex trafficking, domestic servitude, and forced and bonded labor, in which traffickers or recruiters exploit an initial debt assumed by a worker as part of the terms of employment. Some street children are coerced into criminality or forced to beg; begging ringmasters sometimes maim children as a means to earn more money. In some instances, children are sold into bondage by their parents, while others are induced into labor or commercial sexual exploitation through fraud and physical coercion. According to an international expert on debt bondage, some Bangladeshi families and some Indian migrant workers are subjected to

bonded labor in Bangladesh's brick kilns; some kiln owners sell bonded females into prostitution purportedly to further recoup the families' debts. That same expert also reported that some Bangladeshi families are subjected to debt bondage in the shrimp farming industry in southeastern Bangladesh and that some ethnic Indian families are forced to work in the tea industry in the northeastern part of the country. In some instances, girls and boys as young as eight years old are subjected to forced prostitution within the country, living in slave-like conditions in secluded environments. Trafficking within the country often occurs from poorer, more rural regions, to cities. Many brothel owners and pimps coerce Bangladeshi girls to take steroids to make them more attractive to clients, with devastating side effects.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government drafted rules to implement the 2012 Human Trafficking Deterrence and Suppression Act (HTDSA) and began prosecuting cases under the law. However, the lack of adequate law enforcement efforts and institutional weaknesses continued to contribute to the trafficking of Bangladeshi migrant workers abroad. The government took limited steps to regulate fraudulent recruitment agents and their unlicensed subagents. Inadequate trafficking victim protection remained a serious problem.



Recommendations for Bangladesh: Finalize, adopt, and disseminate the implementing rules for the HTDSA, and train government officials on its implementation; take steps to sharply reduce all recruitment fees charged by licensed labor recruiters, and enforce violations with criminal sanctions; increase efforts to prosecute trafficking cases and convict trafficking offenders, respecting due process; use the HTDSA to prosecute fraudulent labor recruiters; continue to train government officials, including law enforcement, labor inspectors, and immigration officers, on methods to proactively identify trafficking cases, including of adults and children subjected to bonded labor; take steps to address any allegations of trafficking-related complicity of public officials, particularly through criminal prosecution; improve oversight of Bangladesh's international recruiting agencies to ensure they are not promoting practices that contribute to labor trafficking; provide support services for adult male trafficking victims and victims of forced labor; conduct awareness campaigns about the existence of laws against bonded labor targeted to government officials, employers, and vulnerable populations; improve services for shelters, legal aid, counseling, and trained staff at Bangladeshi embassies in destination countries; shorten the time required for Bangladeshi victims to receive documentation at Bangladeshi embassies required for repatriation; increase the accessibility of information about the migration process to potential migrants before they decide to migrate; improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and in Bangladesh; improve data collection on the number of trafficking victims identified and assisted in Bangladesh and by Bangladeshi embassies; establish a toll-free labor exploitation hotline accessible by cell phone to facilitate victim identification; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Bangladesh maintained anti-trafficking law enforcement efforts during the reporting period. The 2012 HTDSA generally prohibits and punishes all forms of human trafficking, though it does not prohibit the fraudulent recruitment of labor migrants in the absence of proof of the recruiter's knowledge of forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than approximately the equivalent of $600, and prescribed penalties for sex trafficking offenses range from five years' imprisonment to the death sentence. These penalties are sufficiently stringent, and commensurate with those prescribed for other serious crimes, such as rape. In the reporting period, the government drafted but did not yet adopt implementing rules for the HTDSA. The new law repeals the sections of the Repression of Women and Children Act (WCA) that prohibited the trafficking of women and children for the purpose of commercial sexual exploitation or involuntary servitude; however, cases filed under these sections before the passage of the HTDSA would still be valid and would come under the jurisdiction of the HTDSA.

In 2012, the government reported investigating 67 and prosecuting 129 alleged trafficking cases, compared with 143 cases investigated and 80 cases prosecuted in 2011. During the reporting period, the government convicted eight trafficking offenders, and sentenced at least five of them to life imprisonment under Sections 5 (prohibiting "women trafficking") and Section 6(1) (prohibiting "girl trafficking") of the WCA. This is a decrease from the 14 convictions obtained in 2011, with eight offenders sentenced to life imprisonment.

The alleged human trafficking complicity of some Bangladeshi government officials remained a problem. Several NGOs reported links between members of parliament, corrupt recruiting agencies, and village level brokers. Corrupt politicians, police, and border security forces on both sides of the India-Bangladesh border reportedly recognized a token used by human traffickers to evade arrest if caught at the border. NGOs and the media reported that some registered recruitment agencies in Dhaka had links with employers who subjected migrant workers to trafficking and with brokers in destination countries who facilitated fraudulent recruitment. The Government of Bangladesh reported that it continued prosecuting cases of three government officials suspected of trafficking-related complicity under Section 5 of the WCA, although there were no further developments in those cases. The government provided some anti-trafficking training at the police training academy and more thorough training modules at detective training schools. Government agencies provided facilities in support of some NGO-led law enforcement trainings, and the public prosecutor and superintendent of police led some training sessions on the HTDSA in other trainings organized by civil society groups.

Protection

The Government of Bangladesh made limited efforts to protect victims of trafficking over the last year. While the government trained police on standard operating procedures for trafficking

investigations, including provisions for identifying trafficking victims, government officials did not systematically identify trafficking victims among vulnerable populations or refer victims of trafficking to protective services; victim referrals occurred on an *ad-hoc* basis. More than 600 trafficking victims were either self-identified or identified by civil society groups in 2012. The government did not provide or fund shelters or other services specifically dedicated to trafficking victims, but trafficking victims were technically able to access support services for vulnerable people through shelter homes, drop-in centers, and safe homes administered by the Ministry of Social Welfare. The government continued to run one shelter in the Bangladeshi Embassy in Riyadh for female Bangladeshi domestic workers fleeing abusive employers. The government did not provide protective services specifically to male victims of trafficking. A senior government official acknowledged the Bangladeshi diplomatic corps lacked the manpower in destination countries to adequately address labor trafficking. When Bangladeshi migrant workers lodged complaints of labor and recruitment violations, they most often resorted to arbitration by the BAIRA, which did not provide sufficient financial compensation and rarely addressed the illegal activities of some BAIRA-affiliated recruitment agents. There was no information on whether law enforcement officials encouraged victims of trafficking to participate in investigations and prosecutions of their traffickers. An NGO reported that some trafficking victims were detained when they returned to Bangladesh after migrating irregularly to another country. Unregistered Rohingya refugees who were trafficking victims may have been detained indefinitely for their lack of documentation. The government did not provide temporary or permanent residency status for foreign trafficking victims.

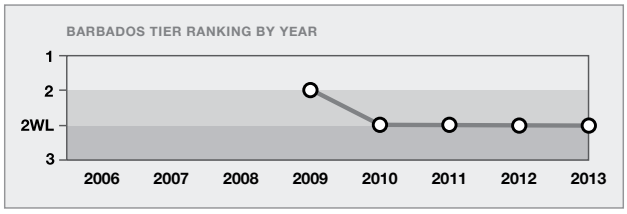
Prevention

The Bangladeshi government made few efforts to prevent trafficking during the reporting period. The government also sustained policies that permitted the forced labor of Bangladeshi migrant workers abroad to continue. For example, the government adopted the Abu Dhabi Dialogue Framework of Regional Collaboration, which includes provisions to familiarize workers with their rights and reduce recruitment fees. However, it continued to allow BAIRA to set extremely high and legal recruitment fees, license individual agencies, certify workers for overseas labor, and handle most complaints of expatriate laborers, while the government exercised inadequate oversight to ensure practices did not facilitate debt bondage of Bangladeshi workers abroad. Many government ministries, in partnership with civil society organizations, continued to raise awareness of human trafficking to government officials and vulnerable populations. The Ministry of Expatriate Welfare's Vigilance Task Force continued to operate; its mandate was to improve the oversight of Bangladesh's labor recruiting process. In the reporting period, the Task Force deregistered 65 recruitment agencies for engaging in illegal practices, but there was no information on whether these practices included fraudulent recruitment or charging illegal recruitment fees. In December 2012, following a 2011 meeting in Dhaka between the Bangladeshi government and BAIRA, the Dhaka Principles for Migration with Dignity were launched, including the principle that migrant workers should not be charged any recruitment fees. The only effort to adhere to these principles was the government entering into a written agreement with Malaysia to establish government-to-government labor recruitment with recruitment fees capped at the equivalent to approximately $500; nonetheless, questions remain about the ability of the Bangladeshi government to protect these workers in Malaysia. The Home Secretary continued to chair the inter-ministerial anti-trafficking committee meetings, which met regularly, and the Ministry of Home Affairs (MHA) continued to work with civil society groups through a bimonthly counter-trafficking coordination committee. Inter-ministerial coordination continued to be a challenge. The MHA published its annual report on human trafficking. Training, including awareness about human trafficking, was provided to Bangladeshi soldiers prior to their deployment abroad on international peacekeeping missions. During the year, the government did not take measures to reduce the demand for commercial sex acts. Bangladesh is not a party to the 2000 UN TIP Protocol.

BARBADOS (Tier 2 Watch List)

Barbados is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Evidence suggests there are foreign women forced into prostitution in Barbados. In the past, foreigners reportedly have been subjected to forced labor in Barbados, with the highest risk sectors being domestic service, agriculture, and construction. Legal and illegal immigrants from Jamaica, the Dominican Republic, and Guyana appear to be vulnerable to trafficking. The prostitution of children is known to exist in Barbados, including Barbadian and immigrant children engaging in transactional sex with older men for material goods, a phenomenon documented by UNICEF throughout the Eastern Caribbean.

The Government of Barbados does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has not shown evidence of increasing efforts to address human trafficking over the previous year; therefore, Barbados is placed on Tier 2 Watch List for a fourth consecutive year. Barbados was granted a waiver of an otherwise required downgrade to Tier 3 because its government has developed a written plan that, if implemented, would constitute significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. In 2013, the Barbadian government adopted a national action plan on human trafficking which specifies implementing agencies and addresses prosecution, protection, and prevention measures, and demonstrates its commitment to addressing human trafficking in a substantive way.



Recommendations for Barbados: Amend the 2011 legislation to prohibit both domestic and international forms of human trafficking and prescribe penalties that are sufficiently stringent (without an alternative of a fine) and commensurate with those prescribed for other serious crimes, such as rape; simplify the law and de-link it from the separate crime of human smuggling so that it is easier for law

enforcement officials to understand and apply the law; implement formal procedures for officials across the government to proactively identify trafficking victims among vulnerable populations, such as Barbadians and foreigners in prostitution as well as migrant workers, and refer them to available services; when conducting trafficking investigations, ensure suspected victims are taken to a safe and hospitable location, as victims of human trafficking often feel threatened and are reluctant to identify themselves as victims during a raid; enact protections for victims of trafficking, including provisions that provide foreign victims with relief from immediate deportation, and ensure victims are not punished for crimes committed as a direct result of being subjected to human trafficking; increase funding to the NGO shelter and crisis center to ensure adequate assistance, including free health care, is available to human trafficking victims.

Prosecution

The government launched at least two trafficking investigations but did not address weaknesses in its anti-trafficking legal framework or initiate any prosecutions of alleged trafficking offenders, raising concern about impunity for human trafficking in Barbados. Barbadian law does not appear to prohibit all forms of human trafficking and does not prescribe penalties that are sufficiently stringent or commensurate with the prescribed penalties for other serious crimes, such as rape. The following Barbadian laws address criminal offenses within the definition of trafficking in persons: Article 8 of the Transnational Organized Crime (TOC) Bill of 2011, Articles 33 and 34 of the Offenses against the Person Act, as well as Articles 18 and 20, which cover some elements of sex trafficking occurring within the country. The TOC Bill prohibits some forms of trafficking, though it appears to be inconsistent with international standards because it requires movement across borders as a necessary element of human trafficking. All of the sections addressing the prostitution of children use the age of 16 as the threshold under which aggravated penalties would be imposed rather than the age of 18, the definition of a child under the 2000 UN TIP Protocol. Moreover, it is not clear that Barbadian law considers any children in prostitution with third-party involvement to be victims of human trafficking. Compelling prostitution under Article 20 is punishable by five years' imprisonment, while the trafficking of an adult under the TOC Bill is potentially punishable by a fine with no jail time, both of which are far less than Barbados' prescribed penalty for rape—life imprisonment.

The Barbadian police appointed an inspector to handle human trafficking cases, and police conducted at least two sex trafficking investigations during 2012. This is an increase from no investigations conducted during the previous reporting period. Like the previous year, the government did not report any prosecutions or convictions of trafficking offenders. The government provided in-kind assistance to an IOM-led anti-trafficking training and a foreign government-sponsored anti-trafficking law enforcement training for officials from various ministries.

Protection

The government demonstrated efforts to protect trafficking victims during the reporting period. Officials identified two suspected foreign sex trafficking victims, which was a positive development, as the government did not identify any trafficking victims in previous reporting periods. The government did not establish formal, systematic procedures to guide officials across the government in proactively identifying victims of sex trafficking and forced labor and referring them to available services, though it reportedly employed interim procedures during the last year. The government provided funding for an NGO crisis center providing shelter and services primarily for domestic violence victims, but also for female trafficking victims. Despite significant financial strain, this organization provided very high quality services, had staff trained to handle trafficking cases, and assisted one sex trafficking victim during the reporting period. The other identified victim declined assistance. The government had an agreement with a separate NGO to serve as a shelter for male victims of human trafficking, though this NGO did not assist any male trafficking victims during the reporting period. The government did not have formal policies to encourage victim assistance in the investigation and prosecution of trafficking offenders. It also did not have an official policy or law providing foreign trafficking victims with legal alternatives to their removal to countries where they would face hardship or retribution, though it developed interim procedures directing authorities to provide temporary residence status to foreign victims. In practice the government worked with IOM to provide safe and voluntary repatriation for one foreign victim identified during the year. The government also had interim procedures in place directing authorities not to penalize trafficking victims for unlawful offenses committed solely as a direct result of being subjected to human trafficking.

Prevention

The government made some efforts to prevent human trafficking in Barbados. Officials broadcast short public awareness messages through mass media and held town hall meetings to raise awareness about human trafficking. The government's inter-ministerial anti-trafficking taskforce included NGOs and met monthly to coordinate the government's anti-trafficking efforts. The government drafted a work plan for addressing human trafficking and funded the operation of a hotline staffed by professionals trained to identify human trafficking. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor over the year. The government has not identified a problem with child sex tourism. Barbados is not a party to the 2000 UN TIP Protocol.

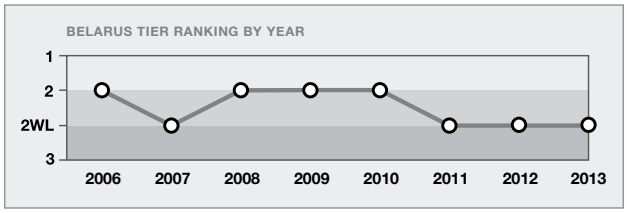
BELARUS (Tier 2 Watch List)

Belarus is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Belarusian women and children are subjected to sex trafficking in Russia, Italy, Egypt, the Czech Republic, Lithuania, Spain, Belgium, Turkey, Israel, the United Arab Emirates, Cyprus, Germany, Greece, Lebanon, Poland, and within Belarus. Some Belarusian women are transported through Latvia and Lithuania *en route* to Western Europe, where they are subsequently subjected to forced prostitution. Belarusian men, women, and children are found in forced labor in the construction industry and other sectors in Russia and Belarus. The Government of Belarus restricted Belarusian workers in state-owned wood processing factories as well as construction workers employed in modernization projects at those factories from leaving their jobs. Belarusian men seeking work abroad are increasingly subjected to forced labor. Workers are recruited through informal advertisements and notice boards and then

taken by minibuses from employment centers to foreign countries such as Russia.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of increasing anti-trafficking efforts over the previous reporting period; therefore, Belarus is placed on Tier 2 Watch List for a third consecutive year. Belarus was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan.

During the reporting period, the government issued a decree that forbade thousands of workers in the wood processing industry from leaving their jobs in state-owned factories without their employers' permission. Despite an increase in trafficking victims identified and offered care by NGOs, authorities certified very few victims of trafficking and secured only one conviction under the trafficking statute. The government passed a new anti-trafficking law that authorized new victim protections including the provision of beds in state shelters and the right to access care without first agreeing to cooperate with criminal proceedings. The government also passed a new law permitting state funding for services provided to trafficking victims. However, until these laws are fully implemented through regulations, available government-funded services to victims remained very limited, and victims faced bureaucratic hurdles in accessing state shelters. The government continued its efforts to prevent trafficking through awareness campaigns, online tools for potential migrant workers, and promotion of trafficking hotlines.



Recommendations for Belarus: Revoke the December 2012 presidential decree forbidding wood processing workers' resignation without their employers' permission; demonstrate vigorous investigation and prosecution of forced labor and forced prostitution offenders; increase use of Article 181 of the criminal code to prosecute trafficking cases, even in cases also charged under other statutes; examine the revised legal definition of human trafficking to ensure that trafficking cases that do not involve the purchasing and selling of a person are still considered trafficking cases under Belarusian law; improve victim identification, including of teenagers in prostitution inside Belarus and forced labor victims; ensure all victims, including children, are provided with appropriate assistance and protection; increase resources devoted to victim assistance and protection within Belarus; provide funding to NGOs offering victim care; continue efforts to formalize a national identification and referral mechanism; certify individuals as trafficking victims in cases in which a criminal case has not been opened in order to ensure that victims receive appropriate victim assistance; reduce the bureaucratic steps required to access shelter; establish a program to ensure that repatriated victims are given care; cultivate a climate of cooperation with NGO partners providing critical victim protection services; and extend legal counseling to victims upon identification rather than the initiation of an investigation.

Prosecution

The Government of Belarus demonstrated decreased law enforcement efforts during the reporting period, as the government issued a decree establishing coerced labor in a state-run industry and secured significantly fewer convictions. In December 2012, Alexander Lukashenka issued a decree forbidding workers in state-owned wood processing factories from resigning without their employers' permission. The decree applied to thousands of employees; employees are permitted to appeal the decision to the government-appointed provincial governor, but not to a judge. At least one instance of workers barred from quitting occurred during the reporting period. However, the government explained the decree was temporary in nature and workers were free not to sign new contracts required under the decree.

Belarusian law prohibits both sex and labor trafficking through Article 181 of its criminal code, which prescribes penalties ranging from five to 15 years' imprisonment in addition to the forfeiture of offenders' assets. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other serious crimes, such as rape. The Government of Belarus reported eight trafficking investigations in 2012 under Article 181. The government investigated eight additional trafficking cases under non-trafficking statutes, including seven under Article 171 and sub-Article 171, which criminalize pimping and engaging in prostitution, and one case under sub-Article 181, which criminalizes profiting from servitude. This was an increase from 2011, in which the government reported nine trafficking investigations, but remained below the 39 trafficking investigations reported in 2010. Belarusian authorities convicted one trafficking offender under Article 181 in 2012, in contrast to seven in 2011 and 12 in 2010. The government reported sentencing the convicted offender to prison, but did not report the length of the prison term. The government did not report the investigation or prosecution of any public official for alleged complicity in trafficking in persons crimes. Some observers noted that judges required evidence of money transfers or the buying and selling of a person to prove human trafficking under Article 181, which may be one reason it was infrequently used. The government provided the equivalent to approximately $12,300 to its international anti-trafficking training center, which, with the collaboration of NGOs and international organizations, trained over 175 Belarusian and foreign government law enforcement officials on investigating human trafficking cases. Law enforcement officials reported jointly investigating several transnational trafficking-related cases with counterparts from Poland, Turkey, Russia, Germany, Israel, and Estonia.

Protection

The government demonstrated mixed protection efforts during the reporting period, identifying very few victims of trafficking and offering limited services. While two new anti-trafficking laws increased victim protection, victim identification efforts continued to decrease. In 2012 the Belarusian government identified 12 victims of trafficking under Article 181, compared with 14 in 2011 and 64 in 2010. This downward trajectory corresponded with a decrease in

trafficking investigations and demonstrated a reduced capacity to ensure human trafficking offenses were recognized and victims were appropriately offered care. Experts observed that the number of trafficking victims identified by the government was far from commensurate with the number of Belarusian victims identified by NGOs and other sources outside of the country, particularly with regard to reports of increased labor trafficking of Belarusians in Russia. In fact, NGOs in Belarus assisted 196 trafficking victims in 2012, more than the 142 assisted in 2011. Observers reported that law enforcement officials referred more than 50 percent of the trafficking victims cared for to NGOs. Law enforcement officers used specialized references and instructions to identify trafficking victims and refer them for rehabilitation. The government continued to draft proposals for the introduction of a national victim identification and referral mechanism. The government's diplomatic missions abroad helped four Belarusian trafficking victims return to the country and referred one victim to an NGO for care.

Two new laws were passed that, when implemented, could improve victim protection practices. One statute broadened the definition of a trafficking victim, provided for beds in non-trafficking-specific state shelters, and allowed victims to receive care without first requiring their cooperation with criminal proceedings. Another law allowed the government to provide funding to NGOs running social welfare programs; however, the government was still developing guidelines for implementation and did not expect the funding mechanism to be fully enforced until 2014. The government reported providing the equivalent of at least approximately $28,200 for victim reintegration. This was an improvement from 2011, when the government did not report any funding for victim reintegration. The government did not have trafficking-specific facilities available to care for victims, but it maintained 50 non-trafficking-specific "crisis rooms," which, per the new anti-trafficking law, offered temporary shelter, including beds, meals, and personal hygiene products, usually for up to 10 days. The government did not report how many trafficking victims received assistance at these facilities. Observers noted victims needed to obtain many signatures to get access to these crisis rooms, impeding ready access to shelter. While the government did not identify any child victims of trafficking, the Ministry of Education reported maintaining social and education centers that could provide shelter and rehabilitative services. Similar to past years, a large number of victims declined shelter from state-supported centers for fear of social stigma or reprisal. During the reporting period, the Ministry of Health Care approved a list of medical services available for trafficking victims at all state-run medical institutions, which are normally restricted to providing services to individuals residing in their region. Experts noted trafficking victims could easily obtain medical assistance from the state-run hospitals; however, to receive prompt and high-quality medical assistance anonymously, victims reportedly had to pay for certain medical services and seek help at private clinics. The government adopted regulations in February 2012 that provide free-of-charge legal assistance from state-run bar associations during investigations and prosecutions, although victims were without legal counseling prior to police initiating an investigation. The Ministry of Interior (MOI) reported that the government provided lawyers to some trafficking victims. Authorities did not issue any temporary residence permits in 2012, as the government did not identify any foreign trafficking victims. In 2012, the government hosted a seminar for staff members of the crisis room facilities on principles of social rehabilitation. The government also hosted a seminar for psychologists providing services at the crisis room facilities. Observers noted that the government did not consistently screen for trafficking indicators during the prosecution of prostitution cases; in 2012, authorities issued fines to hundreds of women in prostitution and arrested more than 150 for up to 15 days in prison.

Prevention

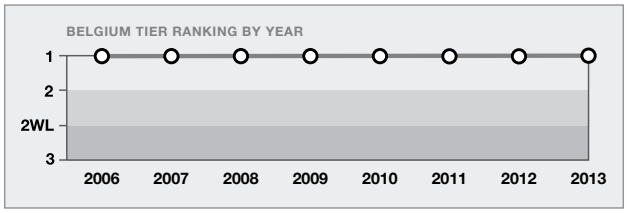
The Government of Belarus improved its efforts to prevent trafficking in 2012. The government conducted public awareness campaigns on radio, in print, and on television. The Government of Belarus supported two NGO-operated anti-trafficking hotlines and, with assistance from an NGO, prepared and printed leaflets and bulletins to inform vulnerable groups about the hotline. The MOI reviewed and approved advertisements for work abroad and significantly improved its website, with updated pages on licensed employment and marriage agencies as well as a new section on securing employment and avoiding exploitation in Russia. The new anti-trafficking law created the position of a national rapporteur and charged it with coordinating anti-trafficking law enforcement activities, liaising with international organizations and foreign governments on trafficking, and annually reporting to the government; the government designated the Minister of the Interior as the national rapporteur during the reporting period. The government reported implementing its 2011-2012 plan of action on victim assistance. The government continued to implement the 2011-2013 State Program to Counteract Trafficking in Human Beings, Illegal Migration, and Other Related Illicit Activities, and the MOI remained the coordinating agency that annually reported on the government's progress.

BELGIUM (Tier 1)

Belgium is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims originate in Eastern Europe, Africa, East Asia, as well as Brazil and India. Prominent source countries for victims exploited in Belgium include Bulgaria, Romania, Albania, Nigeria, China, and Turkey. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture sites, fruit farms, construction sites, cleaning businesses, and retail shops. The main source countries for labor trafficking victims in Belgium include China, India, Brazil, and Bulgaria. Belgian underage girls, who are recruited by local pimps, and foreign children — including ethnic Roma — are subjected to sex trafficking within the country. Some Belgian women have been subjected to sex trafficking in Luxembourg. Forced begging within the Roma community in Belgium also occurs. Foreign workers continued to be subjected to forced domestic service, including in the diplomatic community assigned to Belgium. During the year, authorities reported the increased number of refugees from North Africa in the country were vulnerable to trafficking.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government pursued a multi-disciplinary, case-based approach to trafficking informed by the work of a quasi-governmental office that serves as the country's *de facto* National Rapporteur on human trafficking. The government continued to engage

more front-line responders in victim identification. The Belgian government remained a leader in the region for its efforts to investigate and prevent domestic servitude within the diplomatic community. Country experts reported the government offered different levels of protection to victims depending on the victim's legal status in Belgium. Victims whose cases do not result in a conviction or who do not pursue criminal charges against their traffickers remained vulnerable to deportation.



Recommendations for Belgium: Follow through on plans to develop more practical tools for front-line responders to detect trafficking victims, including among potential trafficking victims in the legalized commercial sex sector; continue to examine ways to balance the rights of trafficking victims and their need for assistance with law enforcement priorities, including establishing adequate protection measures for victims who do not wish to pursue a case against their traffickers; develop the capacity to capture comprehensive law enforcement data to demonstrate vigorous prosecution of forced labor and sex trafficking offenders; in light of the expanded legal definition of trafficking in Belgium and in line with Article 2 of the 2011 European Union Directive on Human Trafficking, provide disaggregated prosecution and conviction data for those cases that involved force, fraud, or coercion to demonstrate that trafficking offenders are vigorously prosecuted in Belgium; ensure all trafficking victims are not punished for crimes committed as a result of their trafficking and have access to services regardless of participation in proceedings, success of prosecutions, or citizenship; and expand the government's international leadership role to share Belgium's best practices with other countries, including on its case-based approach and self-critical reporting, as well as efforts to investigate and prevent domestic servitude involving diplomats in Belgium.

Prosecution

The government continued to investigate and vigorously prosecute trafficking offenses; during the reporting period the government increased the number of trafficking offenders who received prison sentences of five years or more. Belgium prohibits all forms of trafficking through a 2005 amendment to its 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed penalty for all forms of trafficking—20 years' imprisonment—is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, Belgium follows a definition of trafficking that raises concerns of over-breadth. The failure of an employer to meet prevailing wage, hours, and working conditions can constitute "exploitation" under Belgium's anti-trafficking law; these cases are included as trafficking offenses in the government's prosecution data. The government considers coercion to be an aggravating factor under its trafficking law and does not require evidence of such in order to secure a trafficking conviction. A previous Rapporteur report noted that the law "takes greater account of the coercion component" involved in human trafficking crimes. The government reported it prosecuted 381 suspected human trafficking offenders in 2012, compared with 358 prosecutions in 2011; it prosecuted 190 (170 in 2011) offenders for sex trafficking offenses, 164 (165 in 2011) for labor trafficking or economic exploitation offenses, 18 (14 in 2011) for coerced criminality, 7 (8 in 2011) suspects in cases of forced begging and 2 suspects of organ removal. The government reported it convicted and sentenced at least 48 trafficking offenders in 2012, the most recent year for which data was available. The government reported 48 prison sentences in 2012, compared to 68 prison sentences for convicted traffickers in 2011. Sentences ranged from less than one year to five years' imprisonment; three offenders were sentenced to less than one year, 18 were sentenced to between one and three years, 11 were sentenced to three to five years and 10 offenders were sentenced to five years or more.

In October 2012, a court of appeals in Liege sentenced an Albanian sex trafficking offender to eight years' imprisonment for subjecting young Belarusian and Lithuanian women to forced prostitution. In 2012, the Government of Belgium continued its efforts to prosecute eight family members of the royal family of Abu Dhabi (UAE) for allegedly subjecting 17 girls to forced servitude while staying at a Brussels hotel in 2008. The government did not report any investigations or prosecutions of any Belgian government officials for trafficking-related complicity in 2012.

Protection

The government sustained its efforts to protect victims of trafficking in 2012. Federal and regional governments continued to fund three dedicated NGO-run shelters that provided specialized, comprehensive assistance to trafficking victims including psycho-social, medical, and legal care. These shelters assisted 185 new adult victims in 2012, compared to 150 new victims assisted the previous year. The government continued to employ systematic procedures to identify and refer victims for care based on a 2008 interagency directive for trafficking victims; an evaluation of this directive, however, determined that front-line responders needed more practical tools to identify victims. During the year, the government continued to develop multi-disciplinary methods to improve victim identification by involving more front-line responders other than police; for instance, through the distribution of a detailed leaflet for hospital staff on how to identify and refer potential trafficking victims.

Although the Belgian government reported it offered residency and protective services to most foreign trafficking victims, some protection was conditioned on burdensome requirements; victims are granted immunity from fines, detention, or deportation only if they assist in the prosecution of their trafficker. Furthermore, in order to qualify for victim status, victims must have broken off all contact with their traffickers and agree to counseling at a specialized trafficking shelter, conditions that are especially challenging for child trafficking victims. The Rapporteur report urged a more victim-centered approach, especially for victims who are reluctant to participate in court proceedings and recommended granting trafficking victims greater legal status immediately upon their identification. Non-EU citizen victims may obtain permanent residency in Belgium only after the successful prosecution and sentencing of their traffickers; residence permits for indefinite lengths of time may be available without conviction,

if authorities establish a formal charge of trafficking. During the year, the government issued or renewed 620 residence permits to trafficking victims. The government was unable to provide how many were newly issued. Victim-witnesses were granted access to the Belgian labor market during legal proceedings; the government reported that an unspecified number of trafficking victims were provided with such access during the year.

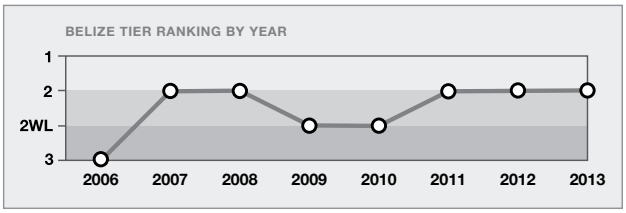
Prevention

The Government of Belgium sustained trafficking prevention efforts, and demonstrated transparency in these efforts, during the year. The Rapporteur's office continued to publish an annual self-critical report on the government's anti-trafficking activities, focused on the financial aspects of trafficking. The report of a Senate working group on human trafficking contained a critical analysis of the strengths and weaknesses of the government's anti-trafficking efforts and made a number of recommendations for improvement. In June 2012, the government approved its 2012-2014 National Action Plan on trafficking, which includes creation of legal status for the shelters, launches new awareness campaigns, and strengthens the prosecution of traffickers. The government continued to co-sponsor the nationwide campaign, "Stop Child Prostitution" in 2012 and continued to distribute a multilingual flyer on visas for potential trafficking victims. The government also continued outreach to domestic workers in diplomatic households to inform them of their rights and provide them with avenues to report abuse; among other measures, requiring domestic workers to appear in person annually to renew their identification cards. Belgian authorities identified child sex tourism as a serious problem among Belgian nationals, but reported no prosecutions of such activity. The government provided specific anti-trafficking training to Belgian troops prior to their deployment abroad on international peacekeeping missions. There were no efforts to reduce demand for commercial sex acts.

BELIZE (Tier 2)

Belize is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. A common form of human trafficking in Belize is the coerced prostitution of children, often occurring through parents pushing their children to provide sexual favors to older men in exchange for school fees, money, and gifts. Child sex tourism, involving primarily U.S. citizens, has been identified as an emerging trend in Belize. Additionally, sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occurs in bars, nightclubs, and brothels throughout the country. Foreign men, women, and children, particularly from Central America, Mexico, and Asia, migrate voluntarily to Belize in search of work; some may fall victim to forced labor. Children and adults working in the agricultural and fishing sectors in Belize are vulnerable to forced labor. Forced labor has been identified in the service sector among the South Asian and Chinese communities in Belize, primarily in restaurants and shops with owners from the same country. There has been at least one case of a Belizean trafficking victim identified in previous years in the United States.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted an anti-trafficking law late in the reporting period that raised penalties for human trafficking offenses. It also enacted a law prohibiting and punishing the commercial sexual exploitation of children under the age of 18, but allowed for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits, thus rendering them vulnerable to commercial sexual exploitation. During the year, the government identified an increased number of trafficking victims. However it sentenced only one trafficking offender *in absentia* to jail time. Furthermore, it did not report the investigation or prosecution of any public officials for alleged complicity in human trafficking-related offenses. Lack of punishment for trafficking offenders, especially complicit officials, remained a significant obstacle to the government's ability to authentically address its trafficking problem.



Recommendations for Belize: Proactively implement the recently passed anti-trafficking law by aggressively investigating and prosecuting forced labor and sex trafficking offenders, including officials complicit in trafficking; take steps to ensure the effective prohibition of the commercial sexual exploitation of children, including those of ages 16 and 17; seek criminal punishment for any guilty trafficking offender; monitor human trafficking trial procedures, and ensure trafficking offenders receive sentences that are proportionate to the gravity of the crime; complete the anti-trafficking committee's development and implementation of formal procedures to guide officials in proactively identifying victims of sex trafficking and forced labor, including among migrant laborers and people in prostitution, and refer them for care; continue to increase partnerships with NGOs to address reintegration of trafficking victims in Belize; ensure identified foreign victims are not penalized for crimes, such as immigration violations, committed as a direct result of being subjected to human trafficking; and implement a targeted campaign educating domestic and foreign communities about forced domestic service and other types of forced labor, commercial sexual exploitation of children, and other forms of human trafficking.

Prosecution

The Government of Belize improved its capacity to prosecute trafficking offenders during the reporting period; however, despite an increase in arrests of suspected trafficking offenders, the government did not sufficiently punish convicted trafficking offenders in 2012. In February 2013 the government enacted the Trafficking in Persons (Prohibition) Act which prohibits all forms of trafficking and prescribes punishments of one to eight years' imprisonment, up to 12 years' imprisonment if the victim is a child, and up to 25 years' imprisonment in cases involving sexual assault or other aggravating circumstances. This law repealed and replaced the government's previous anti-trafficking law. Notably, the new law elevated the offense of

trafficking from a "summary offence" tried in the lower courts to an indictable offense tried before the Supreme Court. The prescribed maximum penalty of eight years' imprisonment, up to 25 years' imprisonment in some cases, is sufficiently stringent and commensurate with other serious crimes. During the reporting period, the government also passed the 2013 Commercial Sexual Exploitation Children (Prohibition) Act that criminalizes the facilitation of prostitution of children under 18 years of age. This law also allows for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits. This specific clause in the law may render children vulnerable to commercial sexual exploitation given that coerced prostitution of children by parents pushing their children to provide sexual favors to older men in exchange for remuneration is common in Belize. The government reported it prosecuted and convicted two trafficking offenders during the reporting period; however, no trafficking offenders received a custodial sentence. This is a decline from the previous year, when two convicted trafficking offenders received at least one year jail time. In another case, the government convicted a resort owner for subjecting a child to sex and labor trafficking for five months. Despite the child being 14 years of age, the length of time she was held in servitude, and her being subjected to repeated rape and beatings, the court did not sentence the trafficking offender to any jail time but rather only to a fine. One trafficking offender was tried *in absentia* after fleeing the country, but the government did not provide the specific sentencing information for this convicted offender. Five human trafficking prosecutions from previous years remained pending. Trafficking-related complicity remained a serious problem. The prosecution of a government official, reported in the 2011 TIP Report, who allegedly raped a victim in the course of a trafficking investigation remained pending trial before the Supreme Court. The government provided in-kind assistance for anti-trafficking training for law enforcement and labor officials from many different ministries during the reporting period.

Protection

The Belizean government sustained its efforts to protect trafficking victims during the reporting period. Officials reportedly identified 13 new trafficking victims, a notable increase from two victims identified the previous year. The government reported it assisted seven trafficking victims in 2012, compared with 12 trafficking victims assisted during the previous year. Law enforcement and other officials did not systematically employ formal mechanisms to guide them in identifying victims of sex trafficking and forced labor among vulnerable populations such as migrant laborers or foreign citizens in prostitution during the year. However, the government reported some front-line responders received training on identification of trafficking victims during the reporting period. The government reported that the new 2012-2014 strategic plan contains plans to update and develop draft procedures to guide officials and NGOs in referring trafficking victims to available services. The government spent the equivalent of approximately $96,500 in 2012 to provide services for trafficking victims, compared with the equivalent of approximately $125,000 in 2011. The Department of Human Services provided shelter and basic assistance to seven trafficking victims during the year. The Government of Belize reported that NGOs were actively engaged in victim identification but not in victim care. The government provided victim care and assistance through placements in safe houses, including shelters in the Cayo and Belize districts, or with families around the country. There were no reports that victims were detained involuntarily in these shelters. The government placed child victims in foster care or with relatives.

Authorities in Belize reportedly encouraged victims to assist with the investigation and prosecution of trafficking offenders, and the government reported nine victims were assisted in such cases in 2012, although court delays caused victims to become discouraged and often led them to cease cooperation with law enforcement authorities despite their interest in seeking justice. Authorities reported that identified foreign trafficking victims participating in court cases were not detained or deported during the reporting period. After the conclusion of court cases, foreign victims could remain in the country by applying for residency; however, the government did not cover the costs of the application, presenting a barrier to those victims without funds. The government did not report granting residency to any trafficking victims during the past year. The government's new anti-trafficking law includes some victim protection measures, including a provision for assistance and victim restitution. The law also exempts trafficking victims from prosecution or punishment for crimes committed as a result of being subjected to human trafficking. There were reports, however, that due to lack of identification procedures to guide immigration authorities and prison officials, the government deported or punished some foreign victims before they were able to receive assistance.

Prevention

The government made some progress in prevention efforts during the reporting period. The government continued to coordinate Belize's anti-trafficking programs through an anti-trafficking committee of 13 agencies and NGOs chaired by a senior Ministry of Human Development official. During the year, the committee released a 2012-2014 anti-trafficking national strategic plan, which outlined steps to guide, monitor, and evaluate the government's anti-trafficking efforts. The recently passed anti-trafficking law institutionalized interagency cooperation on trafficking in Belize by formalizing the role and responsibilities of the anti-trafficking coordination committee. During the year, the government demonstrated increased transparency in its anti-trafficking efforts by developing a system for use by front-line responders and the Department of Human Services to document actual and potential trafficking cases. The government continued its awareness campaign in English, Spanish, Mandarin, and Hindi. The government did not conduct any awareness campaigns targeted at the demand for forced labor or clients of the sex trade to reduce the demand for commercial sex acts.

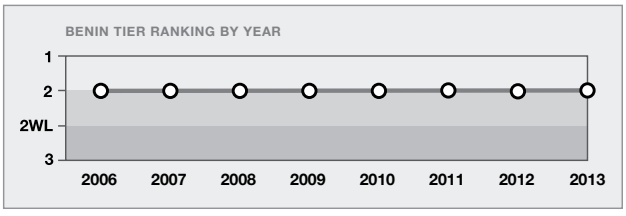
BENIN (Tier 2)

Benin is a country of origin, transit, and destination for women, children, and possibly men subjected to forced labor and sex trafficking. The majority of identified victims are girls subjected to domestic servitude or sex trafficking in Cotonou, the administrative capital. The practice of *vidomegon*, which traditionally provided educational or vocational opportunities to children by placing them in the homes of wealthier families, is now used to exploit children in domestic servitude. Children are forced to labor on farms, in commercial agriculture—particularly in the cotton sector—in artisanal mines, at

construction sites, or as street or market vendors to produce or hawk items. Children from Burkina Faso, Nigeria, Togo, and Niger are also in forced labor in these sectors; Togolese girls are exploited in prostitution in Benin. Cases of child sex tourism, involving both boys and girls, were reported in the Department of Mono and on the shores of the Bight of Benin. In northern Benin, children in Koranic schools, known as *talibe*, are exploited in forced begging by Koranic teachers known as *marabout*. The majority of child trafficking victims are from the northern regions of Benin, and many are recruited and transported to Republic of the Congo, Nigeria, Gabon, and, to a lesser extent, Niger, Cote d'Ivoire, Ghana, and Guinea-Bissau, where they are forced to labor in homes, mines, quarries, restaurants, street vending, and on cocoa farms. The majority of child victims intercepted in Benin, either from Benin or other West African countries, are *en route* to exploitation in Nigeria. Beninese adult and child trafficking victims have also been identified in Lebanon and the United Kingdom. Ghanaian and Nigerian women are trafficked into domestic servitude and forced prostitution in Benin.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, it finalized draft anti-trafficking legislation that prohibits and prescribes penalties for the trafficking of adults, which awaits parliamentary approval. It continued its efforts to prosecute and convict child labor traffickers and to protect their victims, though authorities focused on intercepting trafficking transit situations rather than rescuing persons from exploitation.

During the reporting period, the government identified 170 potential child trafficking victims and convicted 20 individuals for unlawfully transporting them. Although the government also initiated prosecution of six offenders for their involvement in the trafficking of adults, it failed to systematically investigate such cases or provide protective services to adult victims identified in or repatriated to Benin in 2012. It also did not investigate or prosecute any sex trafficking or forced labor offenses or cases that did not involve the movement of victims within Benin or across borders. Anti-trafficking progress was stymied by the government's failure to adequately fund and capacitate the Office for the Protection of Minors (OCPM), the Ministry of Family, and the Ministry of Labor.



Recommendations for Benin: Finalize and enact draft legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to convict and punish trafficking offenders, including use of existing statutes to prosecute sex trafficking and forced labor crimes, as well as the trafficking of adults; ensure adequate sentencing of convicted trafficking offenders, including the increased imposition of prison sentences rather than fines; develop systematic procedures for the proactive identification of victims —including those found to be in situations of forced labor— and their subsequent referral to care; train law enforcement officials on relevant legislation and identification and referral procedures; greatly increase funding to the OCPM, the Ministry of Labor, and the Ministry of Family to ensure they can adequately carry out their responsibilities for inspecting worksites for trafficking crimes and providing support to victims; improve efforts to collect law enforcement data on trafficking offenses and make these data available to other government agencies and the public; and launch a nationwide anti-trafficking awareness campaign.

Prosecution

During the reporting period, the government maintained its anti-trafficking law enforcement efforts with regard to child labor trafficking and initiated its first prosecution of an adult labor trafficking suspect; however, it took no discernible prosecutorial action against sex trafficking or forced labor not involving movement of victims. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking criminalizes all forms of child trafficking and prescribes penalties of 10 to 20 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. However, the Act focuses on prohibiting and punishing the movement of children rather than their ultimate exploitation and prescribes much lower penalties—six months to two years' imprisonment or fines—for actual trafficking crimes involving labor exploitation which are not sufficiently stringent. The country's penal code outlaws procuring or offering of someone for prostitution and the facilitation of prostitution and prescribes punishments of six months to two years' imprisonment, while the labor code prohibits forced labor and prescribes punishments of two months to one years' imprisonment or a fine. These punishments are neither sufficiently stringent nor commensurate with punishments prescribed for other serious crimes, such as rape. In September 2012, the government, in partnership with UNODC, completed drafting comprehensive anti-trafficking legislation which includes prohibitions and penalties for the trafficking of adults; the finalized draft awaits parliamentary approval.

During the year, the Ministry of the Interior's OCPM investigated 63 cases and referred 19 suspects to the Court of Cotonou for prosecution. In its first prosecution involving the trafficking of adults, in May 2012, OCPM apprehended and referred six suspects to the Court of Cotonou who are alleged to have coordinated employment for Beninese women in Lebanon and procured their travel documents. Outside the capital, the government convicted 20 individuals for the illegal movement of children under Act 2006-04, compared to 25 offenders convicted in 2011; sentences ranged from a six-month suspended prison term to two years' imprisonment and fines equivalent to approximately $20 to $600. These penalties were lower than those applied in the previous reporting period and were inadequate to deter the commission of trafficking crimes. Due to a backlog in the courts, ten similar prosecutions remained pending at the close of the reporting period. The government failed to investigate or prosecute any sex trafficking offenses, forced labor on worksites, or cases in which victims were not moved within Benin or across borders, as all offenders prosecuted were Beninese and discovered transporting children for intended labor exploitation.

OCPM, a specialized unit responsible for all criminal cases involving children, remained understaffed, underfunded,

and without adequate office supplies, transportation, and fuel to conduct investigations and provide immediate victim assistance. The National Police Academy provided 1,000 senior and entry-level police officers with training on counteracting child trafficking, as part of its broader training on child rights and protection. During the year, the Ministry of Justice began drafting specific trafficking training modules for the police, *gendarmes*, social workers, and judges. The government did not report efforts to investigate, prosecute, convict, or sentence government officials allegedly complicit in human trafficking crimes, including individuals in the Benin diplomatic corps who reportedly protected traffickers or sought to hinder the repatriation of child trafficking victims to Benin.

Protection

The government sustained efforts to protect potential forced child labor victims during the year, though it did not provide protective services to adult victims or identify victims of commercial sexual exploitation or forced labor. The OCPM identified 170 potential child labor trafficking victims by interviewing the children it took into custody, compared to 249 identified in 2011; the majority of these children identified in 2012 were Beninese, though trafficked children from Burkina Faso, Gabon, Ghana, Niger, Nigeria, and Togo were also identified. OCPM provided them temporary shelter, as well as legal, medical, and psychological services in a transit center staffed by government and NGO personnel, but located on police premises in Cotonou, before referring them to long-term NGO shelters. For example, in January 2013, security forces intercepted and the OCPM subsequently identified 12 Togolese and Ghanaian children who were allegedly destined for domestic servitude in Nigeria; the children were assisted at OCPM's transit center before government officials traveled with them to Togo for placement in an NGO-run shelter. OCPM worked with the Ministry of Family to return Beninese children to their families, typically after schooling or vocational training provided by the Ministry of Family had been secured. Officials with the Ministries of Family, Justice, and Interior worked in partnership with UNICEF and NGOs to coordinate placement of child trafficking victims with host families who provided additional care to children prior to reinsertion into their home communities. Government social workers provided counseling for such children, while an NGO provided financial support to cover their basic needs. Through their broad services in support of victims of crime and vulnerable groups, 85 centers for social promotion (CSP) under the Ministry of Family, offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce and in the reintegration of victims into their home communities. The OCPM did not encourage child victims to take part in investigations or court proceedings unless a judge required it, preferring not to expose them to potential additional trauma. Although the Beninese government partnered with the Congolese government on the repatriation of at least eight Beninese trafficking victims under a bilateral agreement, it failed in 2012 to carry out joint investigations or extraditions of charged defendants —a key component of this agreement. During the year, the government identified one and assisted in the repatriation of two adult labor trafficking victims. The Ministry of Foreign Affairs reported the efforts of its consulate in Beirut to assist Beninese women who encountered forced labor or prostitution in Lebanon. Although the OCPM maintained jurisdiction to assist adult trafficking victims, it and other official entities failed to shelter or provide protective services to such victims identified in or repatriated to Benin. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked. However, the government neither made systematic efforts to identify adult trafficking victims nor employed any mechanism for screening individuals in prostitution, which may have left victims unidentified in the law enforcement system.

Prevention

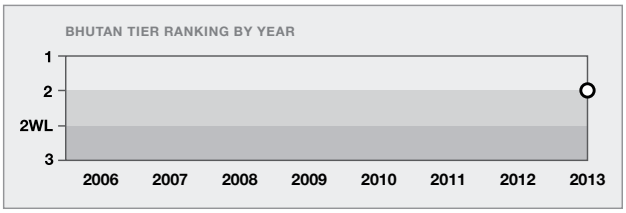
The government made minimal efforts to prevent trafficking in persons during the year. Although government ministries worked in partnership with international organizations to carry out awareness campaigns, the labor inspectorate failed to combat child labor trafficking and the anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—similarly failed to undertake efforts during the year. In July 2012, the government adopted the National Plan for the Elimination of the Worst Forms of Child Labor (2012-2015); however, the government has not yet allocated funding to implement the plan. The Ministries of Justice and Family held sessions to raise awareness of child trafficking and the related provisions under Beninese law, specifically in source communities. For example, during October 2012 in Kandi, officials raised awareness of the commercial sexual exploitation of children. In June 2012, as part of the World Day of Action Against Child Labor, the government, in cooperation with the ILO, UNICEF, and UNHCR, raised awareness on the worst forms of child labor, including child trafficking. The Joint Nigeria-Benin Committee to Combat Child Trafficking continued its coordinating efforts aimed at reducing child labor trafficking from Zakpota, Benin to quarries in Abeokuta, Nigeria and facilitated the repatriation of ten child trafficking victims from Nigeria during the year. In September 2012, during an ILO-funded training, Ministry of Labor officials provided instruction on techniques to combat child labor to officials, including judges in the children's courts, *gendarmes*, police, local authorities, mining operators, and CSP staff. Inspectors with the Ministry of Labor and the Civil Service's Office of Labor imposed administrative penalties, resulting in fines, even for serious labor violations, some of which likely included trafficking crimes. In addition, there was no mechanism to coordinate efforts and casework between these offices and the OCPM. Effectiveness of the labor inspectorate remained limited by an inadequate number of inspectors and insufficient resources to conduct inspections. The government took no systematic steps to reduce the demand for commercial sex acts or forced labor both within the country and transnationally during the reporting period. It provided Beninese troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.

BHUTAN (Tier 2)

Bhutan is a destination country for men, women, and children vulnerable to forced labor and sex trafficking, and Bhutanese children are subjected to forced labor and sex trafficking within the country. Bhutanese girls who work as domestic servants and entertainers in *drayungs*, or karaoke bars, are subjected to sex and labor trafficking. A civil society group asserted that some *drayung* owners required employees to sign a contract to work in the karaoke bar for five years, and the employees were

financially penalized if they terminated their employment earlier; some employees were required to reside in these bars. A civil society group noted that some of these employed girls are vulnerable to being forced into prostitution with customers under threat of physical abuse from the *drayung* owners. Young, rural Bhutanese are transported to urban areas, generally by relatives, for domestic work, and some of them are subjected to domestic servitude. Indian and Bangladeshi men who work in Bhutan's construction and hydropower sectors and Indian women and girls who work in domestic service in Bhutan are vulnerable to human trafficking. Immigration officials noted there was a growing problem of undocumented Indian domestic workers in Bhutan. In the reporting period, a foreign girl was subjected to forced labor in a restaurant in Bhutan.

The Government of Bhutan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not use procedures to identify trafficking victims among vulnerable populations, but funded an NGO whose services were available to protect trafficking victims. Some government agencies have a limited understanding of the definitions of human trafficking.



Recommendations for Bhutan: Amend Section 154 in the penal code to refine the definition of human trafficking so the purpose of the crime is "exploitation" rather than "any illegal purpose;" undertake and publish a comprehensive assessment of all forms of human trafficking—including labor trafficking of men—in Bhutan; train government officials on the existence of human trafficking and the implementation of anti-trafficking laws; establish shelters for trafficking victims in border areas; develop procedures to proactively identify trafficking victims, both men and women, and refer them to protection services; continue to fund NGOs that provide protective services to trafficking victims; ensure that trafficking victims are not penalized for acts committed as a result of being trafficked, such as prostitution or immigration offenses; undertake human trafficking awareness-raising measures among vulnerable populations; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Bhutan did not take law enforcement efforts against human trafficking over the last year. Article 154 of the penal code was amended in 2011 broadly to criminalize a person who "recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into or outside of Bhutan for any illegal purpose." This definition departs from the Palermo Protocol definition because it requires that the purpose be otherwise "illegal," rather than simply be for the purpose of "exploitation." Bhutan also defines trafficking to include the buying, selling or transporting of a child for any illegal purpose and the same actions if done for the purpose of engaging a person in prostitution in articles 227 and 379 of the penal code, respectively, and prohibits all forms of trafficking of children "for the purpose of exploitation" in Article 224 of the Child Care and Protection Act of 2011. Punishments range from three years to life imprisonment. The Labor and Employment Act of 2007 also prohibits most forms of forced labor, with penalties from three years to less than five years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not investigate or prosecute any suspected trafficking offenders in the reporting period. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. Some NGOs expressed concern that government officials and police officers were not sufficiently trained to understand and respond to trafficking cases.

Protection

The Government of Bhutan undertook modest efforts to protect victims of human trafficking. The government did not employ systematic procedures to identify victims and refer them to protective care. Women and children who were trafficking victims were able to access shelter and services from a government-funded NGO, but there were no known protective facilities for male trafficking victims. Adult victims were not able to leave the shelter unchaperoned until after all court proceedings had been completed. The government identified a foreign child trafficking victim who was found working in a restaurant. The girl was referred to care facilities and the trafficker was fined for employing an undocumented worker. Sex trafficking victims may have been punished for prostitution offenses. The Government of Bhutan deported undocumented Indian and Bangladeshi migrant workers without screening them for trafficking victimization; however, the government worked with foreign civil society groups and foreign governments, and when necessary, paid for temporary lodging and airfare to ensure the welfare of these deported migrant workers. The law does not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

Prevention

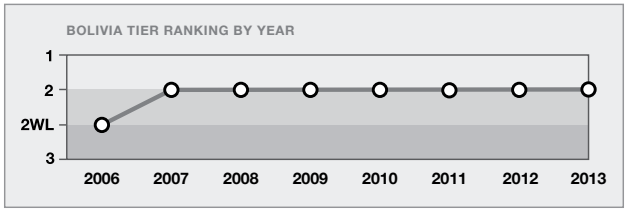
The Government of Bhutan undertook minimal efforts to prevent human trafficking in the reporting period. In February 2013, a government-funded NGO conducted a cross-border sensitization training on human trafficking with an international organization and an Indian NGO. The government did not launch any campaigns to raise awareness of human trafficking in the country. The government did not report whether it took steps to reduce the demand for commercial sex acts. Bhutan is not a party to the 2000 UN TIP Protocol.

BOLIVIA (Tier 2)

Bolivia is principally a source country for men, women, and children who are exploited in sex trafficking and forced labor within the country or abroad. Bolivians are found in conditions of forced labor in Argentina, Brazil, Chile, Peru, Spain, the United States, and other countries, usually in sweatshops and agriculture, as well as in domestic service. Within Bolivia, women, children, and men are subjected to sex trafficking, often in urban areas. Bolivian women and girls are also exploited in

sex trafficking in neighboring countries, including Argentina, Peru, and Chile. To a more limited extent, women from other nearby countries, including Brazil and Paraguay, have been identified in forced prostitution in Bolivia. Members of indigenous communities are particularly vulnerable to trafficking. Within the country, Bolivian children are found in domestic servitude, forced begging, and forced labor in mining and agriculture

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government enacted a new trafficking law that strengthened victim protection and trafficking prevention efforts. However, it did not provide dedicated funding to government ministries to fulfill some of the law's new requirements until 2013. Also, the government did not allocate dedicated funding for local governments to implement their new responsibilities. Authorities assisted an increased number of sex trafficking victims, achieved the first conviction for domestic servitude, strengthened interagency coordination, and established anti-trafficking policies. The number of trafficking convictions remained low relative to the large number of victims found in Bolivia, particularly for forced labor. The government funded few specialized services for trafficking victims, and services for adult victims and victims of forced labor were inadequate.



Recommendations for Bolivia: Enhance victim services across the country by increasing resources designated for specialized assistance for trafficking victims, including for victims of forced labor; strengthen efforts to prosecute trafficking offenses, and convict and punish trafficking offenders and fraudulent labor recruiters; increase resources for prosecutors and police and ensure that dedicated human trafficking units focus on human trafficking as opposed to other crimes such as missing persons; enhance efforts to identify trafficking victims proactively by developing formal procedures for identifying trafficking victims among vulnerable populations; intensify law enforcement efforts against the forced labor of adults and children, including domestic servitude, and the forced prostitution of adults; ensure that returning Bolivian trafficking victims receive reintegration services.

Prosecution

The government increased investigations of human trafficking during the year, though convictions remained low and the majority of law enforcement efforts focused on child victims. The government enacted a new trafficking law in July 2012 that prohibits all forms of trafficking and establishes penalties of 10 to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed under Bolivian law for other serious crimes, such as rape. The law diverges from the 2000 UN TIP Protocol by penalizing illegal adoption as human trafficking. Previously, Bolivian law prohibited all forms of human trafficking and prescribed penalties of eight to 12 years' imprisonment. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. According to press reports, some police and prosecutors investigated child sex trafficking as other crimes, such as pimping, which prior to the new law carried lesser penalties.

Police reported investigating potential human trafficking cases involving 319 victims in 2012. There was no information available regarding how many of these cases involved forced labor or illegal adoption. Prosecutors reported opening 95 trafficking investigations, although it is unclear how many prosecutions were initiated in 2012. The government reported convicting four sex trafficking offenders and one labor trafficking offender in 2012; reported sentences ranged from two to 12 years' imprisonment, although the convicted labor trafficking offender remained under house arrest after appealing her sentence. In comparison, in 2011 the government reported convicting two forced labor and seven sex trafficking offenders.

The government paid the salaries for officers in 14 specialized anti-trafficking and anti-smuggling police units; these units were also funded by foreign governments. Many of the cases investigated by these units involved missing persons, limiting officers' ability to focus on trafficking cases. During the year, however, the police opened a missing persons unit in La Paz, allowing the La Paz anti-trafficking unit to focus its work on human trafficking cases. The national coordination office responsible for prosecution of human trafficking and other crimes collected law enforcement data from across the country and developed training materials, including an online training course, and victim assistance guidelines during the year. At least one prosecutor in each of Bolivia's nine departments was designated to handle trafficking cases in addition to their existing caseload. In 2012, the attorney general instructed prosecutors to prioritize investigations of cases involving child trafficking victims. Law enforcement officials and prosecutors received anti-trafficking training from government officials in 2012, often funded by NGOs, international organizations, as well as a foreign government. Authorities reported no investigation, prosecutions, or convictions of government officials for trafficking-related complicity.

Protection

While the government reported assisting an increased number of victims, efforts to protect trafficking victims remained uneven, and civil society organizations provided the majority of specialized care without government funding. The government lacked formal procedures for identifying trafficking victims among vulnerable populations. Bolivian police reported identifying 319 possible trafficking victims. Officials referred victims to services and shelters during the year, although the government did not report the total number of victims referred for assistance in 2012. Based on press accounts and trafficking convictions, most victims identified were girls in sex trafficking, and efforts to identify forced labor victims or adult trafficking victims were more limited.

Specialized victim services were lacking in most of the country. Authorities issued a victim attention protocol in December 2012 outlining required victim support procedures for different government institutions. The government operated one shelter in La Paz for girls in commercial sexual exploitation but supported no specialized shelters for adult victims. Authorities

also operated general shelters for vulnerable girls, including victims of violence and juvenile offenders. One of these centers reported assisting 45 girl victims in 2012. Many general centers did not accept children older than fourteen. Local governments operated two special victims units in 2012, including one opened during the year; these units focused on providing legal and psychological services to victims of gender-based violence, including victims of human trafficking. The special victims unit in Santa Cruz provided social, medical, and legal assistance to 46 victims in 2012. NGOs and religious groups without government funding provided the majority of shelter care and reintegration programs to victims. Many of these programs were not exclusively for trafficking victims but also provided services to victims of gender-based violence or sexual abuse. The new law established that local governments should create specialized centers for trafficking victims; the central government did not allocate dedicated funding to establish these centers, but provides departments with a budget to administer all social service programs. Services for male victims were virtually nonexistent, and minor male victims were referred to juvenile justice detention centers for shelter. Argentine officials reported identifying hundreds of Bolivian victims of trafficking during the year, many of whom reportedly chose to return to Bolivia. An international organization funded the repatriation of 40 victims from Argentina and 10 from Peru with government assistance for paperwork but did not have sufficient funding to assist all Bolivian victims exploited in neighboring countries. Authorities assisted repatriated child victims.

The government encouraged victims to participate in trafficking investigations and prosecutions, though victims often chose not to cooperate out of fear of reprisals from traffickers and lack of faith in the judicial system. During the year, some government officials providing services were insensitive to the needs of victims, while other officials released the names of child trafficking victims to the press. The new trafficking law criminalizes the release of victim information by government employees and established penalties of three to eight years' imprisonment. There were no reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. The government did not provide foreign trafficking victims with legal alternatives to deportation to countries where they may face retribution or hardship.

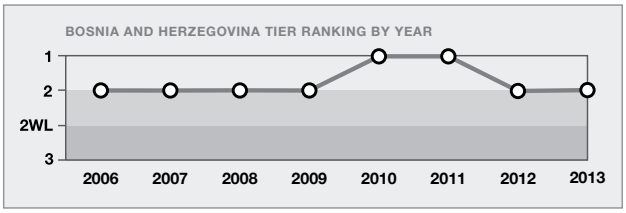
Prevention

The government maintained human trafficking prevention efforts during the year. The national anti-trafficking council, which also focused on smuggling, met regularly in 2012 and developed implementing guidelines for the new trafficking law, which were formalized in February 2013. The government developed public service announcements on the new law that aired during the year. The implementing guidelines of the new law required media outlets to run a certain number of minutes of public service announcements about human trafficking and the new law each month, which some media outlets stated would deprive them of a significant amount of advertising income. Effective coordination between government agencies was uneven outside of the capital, although one department formed an anti-trafficking council in 2012. Police officers continued to conduct awareness programs in public schools in the La Paz area. There were no reported investigations, prosecutions, or convictions for child sex tourism during the year. No government efforts to reduce demand for commercial sex acts or forced labor were reported during the year. The government provided human rights training with anti-trafficking content for its troops before they deployed on international peacekeeping missions.

BOSNIA AND HERZEGOVINA (Tier 2)

Bosnia and Herzegovina is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. There is an increasing problem of Roma boys and girls being subjected to forced begging by organized criminal groups. Victims from Serbia, Bulgaria, Germany, and Ukraine were subjected to trafficking within the country. Bosnian victims are subjected to sex trafficking and forced labor in Serbia, Slovenia, Macedonia, Azerbaijan, Croatia, Spain, Italy, and other countries in Europe.

The Government of Bosnia and Herzegovina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enhanced its efforts to protect victims of trafficking through improved funding levels for anti-trafficking activities in the national budget and amended legislation to enable victims of trafficking who are in the country on a humanitarian visa to obtain employment. The government convicted and sentenced one public official to prison for a trafficking-related offense. However, the government has not yet amended sub-national laws to criminalize all forms of trafficking consistent with national and international law. Police complicity in trafficking-related offenses and authorities' lack of sensitivity to child victims of sex trafficking reportedly impeded efforts to hold trafficking offenders accountable.



Recommendations for Bosnia and Herzegovina: Vigorously investigate sex and labor trafficking and hold trafficking offenders accountable through prosecutions and appropriate sentences; harmonize sub-national laws to explicitly criminalize all forms of trafficking consistent with the state law and the 2000 UN TIP Protocol; continue to vigorously investigate and prosecute officials complicit in trafficking-related crimes; ensure child victims of trafficking are not punished for acts committed as a direct result of being trafficked; include labor inspectors in the national referral mechanism with a goal to increase identification of male victims and labor trafficking; and increase funding for reintegration services for domestic victims.

Prosecution

The Government of Bosnia and Herzegovina demonstrated modest anti-trafficking law enforcement efforts over the last year, convicting one official for a trafficking-related offense and cooperating on transnational trafficking investigations.

Sex trafficking and forced labor are prohibited through Article 186 of the criminal code, which prescribes penalties of three to 10 years' imprisonment; the criminal code was amended during the reporting period to increase minimum sentences. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The national government convicted one trafficking offender during the reporting period, a minor improvement over no convictions in 2011. The state prosecutor's office reported new investigations of eight trafficking suspects and ongoing investigations of 29 suspects.

Bosnia and Herzegovina consists of two entities within the state, the Federation of Bosnia and Herzegovina and the Republika Srpska. Each entity has political, legislative, and judicial authority. The Brcko District is a self-governing unit under the jurisdiction of the state. The government has yet to harmonize sub-national laws with the state anti-trafficking law and the 2000 UN TIP Protocol to explicitly criminalize all forms of trafficking. In the absence of such statutes, some trafficking offenders were prosecuted under the Enticement to Prostitution statute in Article 210 of Federation of Bosnia and Herzegovina's criminal code, and in Article 207 of Brcko District's criminal code. Article 198 of the criminal code of Republika Srpska covers pimping and forced prostitution but is not consistent with the definition of human trafficking under international law. Cantonal prosecutors' offices within the Federation prosecuted two trafficking offenders in Sarajevo and one in Tuzla for enticement to prostitution. Courts sentenced two offenders in Bihac each to three months' imprisonment and acquitted one defendant. Courts in Republika Srpska convicted one offender under Article 198 and sentenced him to a fine and 26 months in prison, gave one offender a one-year suspended sentence, and acquitted one defendant. The state prosecutor's office accepted one suspected trafficking case referred by the Banja Luka prosecutor's office in Republika Srpska but returned another case referred by the Brcko District prosecutor's office. Sub-national laws against enticement to prostitution permit police to charge children age 14 and older with prostitution; while no such prosecutions of exploited children were documented during the reporting period, observers reported that police continued to treat child victims of sex trafficking as offenders and subjected them to interrogations.

There was one reported conviction of a government official for alleged involvement in trafficking-related offenses; a former social welfare official was sentenced to six years' imprisonment for misusing his position to sexually exploit a child. Allegations of police and other official complicity in trafficking, particularly at the local level, continued; observers alleged that local police ignored or actively protected traffickers and their customers, often in exchange for bribes. The national anti-trafficking coordinator, in cooperation with an NGO and with international funding, provided specialized training to officials on how to identify victims of forced labor. Judicial centers trained new judges and prosecutors on human trafficking, and law enforcement academies trained border police on how to identify trafficking. The government cooperated with the Serbian government on an investigation into ten Serbian victims exploited in Bosnia and Herzegovina.

Protection

The government improved efforts to protect victims of trafficking, providing stable funding for services and permitting victims of trafficking with a humanitarian visa to work legally in Bosnia and Herzegovina. The government identified 39 victims of trafficking in 2012, compared with 34 victims in 2011. Ten of the identified victims were subjected to forced begging. Nineteen of the 39 identified victims were children, including three boys. All of the adult victims identified were women. The national referral mechanism did not incorporate labor inspectors, hampering efforts to identify and assist victims of forced labor. The government allocated the equivalent of $100,000 to implement the national strategy and action plan in 2013: equivalent to approximately $69,000 for assistance to foreign trafficking victims, and the equivalent to approximately $46,000 for assistance to domestic trafficking victims, making the anti-trafficking budget a regular budget line item, and providing more assistance to NGOs. This significantly improved the government's ability to address trafficking compared to the previous year, during which the government drew the equivalent to approximately $46,000, from a general fund for all victims of sexual violence and did not fund services for foreign victims of trafficking. During the reporting period, seven NGOs received small grants to meet basic needs of victims of trafficking. Three NGO shelters assisted 18 child and three adult victims of trafficking; the victims were not permitted to leave the shelter without a chaperone. A restructuring of the national interagency anti-trafficking taskforce to increase expert participation led to a marked improvement in the taskforce's investigation tactics.

Victims in Bosnia and Herzegovina are permitted a 30-day reflection period, time in which they could recover before deciding whether to cooperate with law enforcement; two victims took advantage of the reflection period in 2012. The government amended legislation during the reporting period to allow victims of trafficking who hold a humanitarian visa to work legally in the country and to count time spent under such a visa towards permanent residency. Four victims of trafficking requested and received residence permits during the reporting period, which was equal to the number of victims issued such permits in 2011. Observers reported that once prosecutors determined a victim's testimony was not needed, or when they closed a case due to lack of evidence, the government often initiated deportation procedures against victims of trafficking without providing them adequate assistance or arranging for their safe repatriation. The government rarely referred foreign victims to legal service providers, despite agreements with an NGO to provide such services. There were no reports of adult victims being detained or otherwise penalized for unlawful acts committed as a result of their being trafficked.

Prevention

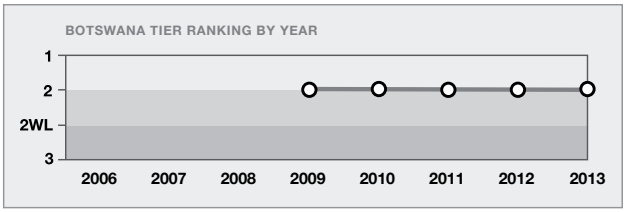
The government made moderate efforts to prevent trafficking during the reporting period. The government funded a grant equivalent to approximately $6,700 for an NGO anti-trafficking public awareness campaign, targeted to young people seeking employment outside of the country. The national anti-trafficking coordinator continued to provide bi-annual training on victim identification and referral for staff at regional day centers for street children that serve Roma and other populations vulnerable to forced begging. The Ministry of Security, in cooperation with an NGO, launched an anti-trafficking website. The government supported a modest prevention campaign in secondary schools targeting demand for commercial sex acts. The government organized an evaluation of the 2008-2012 national action plan to inform a new plan and strategy to combat trafficking. At the end of the

reporting period, the Council of Ministers adopted the Strategy to Combat Trafficking in Persons in Bosnia and Herzegovina and a new national action plan for 2013-2015. The strategy aimed to strengthen criminal prosecution of traffickers and improve victim protection, prevention, and partnerships with NGOs. The Ministry of Defense, in cooperation with the OSCE, maintained a training program for peacekeepers on identifying and reporting human trafficking.

BOTSWANA (Tier 2)

Botswana is a source and destination country for women and children subjected to forced labor and sex trafficking. Residents of Botswana most susceptible to trafficking are unemployed men and women, those living in rural poverty, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or as herders at remote cattle posts. Young Batswana serving as domestic workers for extended family or friends of family in some cases may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—all conditions indicative of forced labor. Batswana girls are exploited in prostitution within the country, including in bars and by truck drivers along major highways. The ILO and a child welfare organization in Botswana believe that a significant minority of persons in prostitution are children. NGO reports during the year cited the rescue of 60 girls and boys from prostitution. Undocumented Asian immigrants may be vulnerable to forced labor due to the threat of deportation; in the previous reporting period, one Indian national was held in forced labor through nonpayment of wages and withholding of his passport by traffickers of the same nationality. NGOs report forced labor of both adults and children of the San ethnic minority group on private farms and cattle posts.

The Government of Botswana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government completed drafting anti-trafficking legislation, which is currently pending approval by the Cabinet. The Ministry of Defense, Justice, and Security (MDJS) coordinated two workshops to review the draft legislation, with foreign government and civil society input and in partnership with UNODC through a donor-funded program. The government nonetheless failed to criminally prosecute or convict trafficking offenders during the year. The government also failed to identify or assist trafficking victims during the year. However, as part of an ILO project in 2011, a government-funded NGO identified 58 victims of commercial sexual exploitation. Another NGO separately identified an additional two victims of commercial sexual exploitation. When victims were brought for assistance by NGOs, the government offered counseling and modest reintegration services. However, protection services were not provided to the large majority of children discovered in prostitution, as they did not qualify as orphans or destitute, which is legally required for such assistance; such services were not provided to any trafficking victims during the current reporting period. For the second consecutive year, the government failed to finalize formal identification and referral procedures and did not coordinate trafficking awareness campaigns. The government failed to proactively investigate official complicity in trafficking and trafficking-related crimes. A report released during the year indicated that police officers, soldiers, and teachers were found among the clients of children in prostitution during the previous reporting period.



Recommendations for Botswana: Enact comprehensive anti-trafficking legislation; increase efforts to investigate and criminally prosecute suspected trafficking offenders under existing laws in both transnational and internal trafficking cases; develop a formal system to identify trafficking victims proactively and train law enforcement, immigration, and social welfare officials to use this system to identify victims among vulnerable populations; develop guidelines for government-provided services to include child victims of trafficking; launch a national human trafficking awareness campaign; and institute a unified system for documenting and collecting data on human trafficking cases.

Prosecution

The Government of Botswana demonstrated minimal progress in its anti-trafficking law enforcement efforts despite its development of comprehensive legislation over the last year. It failed, however, to demonstrate efforts to vigorously investigate and prosecute trafficking offenses under existing law. Botswana does not have a law specifically prohibiting trafficking in persons, though provisions in the Penal Code of 1998, such as those in sections 150-158 (forced prostitution), section 256 (kidnapping for slavery), and sections 260-262 (slavery and forced labor), prohibit most forms of trafficking. The sufficiently stringent penalties prescribed for offenses under these sections range from seven to 10 years' imprisonment, and are commensurate with those prescribed for other serious crimes, such as rape. Sections 57 and 114 of the 2009 Children's Act prohibit child prostitution and child trafficking, respectively; section 57 prescribes penalties of two to five years' imprisonment for facilitation or coercion of children into prostitution, while section 114 prescribes penalties of five to 15 years' imprisonment for child trafficking. The Children's Act, however, fails to define child trafficking, potentially limiting its utility. The Attorney General completed drafting anti-trafficking legislation in October 2012 and submitted it to the Cabinet for review in early March 2013; the draft will then be sent to Parliament for debate and passage. In partnership with UNODC, the MDJS held two sessions to review the draft legislation and solicit feedback from government stakeholders in October 2012 and from civil society in February 2013, through which the legislation was strengthened and awareness of trafficking increased among government and NGO stakeholders.

Unlike the previous reporting period, the government did not formally report comprehensive data on potential trafficking crimes. The Botswana Police Service reported its investigation of two suspected trafficking cases. A trafficking prosecution initiated in 2010 remained ongoing. In 2012, with support from the government, IOM trained 16 immigration and law enforcement officers during a trainer-to-trainer program that took place in a government-owned facility; these officials independently trained an additional 121 officials using this

curriculum, an increase from 81 police officers trained in 2011. Police officers, soldiers, and teachers—members of the Botswana Civil Service—were reported by a government-funded NGO to be among the clients of children in commercial sex; the government did not investigate or prosecute, as appropriate, government employees for such complicity in trafficking crimes.

Protection

The government decreased its efforts to protect victims of trafficking during the year. The government failed to identify or provide assistance to trafficking victims during the reporting period. Nonetheless, as part of an ILO project, a government-funded NGO identified 58 victims of child prostitution during the previous reporting period. Although the government supported reintegration services in 2011 as part of this project through the return of these children to their families, continuation of schooling for some children, and land to start an income-generating program for others, it failed to provide them immediate medical care, counseling, or shelter or provide any such assistance to victims in the current reporting year. In addition, the government did not make systematic efforts or develop formal procedures to identify trafficking victims and refer them to care. The government began to develop a referral process for victims of gender-based violence and vulnerable groups. Botswana has no social services specifically assisting victims of human trafficking. The government funded an NGO-operated shelter, which provided general services to children. One child victim of domestic servitude, identified in 2010, remained within the care of this shelter for a third year and government social workers continued to oversee her case. During the year, this NGO reported its identification of 58 child trafficking victims, all removed from prostitution; these victims constitute a portion of the 328 children identified as part of an ILO project, which served to identify children at risk of entering or already involved in agricultural labor or child prostitution. Department of Social Services staff only provided services to one of the 58 children removed from prostitution, as the children were not orphaned or destitute and therefore were judged not to qualify for existing social services programming. This child was assisted through enrollment in the needy students program, which provided toiletries, school uniforms, and exemption from paying school fees.

Botswana does not have laws, regulations, or policies that protect trafficking victims from punishment for unlawful acts committed as a direct result of their being trafficked or that allow foreign victims relief from deportation. For example, in implementing prostitution laws, police exclusively arrest persons soliciting prostitution but do not screen this vulnerable population for victimization, thereby likely penalizing trafficking victims during the year. Additionally, the government deported undocumented foreign migrants within 24 hours of arrest and, due to limited time and resources, provided only informal screening for trafficking victimization for the 300 undocumented foreign migrants deported each day; thus, illegal immigrants who may have been subjected to conditions of trafficking are likely deported before being referred to social service officials. This informal screening has never resulted in the identification of a trafficking victim.

Prevention

The government continued minimal efforts to prevent trafficking during the year. In partnership with UNODC, the government began to develop a national action plan. Despite official recognition of the need to increase the understanding of trafficking among Batswana, the government did not launch any trafficking-specific prevention campaigns for the second consecutive year, though it made some efforts to spread awareness of hazardous and exploitative child labor. In partnership with the ILO, the government continued its compilation of a list of hazardous forms of work and is still working to complete the list. Child labor committees, which include social workers, school teachers, labor inspection officers, and community leaders such as local chiefs and priests, assisted in identifying and rehabilitating child labor and sexual exploitation victims as part of the ILO project during the previous reporting period. In November 2012, the Department of Labor and Social Security held an anti-trafficking awareness-raising event in rural villages in Southern District. The Minister of Labor raised awareness of exploitative child labor through a weekly nationwide program on Radio Botswana, in particular by advocating children remain in school. The government investigated five suspects for allegedly purchasing sex from children in prostitution; one case was pending prosecution at the end of the reporting period. With that exception, the government did not make efforts to reduce the demand for commercial sex acts during the reporting period.

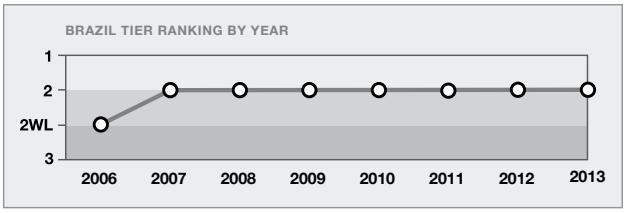
BRAZIL (Tier 2)

Brazil is a large source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. A significant number of Brazilian women and children are exploited in sex trafficking within the country, and federal police report higher rates of child prostitution in the Northeast. Brazilian women are found in sex trafficking abroad, often in Western Europe or neighboring countries such as Suriname, but also as far away as Japan. Authorities reported that between 2005 and 2011 the foreign ministry identified more than 300 Brazilian sex trafficking victims abroad. To a lesser extent, some women from neighboring countries, including Paraguay, have been exploited in sex trafficking in Brazil. Some transgender Brazilians are forced into prostitution within the country, and Brazilian men and transgender Brazilians have been exploited in sex trafficking in Spain and Italy. Child sex tourism remains a problem, particularly in resort and coastal areas in Brazil's northeast. Child sex tourists typically arrive from Europe and, to a lesser extent, the United States.

Under Brazilian law, the term *trabalho escravo*, or slave labor, is defined as forced labor or labor performed during exhausting work days or in degrading working conditions. While not all individuals identified as working in *trabalho escravo* are forced labor victims, one recent study noted that 60 percent of workers interviewed in rural *trabalho escravo* cases had experienced key indicators of forced labor, and numerous cases involving debt bondage were identified during the year. Some Brazilian men, and to lesser extent children, are subjected to *trabalho escravo* in rural areas, often on cattle ranches, charcoal production camps, sugar-cane plantations, as well as in logging, mining, and agricultural production. An NGO identified a strong link between *trabalho escravo* and environmental degradation and deforestation-related activities, particularly in the Amazon region. Forced labor victims are commonly lured with promises of good pay by local recruiters known as gatos. Brazilians in *trabalho escravo* have also been identified in urban areas, primarily in construction, as well as in the

restaurant and hospitality industries. Brazil is a destination for men, women, and children from Bolivia, Paraguay, Peru, and China in situations of *trabalho escravo* in garment factories and textile sweatshops in metropolitan centers, particularly Sao Paulo. Some Brazilian women and children, as well as girls from other countries in the region, have been subjected to domestic servitude. Brazilian forced labor victims have been identified abroad.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities continued to prosecute and convict trafficking offenders, continued funding for 16 anti-trafficking offices, and increased awareness on trafficking in persons by launching well-publicized media campaigns about trafficking warning signs. The government also launched a national anti-trafficking plan and committed to spend the equivalent of approximately $2.9 million to implement it by 2014. Despite this progress, challenges remain. Brazilian officials continued to define trafficking as a movement-based crime and statutes prohibiting trafficking were both too broad and too narrow, making it difficult to assess fully government efforts to combat trafficking. The government continued to investigate and prosecute *trabalho escravo* cases, though sentences for some *trabalho escravo* offenders remained inadequate. The government also did not fund specialized services, such as shelters, for sex trafficking victim and did not report how many total sex trafficking victims were identified or referred to services during the year. Specialized services, including shelters and job training, were unavailable to many of the more than 2,600 potential labor trafficking victims identified during the year. Some identified foreign *trabalho escravo* victims were deported.



Recommendations for Brazil: Increase efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including those involved in internal sex trafficking; dedicate increased funding for specialized assistance, shelters, and protection for victims of sex trafficking and forced labor, in partnership with civil society; vigorously investigate and prosecute those who engage in the prostitution of children, including through child sex tourism; amend legislation to apply more stringent sentences for trafficking offenders to ensure that convicted trafficking offenders cannot serve sentences through community services or fines; enhance data collection on trafficking prosecutions, convictions, and victim identification and increase transparency by making this data public; and increase collaboration between government entities involved in combating *trabalho escravo*, sex trafficking, and child prostitution, in order to ensure coordinated efforts against all forms of human trafficking.

Prosecution

Authorities continued to investigate and prosecute human trafficking and improved data collection on trafficking-related crimes, but it was unclear how many trafficking offenders were prosecuted or convicted during the year. Brazilian laws prohibit most forms of trafficking in persons. Articles 231 and 231-A of the penal code prohibit sex trafficking involving movement, with violence, threats, or fraud as aggravating elements, as opposed to necessary elements of the offense. These articles prescribe penalties of two to eight years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. These articles are inconsistent with international standards because they require movement as a necessary element of human trafficking, and also prohibit movement of a person for the purpose of prostitution, which is not a trafficking crime as defined in the 2000 UN TIP Protocol. However, other penal code statutes prohibit sex trafficking that does not involve moving the victim. Many internal sex trafficking cases appear to be investigated as other crimes, such as sexual exploitation of children. During the year, the Senate committee on human trafficking released a report that recommended new legislation to increase penalties for trafficking offenders and to expressly criminalize labor trafficking.

Some labor trafficking offenses are criminalized pursuant to Article 149 of the penal code, which prohibits *trabalho escravo*, or reducing a person to a condition analogous to slavery, prescribing penalties of two to eight years' imprisonment. Article 149, however, goes beyond situations in which people are held in service through force, fraud, or coercion, and criminalizes other treatment that is not considered human trafficking, including situations in which persons were subjected to exhausting work days or degrading working conditions. Some convicted labor trafficking offenders have not served jail time in Brazil, as most are eligible to appeal their convictions while out on bail, or serve sentences in a half-way home, or pay fines. Article 207 of the penal code prohibits fraudulent recruitment of workers, with sentences of one to three years' imprisonment.

While there were not comprehensive statistics on law enforcement efforts against all forms of trafficking in Brazil, the government enhanced data collection efforts during the year, including by reporting the number of convictions under trafficking-related statutes achieved in 2012. Given that these laws also criminalize non-trafficking offenses and other laws may have been used to prosecute and convict trafficking offenders, it was unclear how many trafficking offenders were convicted and sentenced in 2012. Authorities reported at least nine prosecutions and six convictions under internal sex trafficking statutes, as well as at least two convictions under international sex trafficking statutes in 2012, but did not report the range of sentences. Many trafficking offenders were free to appeal their convictions while out on bail, and officials noted that delays in the justice system made it difficult to hold traffickers accountable for their crimes, sometimes due to delayed transfer of cases from police to prosecutors. There was no public data on the number of individuals prosecuted or convicted in cases of sex trafficking not involving movement in 2012. Prosecutors typically prosecute cases of sex trafficking not involving movement under pimping statutes instead of the sex trafficking statute.

To investigate potential cases of *trabalho escravo*, the Ministry of Labor (MOL) conducted 135 operations involving 241 properties in 2012, compared with 171 operations involving 342 properties in 2011. According to data from federal prosecutors' offices, there were 503 police investigations of potential *trabalho escravo* open at the end of 2012. Based on

available but incomplete data, there were approximately 286 open prosecutions under Article 149 before courts in 2012. Of these prosecutions, 39 resulted in sentences during the year, but it was not clear how many, if any, were acquittals. There was no centralized data on the range of penalties for these sentences: according to press reports, some individuals convicted of *trabalho escravo* in 2012 were given prison sentences that were fulfilled through community service or reduced to fines, while others faced long sentences, in some cases for 10 years' imprisonment. During the year, NGOs identified some cases of individuals and companies with multiple accusations and investigations involving *trabalho escravo* against them, indicating the difficulty in preventing recurrence of this crime.

The Ministry of Labor's anti-*trabalho escravo* mobile units continued to free laborers and require those responsible to pay fines. Labor inspectors and prosecutors can only apply civil penalties, and their efforts were not always coordinated with Public Ministry prosecutors who initiate criminal cases. An NGO that filed the many of these complaints noted in 2011 that only half of the *trabalho escravo* cases they referred to authorities were investigated and that only around 10 percent were criminally prosecuted. In some areas, local political pressure, threats from landowners, shortage of labor inspectors or police officers, and the remoteness of areas in which rural *trabalho escravo* was prevalent have been cited as impediments in the investigation of some of these cases. Mobile inspection teams should have been accompanied by federal police for physical protection, but this did not always occur and sometimes limited prosecutors' ability to investigate cases. Official guidelines instructed labor prosecutors to respond to possible cases of child domestic servitude with awareness efforts, as opposed to criminal or labor investigations, but officials reported that these guidelines were under review.

There were no reports of investigations, prosecutions, or convictions of public officials for complicity in sex trafficking offenses during the year. In 2012 authorities continued to investigate or prosecute three members of Congress for *trabalho escravo*. Authorities trained federal police, labor inspectors, and other officials on how to identify trafficking cases and assist victims, but training for local and state level police was uneven.

Protection

The Brazilian government maintained efforts to ensure that trafficking victims had access to specialized services during the year. The government operated anti-trafficking offices in 16 states that referred victims to government and NGO services, but did not fund specialized services for victims of sex trafficking or forced labor. Authorities continued to use mobile inspection teams to identify forced laborers, but did not report systematic procedures for identifying sex trafficking victims among other vulnerable populations, such as people in prostitution. During the year, however, authorities issued a guide for government entities working on trafficking that described trafficking indicators and suggested referral mechanisms. There were no comprehensive statistics regarding the number of trafficking victims identified and assisted in 2012, and different government entities used different definitions when counting trafficking victims. Authorities in Sao Paulo reported identifying 18 sex trafficking victims and 59 victims of *trabalho escravo* in 2012. In 2012, the MOL's mobile units identified and freed 2,560 laborers in situations of *trabalho escravo*; it is unclear how many of these laborers were victims of forced labor. A recent study reported that only 13 percent of workers that had experienced strong indicators of forced labor were rescued by mobile units during their exploitative experience, suggesting that many exploited workers and forced labor victims remain unidentified. Child sex trafficking was often miscategorized, and authorities did not report the number of children identified in commercial sexual exploitation during the year.

Additional challenges remained. The federal government did not fund specialized shelters for trafficking victims, and victim services and shelters are underfunded and inadequate in some parts of the country, particularly in the Northeast. The Ministry of Social Development provided generalized shelter, counseling, and medical aid to women through its nationwide network of at least 187 centers and 72 shelters, but authorities noted that these services are not specifically for trafficking victims. It was unclear how many trafficking victims received these services in 2012, and some services were limited due to lack of funding. Brazilian police continued to refer child sex trafficking victims to the government-run specialized social service centers, where they could be referred to legal and health services and offered temporary shelter for 24 hours, after which the children were referred to families or to an alternate shelter. It was unclear how many child victims were referred to these centers during the year, and specialized shelters for children in commercial sexual exploitation were lacking. NGOs noted some government-run centers were not prepared or willing to handle trafficking cases, and were underfunded. NGOs and international organizations provided additional victim services, often with foreign funding, and authorities referred victims to NGOs during the reporting period for specialized care. There were no specialized services for male and transgender sex trafficking victims. Long-term shelter options for sex trafficking victims were generally unavailable, and an NGO noted that identified sex trafficking victims were not offered three months' salary at minimum wage like laborers in situations of *trabalho escravo*.

The federal government continued to fund regional anti-trafficking offices in partnership with state governments in 16 states, one of which opened during the reporting period. These offices are responsible for coordinating local government efforts against trafficking, raising public awareness, and referring victims of movement-based trafficking to services. The government funded assistance posts in airports and other key transit points to aid repatriated citizens, including possible trafficking victims. There were a total of 12 assistance posts, six of which were opened during the year. The offices and posts generally functioned during business hours, and staff received training during year on victim assistance. The report released by the Senate in 2012 noted that some offices received inadequate funding and highlighted some office's limited ability to assist victims. There was no public information about how many total victims these entities identified and assisted in 2012 or what services victims were referred to, such as shelters or legal or psychological services.

Forced labor victims were not eligible for government-provided shelter assistance, though victims who were Brazilian citizens were provided with unpaid wages plus three months' salary at minimum wage. Although labor prosecutors reported awarding some victims monetary compensation from fines levied against employers, in some cases authorities did not file for these indemnities, and in other cases the victims did not receive them due to nonpayment by employers. The government reported that rescued workers were due the

equivalent of approximately $4.4 million in back-pay in 2012. The state of Mato Grosso continued to fund a program to provide vocational training in construction skills and other services to freed slave laborers, and was one of the only states to do so. According to NGOs and international organizations, a significant percentage of rescued slave laborers have been re-trafficked, due to few alternate forms of employment and a lack of substantive assistance and services.

The government encouraged trafficking victims to participate in investigations and prosecutions of trafficking, and some did so during the year. Some victims were reluctant to testify due to fear of reprisals from traffickers. Victims of sex trafficking were eligible for short-term protection under a program for witnesses, but it was unclear how many victims participated in this program in 2012. The government generally did not detain, fine, or otherwise penalize identified victims of trafficking for unlawful acts committed as a direct result of being trafficked. Foreign victims of trafficking were eligible for permanent visa status, although authorities did not report how many victims received this status in 2012. During the reporting period, however, federal police officers deported some identified foreign victims of *trabalho escravo*, despite official guidance instructing officials not to do so. Brazilian consulates abroad assisted Brazilian victims.

Prevention

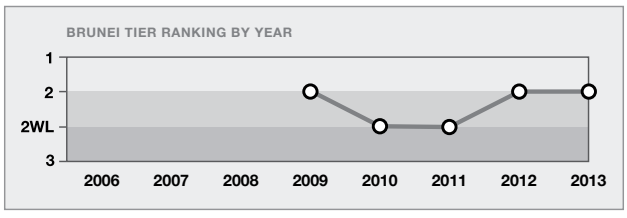
The Brazilian government took steps to prevent human trafficking during the year, most significantly by formally launching the second national anti-trafficking plan for 2012-2016. The plan for movement-based trafficking established government priorities in several areas, including changing the law, increasing the number of anti-trafficking offices and assistance posts, and improving data collection. The government announced that it would dedicate the equivalent of $2.9 million to implement this new national plan by 2014, including by opening an additional 10 anti-trafficking offices and training 400 government officials. The National Secretary of Justice coordinated interagency efforts on movement-based trafficking, and federal government entities reported meeting frequently in 2012. In 2012 the government released a study it conducted with UNODC on Brazilian trafficking victims exploited abroad between 2005 and 2011. Many states and some municipalities had local-level anti-trafficking coalitions, committees, and plans, some of which were launched in 2012. The national commission to eradicate *trabalho escravo*, a council composed of government agencies, NGOs and international organizations, continued to coordinate efforts against *trabalho escravo*, and some states had local commissions displaying varying degrees of activity. Authorities distributed awareness materials targeted at Brazilians traveling abroad or within the country. Civil society organizations, private sector companies and various federal, state, and municipal entities collaborated on anti-trafficking initiatives.

The MOL published a "dirty list," which publicly identified individuals and corporate entities determined to be responsible for *trabalho escravo*. The most recent version of the list, released in December 2012, added more than one hundred new entries from the 2011 list, for a total of 400 total employers, some of whom were denied access to credit by public and private financial institutions because of this designation. In some cases, owners of companies included on the list created new companies to avoid consequences associated with the list. In December 2012, the Sao Paulo state legislature passed a law strengthening state-level penalties for companies using *trabalho escravo* in their supply chain. The government took public measures to reduce demand for commercial sexual exploitation of children by continuing to raise awareness during the Carnival season. Despite the significant number of child sex tourists visiting Brazil, there were no public reports of prosecutions or convictions for child sex tourism in 2012. The Brazilian government provided anti-trafficking training to its military troops prior to their deployment abroad on international peacekeeping missions.

BRUNEI (Tier 2)

Brunei is a destination country and, to a much lesser extent, a source and transit country for men and women who are subjected to forced labor and forced prostitution. Men and women from countries within the region such as Indonesia, Bangladesh, China, the Philippines, and Malaysia migrate to Brunei primarily for domestic work, and are sometimes subjected to conditions of involuntary servitude after their arrival. There are approximately 100,000 migrant workers in Brunei, some of whom face debt bondage, nonpayment of wages, passport confiscation, abusive employers, and confinement to the home—conditions widely recognized as indicators of human trafficking. Although it is illegal for employers in Brunei to withhold wages of domestic workers for more than 10 days, some employers have been known to withhold wages in order to recoup labor broker or recruitment fees or as a tool to maintain the service of the workers. While officials attempt to ensure that workers understand contracts by reviewing the details and witnessing the signatures, foreign nationals continue to have difficulties understanding contract provisions as many lack basic literacy skills or do not speak the local language. Many victims enter the country on social visit passes or tourist visas.

The Government of Brunei does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Continuing its anti-trafficking law enforcement progress, the government obtained its first successful trafficking conviction, and initiated three prosecutions. The government developed and began implementing procedures to proactively identify victims among vulnerable groups, though no victims were identified during the year. General-purpose government shelters provided services for female trafficking victims identified during a previous year, though no specialized services were available for male or child trafficking victims. The government expanded its anti-trafficking police force unit, forming an ad hoc interagency committee which met to coordinate its efforts. The government continued to monitor recruitment agencies for licensing violations, and it prosecuted a case of forced labor; however, overall efforts to address labor trafficking, including document confiscation and debt bondage, could be improved.



Recommendations for Brunei: Differentiate between human trafficking and smuggling in legal protocol and trainings, and disaggregate data collection on law enforcement efforts to combat these separate crimes; continue to increase the number of investigations and prosecutions of both sex and labor trafficking offenses using the anti-trafficking law, and convict and punish trafficking offenders; train officers on proactive procedures to identify victims of trafficking among vulnerable groups, such as migrant workers and females in prostitution, and implement them widely; enforce stringent criminal penalties against those involved in fraudulent labor recruitment or forced labor; prosecute employers and employment agencies who unlawfully confiscate workers' passports as a means of extracting forced labor; ensure that victims of trafficking are not threatened or otherwise punished for crimes committed as a direct result of being trafficked; establish a policy whereby all victims are eligible for employment passes to work legally in Brunei; consider a policy to allow resources from the fund established by the 2004 law to be paid directly to victims as restitution; formalize and allocate funding to the *ad hoc* interagency committee; develop a national plan of action for prosecuting and preventing trafficking crimes and ensuring protective services to victims; accede to the 2000 UN TIP Protocol; and continue to support comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of the sex trade.

Prosecution

The government demonstrated increased progress in its anti-trafficking law enforcement efforts during the past year. The Government of Brunei prohibits both sex and labor trafficking through its Trafficking and Smuggling Persons Order of 2004, which prescribes punishments of up to 30 years' imprisonment. These punishments are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Amendments to the penal code in the previous reporting period included a prohibition on traveling outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. The government obtained its first conviction of a trafficking offender, sentencing a Thai national to four years' imprisonment for subjecting three Thai women to forced prostitution. Over the course of the reporting period, 57 cases were investigated and three prosecutions were initiated, but because the law includes the separate crime of human smuggling, it is unclear if any of these were trafficking cases. In a positive step, the government investigated and prosecuted a police officer and his wife for subjecting a household worker to domestic servitude; this case remained ongoing at the close of the reporting period. Criminal penalties do not yet appear to have been imposed in any cases of labor trafficking. The government reported developing standard operating procedures for trafficking investigations, and provided some specialized training to officers in the Heads of Specialist Trafficking Unit within the Royal Brunei Police Force.

Protection

The Government of Brunei continued modest efforts to identify and protect trafficking victims during the reporting period. The government made preliminary efforts to implement proactive procedures for the systematic identification of victims of trafficking among vulnerable groups, such as foreign workers and individuals in prostitution, developing a checklist of questions to be used by officials to identify indicators of trafficking and distributing it to front-line officials. However, these efforts did not yield any victims identified during the year. The government maintained three general-purpose shelters that could be used to assist female trafficking victims, though no similar facilities for male victims or specialized services for child victims were available. Victims residing in the shelters were generally not permitted to leave except under special circumstances, and as granted by the police. Four victims identified during the previous reporting period were sheltered and had access to services until their voluntary repatriation in May 2012. There continued to be no safeguards in place to reduce the risk of hardship, retribution, or re-trafficking of those repatriated or deported.

Brunei's 2004 law established a fund that is theoretically available to pay the cost of victims' repatriation and to award individuals helping to prevent or suppress trafficking, but as it is funded primarily by court settlements—of which there have been none—its funding level remained low. Police began implementing a new standardized procedure of asking screening questions when apprehending persons in prostitution; however, no sex trafficking victims were identified by this or other methods. Foreign women identified during brothel raids were detained and deported; unlike last year, there were no reports that women found in prostitution were allowed to stay at a government-run shelter without being fined or convicted. Similarly, immigration authorities continued to actively identify and charge violators of immigration laws without reporting identification of or assistance to any trafficking victims among this population during the reporting period. The government reported that certain labor trafficking victims would be eligible on a case-by-case basis to receive employment passes to temporarily work in Brunei while assisting in investigations, though none received this benefit during the year.

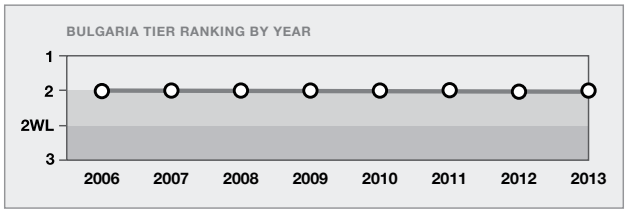
Prevention

The Bruneian government continued its modest efforts to prevent trafficking during the reporting period. The Labor Department continued efforts to enforce licensing requirements for all labor recruitment agencies, prosecuting two agencies for related violations. The government expanded its Heads of Specialist Trafficking Unit within the Royal Brunei Police Force, forming an ad hoc interagency committee to oversee its anti-trafficking policies and responses; this new committee met six times during the year and began drafting a national plan of action to combat trafficking. The government-influenced press disseminated stories with details of all trafficking cases brought to court, and the government prepared posters and cards in English and Malay for distribution and posting at transit points to educate the traveling Brunei public and incoming foreign workers. The government reported developing performance indicators for its awareness campaigns but did not provide additional information about what these indicators were or how they were applied to measure effectiveness. The government did not make notable efforts to prevent child sex tourism, and it did not take discernible measures to decrease the demand for forced labor or commercial sex acts during the year. Brunei is not a party to the 2000 UN TIP Protocol.

BULGARIA (Tier 2)

Bulgaria is a source and, to a lesser extent, a transit and destination country for women and children who are subjected to sex trafficking, and men, women, and children subjected to forced labor. Bulgarian women and children are subjected to sex trafficking within the country, particularly in resort areas and border towns, as well as in Austria, Belgium, Cyprus, the Czech Republic, Finland, France, Germany, Greece, Italy, Macedonia, the Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, Turkey, and the United Kingdom. Bulgarian men, women, and children are subjected to conditions of forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, the Netherlands, Italy, Norway, Spain, Sweden, and the United Kingdom. Labor trafficking victims are predominantly exploited in agriculture, construction, and in restaurants. Ethnic Roma men, women, and children are particularly vulnerable to becoming trafficking victims due to social marginalization, and represent a significant share of identified trafficking victims. Some Bulgarian children are forced into street begging and petty theft within Bulgaria and also in Greece, Italy, Sweden, and the United Kingdom. Bulgarian women and girls with mental disabilities are increasingly subjected to sex trafficking, particularly in the Netherlands.

The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government provided increased funding for two state-owned trafficking shelters, identified more victims of trafficking, and provided care for more female trafficking victims. Shelter capacity for female victims was insufficient, and the government lacked specialized services for male victims. The government prosecuted slightly fewer cases against alleged trafficking offenders, and the majority of convicted offenders did not receive a sentence requiring time in prison. Law enforcement action against public officials and police officers remained limited, although one court imposed a 10-year sentence on a former municipal official for leading an organized crime group involved in trafficking. The government more than doubled funding for prevention campaigns, which included a number of robust public awareness events and advertisements. It also held trainings on trafficking for labor mediators, social workers, journalists, and Roma specialists working to prevent trafficking. Although the government increased its outreach to Roma communities, Roma engagement remained insufficient overall. The government adopted its 2013 national action plan in January.



Recommendations for Bulgaria: Investigate, prosecute, and convict government officials complicit in trafficking, and ensure that convicted officials receive prison sentences; enhance efforts to investigate, prosecute, and convict trafficking offenders, and ensure that the vast majority of convicted offenders serve time in prison; take legislative action to prohibit the prosecution of trafficking victims for acts committed as a direct result of their being trafficked; continue to increase the number of victims referred by government officials to service providers for assistance, especially repatriated victims; increase the capacity of existing shelters for adult female trafficking victims, and implement service offerings including legal services, reintegration assistance, and shelter for male victims as outlined in the national referral mechanism; and intensify outreach activities to Roma communities.

Prosecution

The Government of Bulgaria made limited progress in its anti-trafficking law enforcement efforts during the reporting period, as prosecutions of alleged traffickers declined slightly and investigations of allegedly complicit public officials remained low. Bulgaria prohibits both sex and labor trafficking through Article 159 of its Criminal Code, which prescribes penalties of between two and 15 years' imprisonment for convicted offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, police conducted 121 sex trafficking investigations and seven labor trafficking investigations, compared with 119 sex trafficking and nine labor trafficking investigations conducted in 2011. Authorities prosecuted 91 individuals for sex trafficking and two for labor trafficking in 2012, compared to 102 persons prosecuted for sex trafficking and 13 for labor trafficking in 2011. The government convicted 94 offenders of sex trafficking and three offenders of labor trafficking in 2012, compared to 95 sex trafficking offenders and 17 labor trafficking offenders convicted in 2011. The percentage of convicted offenders sentenced to prison terms remained low; the government reported that 53 of the 110 offenders convicted for trafficking and the separate offense of baby selling were sentenced to time in prison, with 40 defendants sentenced to up to three years' imprisonment, 12 defendants sentenced to three to five years, and one defendant sentenced to five to 10 years' imprisonment. The remaining 57 convicted offenders received suspended sentences, 33 of whom were also fined.

Combating human trafficking is covered in the regular curricula of the Interior Ministry's Police Academy, the Foreign Ministry's Diplomatic Institute, and the National Institute of Justice, which is the country's training institution for judges, prosecutors, and investigators. The government sponsored seminars for a total of 180 investigating police officers, prosecutors, and judges on international law enforcement cooperation and best practices in countering both sex and labor trafficking. Bulgarian law enforcement officials also collaborated on joint human trafficking investigations with law enforcement counterparts from nine other governments.

The government demonstrated inadequate efforts to combat trafficking-related complicity of government officials in the reporting period. The government began investigations of five police officers in 2012 for trafficking-related complicity, all of which were ongoing at the close of the reporting period. By comparison, the government investigated seven police officers in 2011 and 12 officers in 2010. The alleged criminal acts that were the subject of the 2012 investigations included forcing a woman into prostitution, recruiting victims, and warning traffickers of planned police raids. In January 2012, a court imposed a 10-year sentence on a former municipal councilor who was charged with leading an organized crime

group involved in human trafficking; an appeal of the sentence is pending. There were no other reported prosecutions or convictions against public officials in the reporting period. In 2012, two districts' prosecution services terminated investigations of four border police officers and one police officer for trafficking-related corruption. There were reports alleging corruption on the part of Ministry of Interior officers responsible for investigating trafficking, noting that information leaks had compromised several anti-trafficking operations.

Protection

The Government of Bulgaria demonstrated mixed results in protecting trafficking victims over the last year. Two state-run shelters received more funding and provided care for more women; however, a limited number of victims received government-funded services overall. Through the government's national referral mechanism, law enforcement and other officials referred trafficking victims to services regardless of their nationality or readiness to assist with police investigations. The national prosecution service recorded data on victims who chose to assist law enforcement. In 2012, the prosecution service identified a total of 646 victims of trafficking, including 65 children, compared with 512 identified victims in 2011, 70 of whom were children. Of the 646 victims, 574 were victims of sex trafficking and 72 were victims of labor trafficking. The government identified one foreign victim in 2012, a Czech national who was sexually exploited in Bulgaria.

The government allocated the equivalent of approximately $59,300 for victim assistance to the two state-run shelters in 2012, a large increase from the equivalent of approximately $27,000 spent in 2011. The local governments of Varna and Burgas provided rent-free facilities for these shelters. NGOs provided victim services in these shelters, including medical and psychiatric services, as well as assistance in reintegration, such as preparation for job interviews. Each shelter has a capacity of six persons, and in 2012 the two shelters accommodated 24 victims in total, a large increase from the nine victims assisted in each of the previous two years. All 24 were female sex trafficking victims. Victims could leave the shelters on their own without supervision. Male victims had difficulty obtaining legal and reintegration assistance, and did not have access to trafficking-specific shelters. NGO representatives reported that government support of labor trafficking victims was only basic despite the services outlined for them in the national referral mechanism. They also reported that victims were unaware of their right to apply for compensation. NGO representatives claimed that the national referral mechanism should be incorporated into the legal framework so that first responders are obligated to refer victims to specialized care.

The government operated 14 crisis centers for child victims of violence that provided shelter and psychological and medical assistance to approximately 24 child victims of trafficking in 2012, compared to 67 in 2011 and 79 in 2010. The government encouraged victims to assist in the prosecution of trafficking cases, and it offered witness protection programs. Bulgarian law allowed foreign victims who cooperated with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before mandatory repatriation. Foreign victims who chose not to assist in trafficking investigations were permitted to remain in Bulgaria for 40 days for recovery before mandatory repatriation to their country of origin; the recovery period for foreign child victims was 70 days. The government continued to enforce a provision in the Penal Code that allows for up to two years' imprisonment of those who profit from immoral activities, and at least 10 women were arrested under this provision in January 2013; this provision could be used against potential sex trafficking victims because prostitution is not regulated in Bulgaria.

Prevention

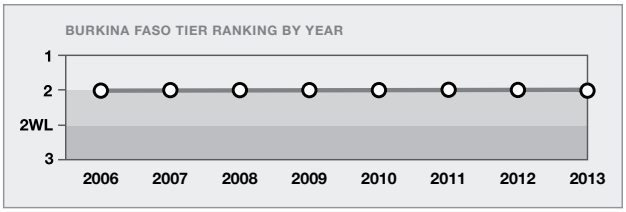
The Government of Bulgaria demonstrated substantial efforts to prevent human trafficking during the reporting period. The inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, spent the equivalent to approximately $87,600 on prevention campaigns, training, and international visits, a large increase from the equivalent to approximately $37,000 spent in 2011. The commission, in coordination with its nine local bodies, sponsored a number of innovative public awareness-raising campaigns to attempt to reduce the demand for sex trafficking and reach vulnerable groups looking for summer jobs abroad. The Deputy Prime Minister, Commission experts, and victims of trafficking gave three public lectures on the social and criminal impact of trafficking at universities. The Commission trained approximately 225 labor mediators on identifying labor exploitation, and approximately 50 social workers on trafficking victim protection and assistance. The Commission also organized trainings for prevention specialists in a Roma community, and 30 national and local journalists. The Commission hosted an international conference where more than 100 experts from 47 countries discussed the root causes of human trafficking, with expert panels on working with Roma communities and using public-private partnerships for more effective prevention campaigns. In 2012, the National Commission received 64 complaints of potential labor exploitation, and referred all of them to the Labor Ministry's Inspectorate for investigation into fraudulent job offers and administrative punishment; in 2011, the Commission referred 11 such cases. The Government of Bulgaria annually adopts a national action plan for combating human trafficking. The 2012 plan was approved in May 2012 and the 2013 plan was approved in January 2013. The government demonstrated efforts to reduce the demand for commercial sex by publishing outdoor and print advertisements emphasizing the punishments for offenders.

BURKINA FASO (Tier 2)

Burkina Faso is a country of origin, transit, and destination for women and children subjected to forced labor and sex trafficking. Burkinabe children are subjected to forced labor as farm hands, gold panners and washers, street vendors, domestic servants, and beggars recruited as pupils by individuals posing as religious teachers. Girls are exploited in the commercial sex trade. Burkinabe children are transported to Cote d'Ivoire, Mali, and Niger for subsequent forced labor or sex trafficking. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire, and is a destination for children trafficked from other countries in the region, such as Ghana, Guinea, Mali, and Nigeria. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon and various countries in Europe, and subsequently subject them to forced prostitution in the destination countries. Women

from other West African countries, including Nigeria, Togo, Benin, and Niger, are fraudulently recruited for employment in Burkina Faso and subsequently subjected to situations of forced prostitution, forced labor in restaurants, or domestic servitude in private homes.

The Government of Burkina Faso does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government recognizes that sex trafficking and forced labor are problems in the country, and makes continued efforts to identify child trafficking victims. As a result of a mission to Beirut in March 2012, in conjunction with INTERPOL, adult Burkinabe women were identified as trafficking victims and provided assistance by Burkinabe authorities; these were the first adult victims to be acknowledged by the government. Despite this achievement, the government did not take additional steps to identify adult victims of trafficking among vulnerable populations. The government sustained anti-trafficking law enforcement efforts, conducting 96 investigations and initiating 31 prosecutions. However, at the close of the reporting period, the government had not yet obtained any convictions, and 24 prosecutions remained pending. The government continues to struggle to compile comprehensive data on its law enforcement efforts.



Recommendations for Burkina Faso: Strengthen the system for collecting anti-trafficking law enforcement data, and ensure that authorities responsible for data collection are supplied with adequate means for accessing and compiling this information; increase efforts to prosecute and convict trafficking offenders, and apply appropriate penalties as prescribed by the May 2008 anti-trafficking law; train law enforcement officials to identify trafficking victims among vulnerable populations, such as women in prostitution and children working in agriculture and mining, and refer them to protective services; strengthen efforts to identify traffickers posing as Koranic school teachers and pursue criminal prosecution of such individuals; improve coordination between the national and regional committees that combat trafficking in persons, including by increasing funding to regional bodies; and, while continuing to fund transit centers and vocational training programs, develop a formal referral mechanism for coordinating with NGOs to provide victims with long-term care.

Prosecution

The government sustained its anti-trafficking law enforcement efforts during the year, though the number of suspected trafficking cases it investigated and prosecuted continued to be few compared with the significant number of victims identified in 2012. The government also struggled to compile complete data on its law enforcement efforts. The country's May 2008 anti-trafficking law prohibits all forms of trafficking and prescribes maximum penalties of 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with prescribed penalties for other serious offenses, such as rape. The government reported investigating 96 suspected trafficking cases, initiating 31 prosecutions, and convicting no trafficking offenders in 2012, a decrease in investigations and convictions compared with the previous year; however, 24 of the 31 cases remained pending at the close of the reporting period. Over the course of the reporting period, the Government of Burkina Faso provided anti-trafficking training to police officers, social workers, and judges, which included information on trafficking victim identification, victim assistance, investigation procedures, and prosecution of trafficking crimes. The trainings were provided to 409 participants and conducted by the government with the financial support of UNICEF and INTERPOL. The Ministry of Territorial Administration, Decentralization, and Security conducted periodic raids of sites vulnerable to trafficking, such as brothels and farms, which also served as a means to address the demand for commercial sex acts and forced labor. The Government of Burkina Faso did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period; however, law enforcement efforts remained hindered by limited human and financial resources, and general corruption in the judiciary.

Protection

The government sustained its efforts to identify and provide protective services to large numbers of child trafficking victims during the year, and identified adult victims for the first time. In 2012, the Ministry of Social Action (MSA) identified 1,910 child victims of trafficking, of which 1,427 were boys and 483 were girls; 1,554 were victims of internal trafficking, while the remaining 356 were victims of transnational trafficking. A large number of these children were intercepted and rescued prior to reaching their destinations where they would face exploitation, typically in gold mines or in city centers as domestic servants or street beggars; it is unclear whether these children were victims or potential victims of trafficking. The aforementioned INTERPOL mission to Lebanon, led by Burkinabe police, resulted in the identification of 25 adult female victims of trafficking. These women were recruited by traffickers who promised them jobs as nannies, housekeepers, or cashiers in shops; however, once in Lebanon, the women were forced into domestic servitude and prostitution. To date, four victims have been returned to Burkina Faso and have received assistance from the government, including psychological and social support. The Government of Burkina Faso noted that the women victims in the Lebanon trafficking cases provided valuable information which allowed the authorities to investigate the traffickers. During the year, the government, in collaboration with a variety of local NGOs and international organizations, continued to operate 23 multi-purpose transit centers, which provided limited food, medical care, and counseling before reuniting victims with their families. The government did not report housing any of the adult victims identified in the Lebanon cases in these shelters. The shelters are open, and victims are free to leave at any time. To complement funding from other donors, the government allocated the equivalent of approximately $14,000 to support protection activities, including funding for these transit centers. The law provides that foreign citizens may apply for asylum if they fear they will face hardship or retribution if returned to their country of origin, although no trafficking victims sought this protection during the year. There were no reports that trafficking victims were penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The Burkinabe government sustained moderate efforts to prevent trafficking in persons over the last year. The MSA conducted a number of awareness-raising activities, including open-forum discussions, film screenings, theater forums, radio programming, conferences, and lectures for the general public. To increase regional participation, membership in the National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices, which meets annually to assess the current trafficking situation, provide guidance, and make recommendations, was opened to provincial governors in 2012. In addition to the annual National Committee meeting, 13 regional bodies brought together police, social workers, transit companies, NGOs, and other groups engaged in combating trafficking on a regional level to coordinate activities to identify and assist victims and potential victims of trafficking, as well as support law enforcement efforts. Despite these efforts, the regional bodies remained severely underfunded and lacked sufficient resources.

In 2012, the government directed the MSA to provide counseling on the dangers of trafficking to all women who apply for visas to Lebanon. Additionally, it continued to collaborate with neighboring countries on anti-trafficking efforts, including hosting regional meetings and a training session with participants from Ghana, Canada, and Cote d'Ivoire. The first ladies of Burkina Faso and Cote d'Ivoire signed a joint declaration in October 2012 that commits each country to finalize a bilateral cooperative agreement against cross-border child trafficking in early 2013.

The Government of Burkina Faso failed to adequately address the issue of traffickers posing as Koranic school teachers who force children to beg in the streets, due to sensitivities involved in addressing the issue within the Muslim community. The government provided Burkinabe troops with anti-trafficking and human rights training prior to their deployment abroad on international peacekeeping missions.

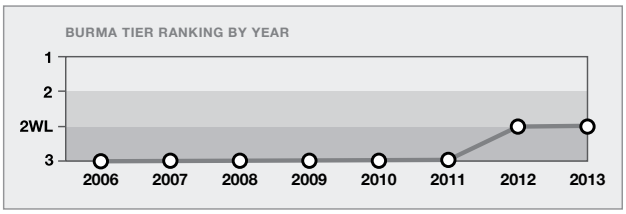
BURMA (Tier 2 Watch List)

Burma is a source country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking in other countries. Many Burmese men, women, and children who migrate for work to Thailand, Malaysia, Indonesia, Singapore, the United States, China, Bangladesh, India, South Korea, and Qatar are subjected to conditions of forced labor or sex trafficking in these countries. Poor economic conditions within Burma have led large numbers of Burmese men, women, and children to migrate legally and illegally throughout East Asia and to destinations in the Middle East, where many are subject to forced labor and sex trafficking. Men are subjected to forced labor in the fishing and construction industries abroad, where women and girls are also subjected to sex trafficking and domestic servitude. The government is beginning to address the systemic political and economic factors that cause many Burmese to seek employment through both legal and illegal means in neighboring countries, where some become victims of trafficking. Trafficking within Burma both by government officials and private actors continues to be a significant problem. Military personnel and insurgent militia engage in the unlawful conscription of child soldiers and continue to be the leading perpetrators of forced labor inside the country, particularly in conflict-prone ethnic areas. Since the dissolution of a ceasefire with the Kachin Independence Army in June 2011 and sectarian violence in Rakhine State in June and October 2012, fighting has displaced an estimated 75,000 Kachin and 115,000 Rakhine residents who are highly vulnerable to forced labor and sex trafficking. There were reports during the year that Burmese officials kidnapped Rohingya women from Sittwe and subjected them to sexual slavery on military installations. There are reports that victims deported from Thailand into Democratic Karen Buddhist Army (DKBA)-controlled areas of Burma continue to be extorted and re-trafficked by DKBA elements, in collusion with Thai officials. Since authorities refuse to recognize members of certain ethnic minority groups (including the Rohingyas) as citizens and do not provide them with identification documentation, members of these communities are made more vulnerable to trafficking. During the year, there were reports that some Rohingya asylum seekers transiting Thailand *en route* to Malaysia were sold into forced labor on Thai fishing boats, reportedly with the assistance of Thai military officials. Military and civilian officials have systematically forced men, women, and children into working for the development of infrastructure, in state-run agricultural and commercial ventures, and as porters for the military. The Burmese military, and to a lesser extent, civilian officials have used various forms of coercion, including threats of financial and physical harm, to compel households to provide forced labor. Those living in areas with the highest military presence, including remote border areas populated by minority ethnic groups, are most at risk for forced labor. The Kachin ethnic minority are particularly vulnerable to trafficking due to an ongoing conflict between the Burma Army and the Kachin Independence Army.

Military and, to a lesser extent, civilian officials subject men, women, and children to forced labor, and men and boys as young as 11 years old are forced through intimidation, coercion, threats, and violence to serve in the Burma Army as well as the armed wings of ethnic minority groups. Some observers estimate that thousands of children are forced to serve in Burma's national army in part as a way of offsetting desertions. Children of the urban poor are at particular risk of conscription. Past UN reports indicate that army recruiters have targeted orphans and children on the streets and in railway stations, and young novice monks from monasteries for recruitment or conscription. Anecdotal reports indicate that some children are threatened with jail if they do not agree to join the army, and are sometimes physically abused. Children are also subjected to forced labor by private individuals and groups in tea shops, home industries, agricultural plantations, and as beggars. Economic migrants from central Burma and the Irrawaddy Delta migrate to Kawthaung, the southernmost point in the country, in search of work in fishing or agriculture; failing this, many ultimately travel to Thailand, where some are subsequently subjected to forced labor or sex trafficking. There were anecdotal reports that some were forced to labor on palm oil and rubber plantations near Kawthaung. Those seeking work in Thailand's fishing and domestic work sectors did so outside formal channels, as these industries are not included in the memorandum of understanding between the two countries, which allows Burmese migrants to work in certain industries in Thailand. Networks on both sides of the border facilitate migration of undocumented workers, which often leads to their being trafficked upon arrival in Thailand. Exploiters subject children and adults to domestic servitude, and girls and boys to sex trafficking, particularly in urban areas. There is evidence that a small number of foreign pedophiles have attempted to enter Burma with the intent to

exploit Burmese children, and some may have entered the country. Outside observers and Burmese authorities have both expressed concern over a possible increase in the problem as tourism in Burma increases.

The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued implementation of the numerous reforms it undertook during the previous reporting year, and it modestly increased its efforts to prevent trafficking. In June 2012, following five years of discussions, the government signed an action plan with the UN to eliminate the recruitment and use of children in its armed forces, though unfettered UN access to military bases has since been problematic. Authorities continued efforts to address the cross-border sex trafficking of women and girls, and increased the number of dedicated anti-trafficking officers in its police force. Nevertheless, the government's victim protection efforts remained inadequate. The lack of specialized services and rehabilitation efforts, as well as weak local-level coordination between police and social welfare officials, undermined its ability to successfully prosecute and punish trafficking offenders. Forced labor of civilians and the recruitment of child soldiers by both military officials and private entities remained serious problems. The climate of impunity and repression created under the previous government and the lingering lack of accountability in military ranks for forced labor and the recruitment of child soldiers continue to represent the primary causal factors for Burma's significant trafficking problem; therefore, Burma is placed on Tier 2 Watch List for a second consecutive year.



Recommendations for Burma: Vigorously prosecute and punish offenders of both sex and labor trafficking, including trafficking occurring within Burma; continue to implement the terms of the ILO action plan for the elimination of forced labor offenses perpetrated by government employees, particularly military personnel; increase efforts to investigate and sanction, including through criminal prosecution, government and military perpetrators of internal trafficking offenses, including child soldier recruitment and other such crimes; actively identify and demobilize all children serving in the armed forces; abide by the terms of the UN-backed action plan to grant international monitors unhindered access to inspect recruitment centers, training centers, and military bases to support the identification, demobilization, and rehabilitation of child soldiers; ensure no children are arrested or imprisoned for desertion or attempting to leave the army; through partnerships with local and international NGOs, prioritize and significantly increase victim identification and protection efforts, including victim shelters and provision of services for male victims; develop and implement formal victim identification and referral procedures, including for victims identified within the country; consider appointing labor attachés to work in additional overseas diplomatic missions to support the prevention of forced labor of Burmese migrants abroad; and focus more attention on the internal trafficking of women and children for commercial sexual exploitation.

Prosecution

The Government of Burma reported continued anti-trafficking law enforcement efforts during the year, focusing primarily on the recruitment and transport of Burmese women and girls across international borders for forced marriages and sex trafficking. There were reports from the local media and other observers of efforts to prosecute and punish perpetrators of internal trafficking—including military officers' recruitment of children and Burmese nationals' exploitation of children in domestic servitude—but the government failed to provide sufficient evidence to determine the extent of these efforts. There were no reports of investigations or prosecutions of military officials for extracting forced labor from civilians.

Burma prohibits sex and labor trafficking through its 2005 Anti-Trafficking in Persons Law, which prescribes criminal penalties that are sufficiently stringent and commensurate with those prescribed for rape. Forced labor, including the recruitment of children into the army, is a criminal offense under both the new Wards and Village Tracts Administration Act passed in March 2012, and Penal Code Section 374, which could result in imprisonment for up to one year, a fine, or both. In addition, forced labor is prohibited under Section 359 of Burma's 2008 constitution. The Government of Burma reported investigating 120 cases of trafficking, and prosecuting 215 offenders in 2012, compared with 136 investigations and 231 prosecutions in 2011. As in previous years, the government's law enforcement efforts focused primarily on the sex trafficking and forced service of Burmese women through forced marriages to Chinese men. The government's law enforcement efforts to combat trafficking within Burma have been consistently weak, but during the year the government reported investigating 19 suspected cases of internal trafficking. It did not provide additional information about the nature of these cases or whether they resulted in any prosecutions or convictions. Media reports, however, indicate that two offenders were convicted in February 2013 for child sex trafficking within the country, and that court proceedings occurred in at least two cases of child domestic servitude, though the outcome of these cases is unknown. Burmese court proceedings continued to lack transparency and did not accord due process to defendants. Burma's judiciary lacks sufficient independence; international organizations and NGOs were often unable to verify court statistics provided by the government. Additionally, limited capacity and training of the police coupled with the lack of transparency in the justice system make it uncertain whether all trafficking statistics provided by authorities were indeed for trafficking crimes.

Corruption and lack of accountability remain pervasive in Burma and affect all aspects of society; officials frequently engage in corrupt practices with impunity. Police can be expected to self-limit investigations when well-connected individuals are alleged to be involved in forced labor or sex trafficking cases. During the reporting period, government officials did not publicly acknowledge that any government personnel were involved in trafficking, and reported that it did not investigate, prosecute, or punish any complicit officials. However, an unverified report to an international organization from the Ministry of Defense suggests that the government disciplined 30 military officers and 154 enlisted personnel for the recruitment of children; though the majority

of these received reprimands, three officers and one enlisted soldier were reportedly dismissed, and two officers and seven enlisted personnel were reportedly imprisoned. The power and influence of the Burmese military continued to limit the ability of civilian police and courts to address cases of forced labor and the recruitment of child soldiers by the armed forces. Without assent from high-ranking military officers, law enforcement officials generally were not able to investigate or prosecute such cases. In April 2012, Burma's commander-in-chief reportedly issued an order stating that soldiers accused of committing forced labor would be tried under civilian rather than military courts, though there was no evidence that this policy had been implemented. There were reports that the Ministry of Defense undertook independent efforts to investigate and punish military personnel for their involvement in recruiting children for military service, but the government did not confirm these reports.

During the year, the government continued its cooperation with the ILO and other international partners in reviewing remedies for the long-standing problems of forced labor and child soldier conscription committed by members of the military or civilian administrators. The ILO continued to receive and investigate forced labor complaints; in 2012 it received 274 complaints of military recruitment of children and 68 complaints of forced labor. Through 26 anti-trafficking taskforces (ATTF) operating in key cities and at international border crossings, the police continued to identify and investigate trafficking offenses and arrest suspected trafficking offenders. Two new ATTFs were opened during the current reporting year, and the aggregate number of ATTF officers more than doubled to a total of some 400 at the end of 2012. In January 2013, the government approved a plan to hire an additional 1,000 ATTF officers over the coming year. The Ministry of Home Affairs conducted and partially funded four human trafficking investigation courses, reaching 122 police officers, and three child protection investigation courses, with additional funding provided by foreign donors.

Protection

The Burmese government continued modest efforts to provide temporary shelter and facilitate safe passage to Burmese victims repatriated from abroad, but its overall victim protection efforts were inadequate. Department of Social Welfare (DSW) officials in 2012 received 195 repatriated victims, 64 from Thailand, and 131 from China, a decrease from 229 victims repatriated to Burma by foreign authorities in 2011. The police reported identifying an additional 66 victims during the year, and border officials from two newly established international liaison offices identified three victims. The government reported that 100 of the victims repatriated during the year were men victimized in forced labor on Thai fishing boats. Through implementation of its UN-backed action plan on child soldiers, the government identified and released 66 children who had been recruited into its military's ranks. In January 2013, the Kachin Independence Army released to the ILO eight children who had been captured from the Burmese army and held as prisoners of war.

Police and border officials consistently referred repatriated victims to DSW to receive protective services, but there were no referral mechanisms in place for victims of other forms of trafficking, and working-level cooperation between DSW and the police remained weak. The government has written procedures in place for the identification of victims, but the majority of victims were identified through international repatriations, and front-line officers lacked adequate training to identify possible victims with whom they come in contact within the country. The government was unwilling to allow UN monitors unhindered access to all military installations to inspect for the presence of children. The government implemented aspects of its UN-backed action plan on child soldiers; UNICEF trained military officials on procedures for releasing identified children, and during the year the government established and publicized a dedicated phone line and post office box to receive complaints on underage recruitment. The government continued to operate a national trafficking hotline established during the previous year. Inadequate efforts to screen for indicators of trafficking in thousands of anti-prostitution interventions may have led to sex trafficking victims being treated as law violators. Although the government has discontinued its policy of forcing repatriated victims to stay in a government center before returning to their villages, poorly coordinated returns in practice caused most victims from China to remain at the centers while DSW and civil society partners completed family tracing and arranged for victims' transportation. The government continued to operate five centers for women and children in need, including trafficking victims, and one facility dedicated to female victims of trafficking. NGOs and foreign donors provided the majority of funding for the limited protective services available to victims. While in government facilities, victims received basic medical care and had access to counseling, which was often substandard. Victims had very limited access to psycho-social counselors. There remained no shelter facilities available to male victims of trafficking. No additional victim screening was performed once repatriated victims reached Burma, and no individualized services were available for victims; the lack of adequate protective measures for returned victims made them vulnerable to being re-trafficked. Longer-term support for trafficking victims was virtually nonexistent. International organizations and NGOs provided reintegration support to demobilized child soldiers. Government authorities reported encouraging victims to assist in investigations and prosecutions but noted that the lack of adequate victim protection and rehabilitation efforts—including economic opportunities—made it difficult to obtain victims' cooperation in prosecutions. Although victims have the right to file civil suits against their traffickers, the government did not provide access to legal assistance. In 2012, the government disbursed to several victims the equivalent to approximately $2,000 total from the seized property of traffickers. The government did not provide alternatives to the removal of foreign victims to countries where they may face hardship or retribution, though few, if any, foreign victims were identified during the year.

Prevention

The Government of Burma increased its efforts to prevent all forms of human trafficking over the last year. The government's Central Body for the Suppression of Trafficking in Persons (CB-TIP), comprising representatives from 26 agencies and some civil society members, continued to coordinate the government's anti-trafficking programs and policies, in line with the five-year national action plan to combat human trafficking. In June 2012, after five years of discussions with the UN, the government signed a UN-backed action plan for the identification, release, and rehabilitation of children in the Burmese military. The plan includes provisions for long-term reintegration of demobilized children, strengthening of recruitment procedures to prevent child recruitment, child-

protection training for the military, public awareness raising, and accountability for perpetrators. Though the government released some children and facilitated training on the action plan at military focal points, it has not taken steps to prevent recruitment, such as through strengthening age verification procedures, and UN monitors report the government has not provided access to all its military installations in line with the terms of the plan.

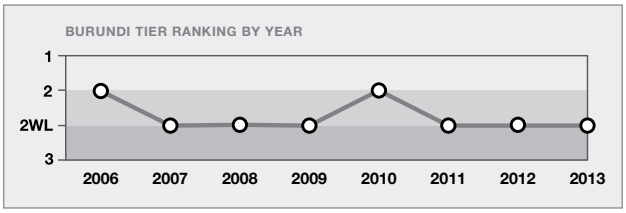
In August 2012, the CB-TIP conducted training sessions for 42 of the country's 16,589 community-based anti-trafficking watch groups in targeted areas where trafficking is known to be prevalent. The Ministry of Labor continued efforts to prevent forced labor of Burmese citizens at home and abroad; together with Thai officials, it opened five temporary passport-issuing centers in Thailand, staffed by Burmese labor ministry personnel. The centers assisted more than 1.3 million expatriate Burmese workers in obtaining temporary Burmese identity documents, and the labor attaché in the Burmese embassy in Thailand continued providing assistance and advocacy on behalf of the large number of Burmese workers in Thailand. The government could increase its efforts to prevent the forced labor of its citizens abroad by embedding labor attachés in additional overseas diplomatic missions.

The government continued human trafficking awareness campaigns during the reporting period, including in cooperation with a foreign donor, and it launched a national campaign in partnership with the ILO on preventing forced labor and underage recruitment into the armed forces. In an effort to prevent child sex tourism, Burmese authorities reported preventing two Australian nationals from entering the country as a result of information about prior criminal activities provided by the Australian government. The government did not make any discernible efforts to reduce the demand for forced labor inside Burma during the reporting period.

BURUNDI (Tier 2 Watch List)

Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Children and young adults are coerced into forced labor on plantations or small farms in southern Burundi, small-scale menial labor in gold mines in Cibitoke, labor-intensive tasks such as collecting river stones for construction in Bujumbura, or informal commerce in the streets of larger cities. Some traffickers are the victims' family members, neighbors, or friends who recruit them for forced labor under the pretext of assisting with education or employment opportunities. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children in domestic servitude in private homes or working in guest houses and other entertainment establishments are coerced—with threats of being fired—into committing sex acts for their employers or clients. Children are also fraudulently recruited for domestic work and later exploited in prostitution. A joint survey conducted by UNICEF and the Government of Burundi in September 2011 identified 92 children as victims of commercial sexual exploitation. Young women offer vulnerable girls room and board within their homes, eventually pushing some of them into prostitution to pay for living expenses; these brothels are located in poorer areas of Bujumbura, along the lake, and on trucking routes. Extended family members sometimes also financially profit from the prostitution of young relatives residing with them; mothers sometimes also initiate their daughters into the sex trade, at times through threats and bullying. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Male tourists from East Africa and the Middle East, teachers, police officers, *gendarme*, military, and prison officials exploit Burundian girls in prostitution. Business people recruit Burundian girls for prostitution in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East, and recruit boys and girls for various types of forced labor in southern Burundi and Tanzania.

The Government of Burundi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts over the previous reporting period; therefore, Burundi is placed on Tier 2 Watch List for a third consecutive year. Burundi was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Despite the demonstration of interest by the government and the support of donor countries, there were few tangible anti-trafficking results in 2012. The Office of the First Vice President established a commission to propose future efforts to combat trafficking; however, the government has not implemented any of its suggestions. The government failed to prosecute trafficking offenses vigorously or increase its capacity to protect victims; most victim assistance continued to be provided by NGOs without government support. The lack of coordination and data collection on anti-trafficking efforts in Burundi remains a serious concern.



Recommendations for Burundi: Finalize and enact draft anti-trafficking legislation; enforce the trafficking provisions in the 2009 Criminal Code amendments through increased prosecution of trafficking offenses and conviction and punishment of trafficking offenders, including complicit officials; ensure all police, prosecutors, judges, and border guards receive anti-trafficking training, including how to refer cases for investigation; establish standardized policies and procedures for government officials to identify and interview potential trafficking victims proactively and transfer them to the care of local organizations when appropriate; continue the anti-trafficking public awareness campaign currently being undertaken by the police; establish mechanisms for increasing protective services to victims, possibly through partnerships with NGOs or international organizations; and establish broad-based institutional capacity to coordinate and guide anti-trafficking efforts by forming an inter-ministerial committee or building upon the existing technical commission.

Prosecution

The Government of Burundi failed to vigorously investigate and prosecute trafficking offenses in 2012. It arrested two suspected offenders during the reporting period, but did not initiate any prosecutions or achieve any trafficking convictions from prosecutions initiated during previous reporting periods. Articles 242 and 243 of Burundi's Criminal Code prohibit some forms of human trafficking, prescribing punishments of five to 20 years' imprisonment, but do not provide a definition of human trafficking, impeding investigators' and prosecutors' ability to identify and prosecute trafficking offenses. Elements of sex trafficking offenses can also be addressed using penal code articles on brothel-keeping and procuring prostitution, which prescribe penalties of one to five years' imprisonment, and child prostitution, with prescribed penalties of five to 10 years' imprisonment, but these articles do not require the use of force, fraud, or coercion. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Forced labor is prohibited by Article 2 of the Labor Law, though the Criminal Code prescribes no explicit penalties for a violation; officials cite this as a weakness in combating trafficking crimes, especially in addressing forced child labor. The government failed to complete its draft comprehensive anti-trafficking legislation intended to rectify this and other gaps in existing laws. However, in July 2012, in partnership with UNODC, government stakeholders reviewed the draft, which now is in the office of the First Vice President for final editing; it must then be sent to the General Secretariat to be scheduled for debate in the council of ministers before being sent to parliament for debate and passage. The Children and Ethics Brigade, under the Burundian National Police, was the sole government entity that made specific anti-trafficking efforts during the year; however, the brigade lacked capacity to adequately track its caseload. Police arrested two suspected trafficking offenders during the year, a decrease from four offenders arrested in 2011. In May 2012, parents informed the police after finding their missing daughter in prostitution at a bar. The police arrested the establishment's owner, but he was released because of conflicting understandings of trafficking crimes between the police and magistrate. The status of a second case involving the arrest of a Burundian man for facilitating the prostitution of five girls is unknown. For the second consecutive year, the government failed to train any of its officials, including law enforcement personnel, on relevant legislation and indicators for victim identification. Officials' lack of investigative skills and trafficking awareness reportedly continued to hinder investigations and prosecutions. Police repeatedly apprehended suspects involved in the commercial sexual exploitation of children but released them shortly thereafter without prosecution, at times because of corruption of police and judicial officials. As in previous years, the government failed to prosecute or convict any public officials suspected of complicity in human trafficking crimes, including a diplomat, teachers, police officers, military, *gendarme*, and prison officials. For example, in February 2013, a police officer was suspected of trafficking young girls into prostitution in Cibitoke; the assistant prosecutor of the province investigated the case. Government officials took no action to stop child prostitution occurring within the Burundian prison system.

Protection

The government made minimal efforts to protect victims during the reporting period. Care centers in Burundi are operated by NGOs, religious organizations, and women's or children's associations largely funded by UN agencies; none are specifically focused on providing assistance to trafficking victims. NGOs reported the identification and referral of an unknown number of trafficking victims by communal leaders and border police following their anti-trafficking training of these officials; however, the government did not independently provide information on its victim identification or referral efforts or adequate support to the services these organizations provide. The Ministry of National Solidarity provided funding to some local NGOs to assist victims of gender-based violence and trafficking, while the Ministry of Health provided vouchers for hospital care to an unspecified number of trafficking victims. In addition, in 2012, the government established a center to assist victims of crime where they receive basic counseling and medical services; the government provided the equivalent of approximately $102,000, in addition to support from UNICEF, UNDP, the UN Population Fund, the UN Development Fund for Women, and the World Food Program. The Ministry of National Solidarity also continued to establish new, and increase the capacity of existing, commune-level centers for family development (CDF) that address human rights and gender-based violence issues; in the previous reporting period, a CDF assisted an NGO in the reintegration of one trafficking victim. The government operated two centers, in Kigobe and Buyenzi communes, to assist street children, including an unknown number of victims of forced child labor identified, and provided counseling through the centers during the year. In 2012, the government, in partnership with UNICEF, opened a one-stop center in Gitega—staffed by Burundian government employees—to assist victims of gender-based violence in reporting cases and receiving immediate care, including psycho-social support; though the center could assist trafficking victims, it is unclear if it did so during the year.

The government has not yet finalized a system to proactively identify trafficking victims among vulnerable populations or to refer victims to service-providing organizations; however, in 2012, the government, in partnership with an NGO, began development of such procedures. Without standardized procedures for identifying trafficking victims, some may have been penalized for unlawful acts committed as a direct result of their being trafficked. The Children and Ethics Brigade did not attempt to identify trafficking victims among women in prostitution who were arrested, jailed, or fined. However, police provided limited shelter and food to child trafficking victims in temporary custody, keeping them in a holding area separate from adult detainees while authorities attempted to locate their families. In some instances, the brigade and its provincial focal points provided counseling to children in prostitution and mediated between these victims and their parents immediately thereafter, though without referral for additional services. The government did not encourage victims to assist in the investigation or prosecution of trafficking cases during the year. Burundian law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

Prevention

The government maintained its modest efforts to prevent trafficking during the year, though it remained without a national committee to coordinate an action plan to guide its anti-trafficking efforts. In 2012, the Children and Ethics Brigade continued its national awareness-raising campaign throughout the country to educate officials and local populations about the dangers of human trafficking, and encourage citizens to

report trafficking cases to local authorities. In 2012, the brigade gave sensitization workshops for provincial civil servants, civil society, and police officers in the provinces of Makamba, Rutana, Karuzi, Cankuzo, Muyinga, Kayanza, Bubanza, and Cibitoke. In addition, sensitization campaigns also targeted 15 secondary schools. The Office of the First Vice President established a technical commission to complete an assessment of the government's current anti-trafficking efforts and propose future action items; however, the government failed to act on the commission's suggestions as elaborated in a November 2012 report. Coordination across government ministries to combat trafficking remained poor, and relevant agencies and police units are largely unaware of the problem, which severely hindered progress. With donor funding, an NGO-led joint taskforce on human trafficking, including representation from the National Police and the Ministries of Justice and National Solidarity, continued to meet every three months to share information; however, the government did not take an active role or assume leadership of the taskforce. In 2012, the Ministry of Labor's 15 inspectors conducted no child labor inspections. During the year, the National Multi-Sectoral Committee for the Elimination of the Worst Forms of Child Labor educated local officials in several provinces about child labor laws and the worst forms of child labor. The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. The government, in partnership with a foreign donor, provided Burundian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

CAMBODIA (Tier 2 Watch List)

Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian men, women, and children migrate to countries within the region—primarily Thailand and Malaysia, but also Singapore, Vietnam, and South Korea—for work in factories, restaurants, or other industries, but many are subsequently subjected to sex trafficking, domestic servitude, debt bondage, or forced labor within the fishing, construction, food processing, and agricultural industries. Vietnamese women and children, many of whom are victims of debt bondage, are transported to Cambodia and forced into commercial sex. Corrupt officials in Cambodia and Thailand facilitate the transport of victims across the border. Additionally, an unknown number of unidentified trafficking victims are among the large number of migrants deported from Thailand each year. During the year, male Cambodians continued to be subjected to forced labor on Thai-flagged fishing boats; an organization that assists victims in Cambodia reported an increase in the number of repatriations of Cambodian victims in the Thai fishing industry in the first two months of 2013. Cambodian victims who escaped their fishing industry traffickers were identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, and South Africa. The men reported being deceived by Thai fishing boat owners about the expected length of service and their wages. Some Cambodian men also reported severe abuses by Thai captains and being forced to remain aboard the vessels for up to two years.

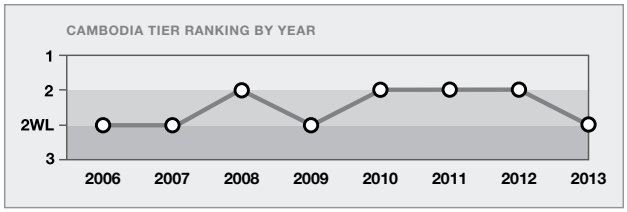
The inability to understand formal obligations, read contracts, or pay processing fees, and inadequate regulatory government oversight rendered some Cambodian migrant workers vulnerable to forced labor and debt bondage in destination countries, especially in Malaysia and Thailand. Cambodian migrant workers have reported employers in destination countries withholding copies of employment contracts and confiscating passports. Recruitment agencies have reportedly engaged in the falsification of legal identification and age verification documents to allow for the illegal recruitment of children. The ban on the legal emigration of Cambodian women to Malaysia for work in domestic service caused many recruitment agencies to shut down. In many cases, these recruitment agencies were the only link between Cambodian workers in Malaysia and their families in Cambodia. As a result, the ban created difficulties in accounting for the workers already in Malaysia and increased their vulnerability to exploitation and abuse. Despite the ongoing ban, women and girls seeking employment continued to migrate to Malaysia, reportedly through the use of tourist visas; some of them subsequently became victims of domestic servitude. NGOs report that some Cambodian victims transited through Thailand *en route* to Malaysia, and some Vietnamese victims were transported through Cambodia by criminal gangs before being exploited in Thailand and Malaysia.

Within Cambodia, children from impoverished families are highly vulnerable to forced labor, including domestic servitude, and have been sent by their parents to beg on the streets in Thailand. Cambodian children are also transported to Vietnam for forced labor and forced begging. The Svay Pak brothel area outside Phnom Penh, where young children are exploited in the sex trade, continues to operate despite numerous attempts by police to close it down.

Within the country, Cambodian and ethnic Vietnamese women and girls migrate or are transported from rural areas to Phnom Penh, Siem Reap, Poipet, Koh Kong, and Sihanoukville, where they are subjected to sex trafficking in brothels and increasingly in venues such as beer gardens, massage parlors, salons, karaoke bars, and non-commercial sites. Police and NGOs report that child sex traffickers have adopted new tactics designed to evade prosecution; increasingly, commercial sexual exploitation of children occurs in locations other than brothels, often through the use of additional brokers, though traffickers in commercial establishments continue to facilitate this type of exploitation. Sex trafficking of children under the age of 15, once promoted through highly visible methods, has become increasingly clandestine. The sale of virgin women and girls continues to be a problem in Cambodia. Cambodian men form the largest source of demand for child prostitution; however, men from other Asian countries, the United States, and Europe travel to Cambodia to engage in child sex tourism.

The Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government failed to make progress in holding trafficking offenders and child sex tourists accountable because of inadequate prosecutions and sentences, and its efforts to protect victims remained inadequate. The government prosecuted and convicted fewer trafficking offenders and identified fewer victims than it did in the previous year. The government did not make efforts to address trafficking-related corruption during the year, and complicity of government officials contributed to a climate of impunity for trafficking offenders and a denial of justice to victims. The government developed operational procedures to assist male trafficking victims but did not provide adequate protections to such victims during the year. The government continued to lack

systematic procedures for its diplomatic missions abroad to assist trafficking victims. The government's policy not to allow undercover anti-trafficking operations hampered law enforcement's ability to pursue cases successfully, as did its failure to address disincentives keeping victims from participating in investigations and prosecutions. The government prosecuted and convicted the staff members of one labor recruitment company for their role in labor trafficking. Because the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous year, Cambodia is placed on Tier 2 Watch List.



Recommendations for Cambodia: Increase efforts to vigorously investigate, prosecute, convict, and punish offenders of both labor and sex trafficking; issue an executive decree (*prakas*) authorizing the use of undercover investigative techniques in the enforcement of the anti-trafficking law; improve efforts to investigate and prosecute government officials complicit in human trafficking; initiate more stringent monitoring and enforcement measures to better regulate the recruitment, placement, and protection of migrant workers going abroad; enforce criminal penalties for labor recruitment companies engaging in illegal acts committed during the recruitment process, such as debt bondage, detention of workers during pre-departure training, and recruitment of workers younger than 18; sensitize law enforcement authorities and policymakers to the prevalence of trafficking of adult men, especially in fishing, and make more services available to male victims; streamline procedures for reporting and responding to cases in which victims are identified in countries without Cambodian diplomatic representation; revise sub-decree number 190 to include more comprehensive, transparent, and unequivocal stipulations for the protection of migrant workers; increase efforts to make court processes more efficient and sensitive to the needs and interests of trafficking victims; establish witness protection provisions specifically for trafficking victims; expand efforts to proactively identify victims of trafficking among vulnerable groups, such as children and Cambodians emigrating for or returning from work in other countries; institute a nationwide victim identification protocol; augment governmental referrals of trafficking victims to NGOs with increased support and services, including legal aid, psycho-social support, and reintegration programs; establish systematic procedures to assist Cambodian victims through diplomatic missions abroad, perhaps by appointing a dedicated labor attaché in countries with large numbers of Cambodian workers; improve interagency cooperation and coordination between police, court officials, and other government personnel on trafficking cases and victim referral processes; and continue to promulgate public awareness campaigns aimed at reducing the demand for commercial sex and child sex tourism by locals and foreign nationals.

Prosecution

The Government of Cambodia failed to demonstrate progress in its anti-trafficking law enforcement efforts. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation explicitly addresses trafficking offenses in 12 of its 30 articles. The law prohibits all forms of trafficking and prescribes penalties that are sufficiently stringent and commensurate with other serious crimes, such as rape. During the current year, the Ministry of Justice (MOJ) reported 50 prosecutions resulting in 44 convictions, a decrease from the 102 prosecutions and 62 convictions in the previous year. Of the 44 convictions, five offenders were prosecuted using the anti-trafficking law and 39 trafficking-related offenders were prosecuted under the penal code and Law on Aggravated Circumstances. The majority of the convictions were reportedly related to sex trafficking; four staff members from one licensed recruiting agency were convicted of labor trafficking and the remaining for sex trafficking. During the year, the government designed and delivered donor-funded training for more than 1,400 law enforcement and judicial officials on implementation of the anti-trafficking law, but police and judicial officials lacked adequate expertise to identify and prosecute a significant number of trafficking cases. Officials at times conflated labor trafficking and human smuggling, and a lack of expertise in evidence collection led officers to rely almost wholly on victim testimony to build cases. Inadequate efforts to protect victims, including a lack of incentives for victims to participate in prosecutions, left many unwilling to participate. Victims whose families received out-of-court settlements from traffickers at times changed their testimonies, hampering the pursuit of successful prosecutions.

Though not explicitly prohibited by Cambodian law, undercover evidence collection operations in human trafficking cases have been deemed illegal by Cambodian judges in recent years. While the government has specifically approved undercover investigation authority for other types of investigations, such as counter-narcotics investigations, similar approval has not been extended to the investigation of suspected offenses under the 2008 human trafficking law. Furthermore, child sex traffickers' methods have become increasingly sophisticated and difficult to detect, making proactive and undercover investigation necessary for collecting sufficient evidence and building cases.

Endemic corruption at all levels continued to impede anti-trafficking endeavors. Local observers believe corruption to be the cause of impunity afforded to recruiting firms, including some with reported financial ties to senior government officials, engaging in illegal recruitment practices that contribute to trafficking. Police officials reportedly cooperate with labor brokers who send migrants across the border into Thailand without regard for their vulnerability to trafficking. The government reported that no government officials were investigated, prosecuted, or convicted for involvement in trafficking or trafficking-related activities. The former head of the Phnom Penh Municipal Police's Anti-Human Trafficking and Juvenile Protection Department, convicted *in absentia* for complicity in trafficking in the previous year, was not apprehended during the reporting period and remained at large.

Protection

A number of government entities continued to employ systematic procedures to identify victims and refer them to

NGOs for care, but the government made limited progress in strengthening these procedures and making them uniform nationwide, and the number of victims identified decreased from the previous year. The majority of medical, legal, and shelter services were provided by NGOs, which cared for victims of a number of forms of abuse. Although there were no procedures in place for law enforcement officials' proactive identification of victims among vulnerable groups, the government continued efforts to develop victim identification guidelines in consultation with UN agencies. Authorities systematically referred identified victims to NGO shelters to receive care but did not develop a policy for formally transferring custody of child victims, leaving NGOs that accepted these victims for care vulnerable to court actions against them. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, though the authorities did not offer further assistance to victims. Lack of available long-term care made victims, particularly child sex trafficking victims, highly vulnerable to re-trafficking. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) released an Operational Standard Procedure on Reintegration Support to Male Trafficking Victims outlining procedures for the processing and reintegration of male trafficking victims, but protection for male trafficking victims remained inadequate. Despite the prevalence of male victims, the availability of men's shelters remained severely limited, as NGOs were not required by the Cambodian government to accept male victims and many refused to do so. Foreign victims of trafficking had the same access to victim care facilities as Cambodian trafficking victims; however, there were a limited number of shelters with the ability to provide specialized care to foreign victims, including foreign language capabilities and culturally sensitive support.

MOSAVY reported receiving and referring 570 trafficking victims to shelters, and the local police referred 388 victims of sex trafficking to provincial agencies for NGO referrals. The total number of victims identified and referred, 958, is a decrease from the 1,131 victims identified and referred during the previous reporting period. With assistance from an international organization, MOSAVY continued to operate a transit center in Poipet, where it received 27 victims identified by Thai authorities and identified an additional 64 victims of trafficking from among the approximately 100,000 Cambodian migrants deported from Thailand, a decrease from the 104 victims identified during the previous year. Because victim identification procedures on both sides of the border were inadequate, the number of actual trafficking victims among this population was likely much higher. International and local NGOs unofficially repatriated victims of Thai fishing vessels, thus the total number of returning victims was not known. One organization reported repatriating 51 male victims from Mauritius, Indonesia, Fiji, Senegal, China, Malaysia, and South Africa and providing support for the government in repatriating 17 male victims from Indonesia and Malaysia during the reporting period, but this represented only a fraction of the total number of Cambodian men believed to have been trafficked onto fishing boats. The government did not have adequate procedures in place to facilitate the rescue of victims of forced labor on fishing boats identified overseas; NGOs reported the Ministry of Foreign Affairs and International Cooperation did not have a focal point for these cases and did not respond to requests for assistance during the year.

In the previous reporting period, the government prohibited the migration of additional women to Malaysia for domestic work but failed to ensure that procedures or safeguards were in place to assist Cambodian women already working in Malaysia. This prohibition may have contributed to the increased vulnerability of Cambodian domestic workers in Malaysia, because when the majority of the recruitment companies subsequently shut down, exploited women who remained in Malaysia had little access to support or remediation, which the companies had provided in the past. The Cambodian embassy in Kuala Lumpur provided temporary shelter to an unknown number of Cambodian domestic workers who faced abuse in Malaysia, but it did not have systematic procedures to assist trafficking victims through its diplomatic mission in Malaysia or other countries.

The Cambodian government required foreign victims found in Cambodia to be repatriated to their home countries and did not provide legal alternatives to their removal should they face hardship or retribution upon return to their countries of origin. There were no reports that identified victims were punished for crimes committed as a result of being trafficked; improved efforts to proactively identify victims among vulnerable groups would help ensure that unidentified victims were not punished. Authorities reportedly encouraged victims to participate in investigations and prosecutions of traffickers, and foreign victims were eligible for temporary legal residence in order to do so. However, Cambodia's weak and corrupt judicial and law enforcement systems, lengthy legal processes, and credible fears of retaliation on the part of victims combined with the lack of witness protection, long-term residency options for foreign victims, or access to resources continued to hinder victims' willingness to cooperate in cases, thereby impeding their access to legal redress. The government did not consistently follow procedures to ensure victims' interests. Although it had in place standards that required service providers, including police, to ensure a safe place in which to conduct interviews with victims, the government typically lacked the necessary equipment and office space to do so, and perpetrators and victims were often interviewed in the same location. Victims were theoretically eligible for restitution, though this was limited in practice by a legal requirement that compensation be paid only following the completion of a convicted offender's jail term.

Prevention

The Government of Cambodia continued efforts to prevent trafficking during the reporting period. The National Committee on the Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation and its secretariat continued to lead the country's anti-trafficking efforts, including through issuing an annual report on the government's anti-trafficking efforts and working to implement the committee's anti-trafficking action plan. The committee, its working groups, and its provincial-level affiliates held a total of 176 meetings during the year. In an effort to better address exploitation of Cambodian workers abroad, the government established a migration working group within its anti-trafficking committee comprising representatives from the government, recruitment agencies, and civil society. Although this group sent a delegation to Malaysia in December 2012, the two countries did not finalize a bilateral MOU on the labor migration of Cambodian domestic workers to Malaysia. The government did not improve or enforce sub-decree 190, approved during the previous reporting year, which governs the activities of companies that recruit Cambodians to work abroad, though it did convict four staff members from one licensed

recruiting agency for labor trafficking. Overall, Cambodia's laws and regulations governing recruitment, placement, and protection of migrant laborers abroad remained weak. These policies lacked clear delineation of responsibilities of recruitment agencies and government authorities during the recruitment process and did not detail suitable controls or monitoring of agencies to avoid abuses, prevent corruption, or assign criminal penalties. Issues such as passport confiscation and debt bondage were not adequately addressed.

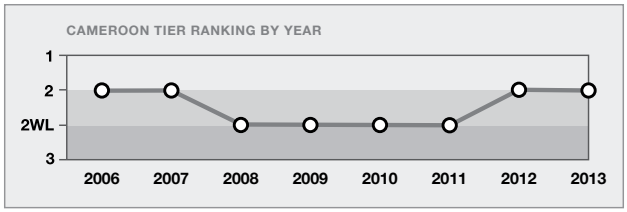
Foreign and local donors provided support to the government to conduct education and awareness campaigns. The government distributed CDs and DVDs with content to educate the population about the risk of trafficking posed by unsafe migration. Officials from the Ministry of Women's Affairs held events to raise awareness about safe migration and collaborated with an NGO to host a televised roundtable discussion on the topic. The government once again organized events to commemorate an anti-trafficking awareness day in December; it conducted awareness campaigns in four provinces and held a march along the Cambodia-Thailand border with approximately 1,600 government and civil society participants. The Ministry of Tourism sustained collaboration with NGOs in producing billboards, magazine advertisements, and handouts aimed at reducing the demand for commercial sex acts and child sex tourism, though these efforts were targeted at foreign sex tourists rather than the local population that is the main source of demand for commercial sex with children.

Authorities convicted three foreign nationals for child sex tourism offenses during the year, and two cases were ongoing. The government's handling of pedophilia cases weakened the credibility of Cambodian efforts to combat child sex tourism. The government deported a convicted foreign pedophile—who was pardoned and released early from prison in the previous reporting period—to South Korea, but only after extensive advocacy by NGOs and the international community. He was subsequently deported to face child sex abuse charges in Russia. In December 2012, the government reduced the charge against a convicted Australian pedophile and released him from prison without investigating claims that his lawyer bribed the victim's family to change her testimony. Several convicted pedophiles were among the 412 criminals pardoned in February 2013 as part of the funeral ceremonies for Cambodia's former king. Five Cambodian officials testified in the United States in prosecutions of pedophiles accused of exploiting children in Cambodia. In an effort to decrease the demand for commercial sex acts, the government continued to conduct police raids on brothels. Although there were no reports that identified victims were punished for crimes committed as a result of being trafficked, improved efforts to proactively identify victims among vulnerable groups would ensure unidentified victims were not punished as law violators. The anti-trafficking committee provided members of military forces with training on human trafficking prior to their deployment abroad on peacekeeping initiatives.

CAMEROON (Tier 2)

Cameroon is a source, transit, and destination country for children subjected to forced labor and sex trafficking and a country of origin for women subjected to forced labor and forced prostitution. Trafficking operations usually target two or three children, often when rural parents hand over their children to an intermediary promising an education or a better life in the city. Traffickers are increasingly resorting to kidnapping their victims, however, as heightened public awareness about trafficking has led to parents being less willing to give their children to these intermediaries. Cameroonian children are exploited in many sectors such as domestic service; street vending; mining; agriculture, including on tea and cocoa plantations; in the urban transportation and construction sectors, where they perform odd jobs as errand boys and laborers on construction sites; and in prostitution within the country. Reports indicate the existence of hereditary slavery in northern chiefdoms. Cameroonian women are lured to Europe and other regions by fraudulent internet marriage proposals or offers of domestic work and subsequently become victims of forced labor or forced prostitution in Switzerland and France, with smaller numbers in Russia. During the year, Cameroonian trafficking victims were also identified in Denmark, Cyprus, Spain, Germany, Norway, Slovakia, the United Arab Emirates, and several West and Central African countries.

The Government of Cameroon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting year, the government continued to make modest improvements to its legal and regulatory framework by using a newly enacted law to prosecute three traffickers and by drafting amendments to address shortcomings in victim witness protection. The government also developed formal procedures to identify trafficking victims among vulnerable populations and refer them to care centers and continued to take significant steps to prevent human trafficking. Despite these efforts, the government did not make adequate progress in ensuring trafficking victims received access to protective services, and data collection remained sporadic and did not cover the entire country, resulting in unreliable and incomplete statistics on victim identification and law enforcement.



Recommendations for Cameroon: Vigorously prosecute and convict trafficking offenders, including government employees complicit in trafficking-related offenses; continue to educate police, judges, lawyers, and social workers about the new law against human trafficking; dedicate resources to improve the collection of statistics relating to victim identification and law enforcement; develop standardized procedures for referring trafficking victims to NGO care services, and socialize these mechanisms among government officials and the NGO community; and address cases of hereditary servitude in the northern regions.

Prosecution

The Government of Cameroon sustained modest anti-trafficking law enforcement efforts during the reporting period. The 2011 Law Relating to the Fight Against Trafficking in Persons and Slavery prohibits all forms of trafficking in persons, and under Section 4 prescribes a penalty of 10 to 20 years' imprisonment, penalties that are sufficiently stringent

and commensurate with those prescribed for other serious offenses, such as rape. Section 5 prescribes penalties ranging from 15 to 20 years' imprisonment if the trafficking victim is 15 years of age or younger, if violent pretexts are used to coerce the victim, or if the victim sustains serious injuries as a result of trafficking. Section 3 prescribes penalties for debt bondage ranging from five to 10 years' imprisonment. These penalties are also sufficiently stringent. In collaboration with an NGO, the government organized a working session in July 2012, which brought together 30 government and civil society actors, as well as national and international experts on trafficking. As a result of the session, the government began drafting amendments to the 2011 law to address shortcomings in protection of victims and witnesses; these amendments were still under consideration at the end of the reporting period.

During the reporting period, the government initiated three trafficking prosecutions but had not yet secured convictions by the end of the reporting period; all three prosecutions remained pending in the Southwest region. This represents a decrease from the previous reporting period, in which the government conducted five trafficking investigations and obtained two convictions. Additionally, two investigations involving child trafficking in the Littoral and South regions were ongoing at the close of 2012. However, the government failed to collect comprehensive anti-trafficking law enforcement data from all of Cameroon's 10 regions during the reporting period. It also did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses.

Protection

The Cameroonian government demonstrated modest efforts to ensure victims of trafficking received access to protective services. The government and NGOs identified 87 trafficking victims during the reporting period, a decrease from the 135 victims identified in the previous reporting period. The government continued to provide limited direct assistance to child victims, including shelter, medical assistance, and psychological support. These government-run shelters are closed—adult victims are not allowed to leave at will or unchaperoned. It is unclear how much funding the government devoted to victim care during 2012 or how many victims received services; however, the Ministry of Social Action (MSA) identified and placed 25 vulnerable children in government care facilities for assistance. Local and international NGOs provided the majority of victim services in the country, and the government has yet to institute a standardized, reliable referral mechanism to refer victims to these services. At ports of entry, trained customs and border security officers interrogated adults accompanying children and checked their travel documents to verify their parentage; however, these procedures did not result in the identification of any trafficking cases during the reporting period.

The government encouraged victims to assist in the investigation and prosecution of trafficking crimes. Victims may file suits or seek legal action against traffickers, and, because children are the main victims of trafficking in Cameroon, family members may also bring civil suits against traffickers on behalf of children. At least six victims received financial settlements from their traffickers after filing such suits. Although the government stated it would provide temporary resident status or legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution, no such relief was provided during the reporting period. The government did not punish any trafficking victims for unlawful acts committed as a direct result of being trafficked.

Prevention

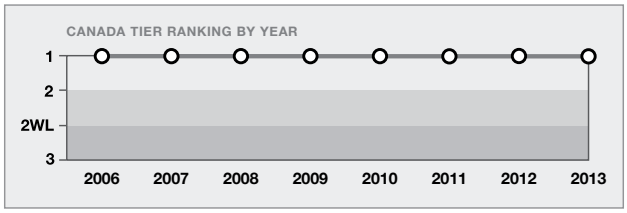
The Cameroonian government demonstrated continued progress in preventing human trafficking over the last year. An inter-ministerial committee, chaired by the secretary general of the prime minister's office and comprised of over a dozen different ministries, coordinates anti-trafficking efforts across the government. The government continued a nationwide awareness campaign about trafficking and the exploitation of children through a joint effort with UNICEF in the Littoral, Northwest, Southwest, and West regions. The National Commission on Human Rights and Freedoms and the MSA also organized seminars and meetings to raise public awareness on trafficking in persons. The government continued to address the phenomenon of street children, a vulnerable population considered at high risk of becoming trafficking victims, and identified 285 new cases during the reporting period. The government returned the majority of these children to their families and periodically followed up with families to ensure that children were not returned to the streets. The government continued to provide members of the Cameroonian armed forces with training on human trafficking prior to their deployment abroad on international peacekeeping missions as part of an overall briefing on international humanitarian law.

CANADA (Tier 1)

Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking and a destination country for men and women subjected to forced labor. Canadian women and girls are exploited in sex trafficking across the country, and women and girls from Aboriginal communities as well as minors in the child welfare system are especially vulnerable. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking as well, often in brothels and massage parlors. Law enforcement officials continue to report that local street gangs and transnational criminal organizations are involved in sex trafficking in certain urban centers. Labor trafficking victims include foreign workers from Eastern Europe, Asia, Latin America, and Africa who enter Canada legally—sometimes through the temporary foreign worker program—but then are subsequently subjected to forced labor in agriculture, construction, processing plants, restaurants, the hospitality sector, or as domestic servants. Reports of forced labor continue to be more prevalent in Ontario, Alberta, and British Columbia. There was one report of a Canadian citizen exploited in forced labor during the year. Canada is also a significant source country of tourists who travel abroad to engage in sex acts with children.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. During the year, authorities continued to strengthen law enforcement efforts, including the conviction of a record number of trafficking offenders. The government launched a national anti-trafficking plan that strengthened coordination and increased efforts to train frontline responders across the country. Some provincial governments increased anti-trafficking efforts, though the effectiveness of these local efforts varied. Across the country,

few specialized services were available to trafficking victims, and there was no comprehensive data collection on trafficking victims identified and assisted during the year.



Recommendations for Canada: Continue to intensify efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders using anti-trafficking laws; enhance specialized care services available to trafficking victims in partnership with civil society and through dedicated funding; increase use of proactive law enforcement techniques to investigate trafficking cases, including allegations of forced labor; amplify efforts to educate officials working in law enforcement, immigration, the justice sector, health care, and social work about human trafficking; continue to strengthen interagency coordination; establish formal mechanisms for officials to identify trafficking victims and refer them to protection services; increase investigations and prosecutions of Canadian child sex tourists abroad; continue efforts to improve trafficking data collection, particularly regarding victim identification and assistance; and strengthen coordination among national and provincial governments on law enforcement and victim services.

Prosecution

The Government of Canada strengthened its anti-trafficking law enforcement efforts by significantly increasing the number of trafficking offenders convicted during the year, though convictions for forced labor crimes and international sex trafficking remained low in comparison with those for domestic sex trafficking. Section 279.01 of Canada's criminal code prohibits all forms of human trafficking, prescribing a penalty of up to 14 years' imprisonment or life imprisonment in the case of certain aggravating factors such as kidnapping or sexual assault. There is a five-year mandatory minimum sentence for trafficking of children. These penalties are sufficiently stringent and commensurate with those for other serious crimes, such as rape. During the year, the criminal code was amended to further define exploitation in the context of trafficking offenses; some NGOs and law enforcement officers had believed that the previous definition was overly restrictive. This amendment also authorizes the government to prosecute Canadian citizens or Canadian permanent residents for trafficking offenses they commit abroad. Section 118 of Canada's Immigration and Refugee Protection Act prohibits transnational human trafficking, prescribing a maximum penalty of life imprisonment and the equivalent of approximately a $1 million fine. In March 2012, the Ontario Court of Appeals ruled unconstitutional federal statutes prohibiting living on the profits of prostitution or operating "bawdy houses;" these statutes had frequently been used in human trafficking prosecutions. The provincial government of Manitoba enacted a law in 2012 allowing the proceeds from human trafficking cases to go to victim settlements. Authorities in the province of Ontario have prosecuted and convicted the greatest number of trafficking offenders of all the Canadian provinces.

In addition to ongoing investigations, as of February 2013, there were at least 77 ongoing federal human trafficking prosecutions, 72 of which were domestic sex trafficking cases. It is unclear how many of these prosecutions were initiated during the reporting period. These cases involved at least 130 defendants and 119 victims, compared with 57 ongoing trafficking prosecutions during the previous reporting period, involving 94 defendants and 158 victims. The government reported 27 total trafficking convictions during the last year, compared with at least 12 convictions during the previous year. The 27 convictions included two convictions for forced labor under trafficking-specific laws, in contrast to three convictions for forced labor under trafficking-specific laws obtained during the preceding reporting period. Prosecutors convicted at least 25 trafficking offenders under other sections of the criminal code in 2012, including provisions against conspiracy to commit human trafficking, living on the proceeds of prostitution, and forcible confinement; this is a notable increase compared with six such convictions obtained during the preceding reporting period. Sentences ranged from one day to nine years' imprisonment; some of these sentences were suspended, and credit was given for pre-trial custody. One company was fined the equivalent of approximately $215,000 for its role in a forced labor case.

Federal and provincial level officials conducted various training sessions for government officials during the year. The Royal Canadian Mounted Police (RCMP) continued extensive anti-trafficking training efforts in 2012 for law enforcement officers, border service officers, and prosecutors and trained 50 police officers in an in-depth human trafficking investigator's course. The RCMP and the border service agency each launched online anti-trafficking training courses. In 2012, authorities trained provincial labor inspectors in Ontario on human trafficking indicators. The Canadian government reported collaborating with foreign governments on several trafficking investigations and did not report investigating or prosecuting any government employees for complicity in human trafficking-related offenses. Coordination between the federal and provincial governments on anti-trafficking law enforcement efforts continued to be a challenge in some cases.

Protection

The government maintained protections for trafficking victims during the reporting period, though most victim services offered by the government were general services offered to victims of a wide variety of crimes and there were no government programs specifically designed to serve trafficking victims. Immigration officials continued implementing guidelines intended to assess whether foreign nationals were potential victims of trafficking. There were no nationwide procedures, however, for other government officials to proactively identify and assist trafficking victims among vulnerable populations, such as women in prostitution or migrant workers. Officials did not collect comprehensive statistics on the total number of trafficking victims identified and assisted during the year. Provincial and territorial governments had primary responsibilities for general crime victim services, which were available to trafficking victims, and the range and quality of these services varied. Most jurisdictions, however, provided trafficking victims with access to shelter services, short-term counseling, court assistance, and other services. The government did not report funding or operating any dedicated facilities for trafficking victims. Female trafficking victims could receive services at shelters

designed for victims of violence, and in some cases shelters for homeless persons provided basic services to male trafficking victims. The demand for some services, such as longer-term assisted housing, generally exceeded resources. Some law enforcement officials and NGOs indicated that the lack of specialized services was problematic and noted that increased protection of victims could enhance victim cooperation with law enforcement.

NGOs noted that provincial referral mechanisms, often involving a local anti-trafficking network or coalition, worked well in practice; however, some NGOs reported that communication between different sectors, such as law enforcement officials and service providers, was uneven. Provinces and territories had primary responsibility for enforcing labor standards; however, civil society organizations reported that provincial and territorial governments often lacked adequate resources and personnel to effectively monitor the labor conditions of increasing numbers of temporary foreign workers or to proactively identify human trafficking victims among such groups.

Undocumented foreign trafficking victims in Canada could apply for a temporary resident permit (TRP) to remain in the country. The government issued 26 TRPs to 24 foreign trafficking victims in 2012, 13 of which were first-term permits and 13 of which were renewals. In comparison, authorities reported granting 53 TRPs to 48 foreign victims in 2011. Some foreign trafficking victims might have received different forms of immigration relief, such as refugee protection. During a 180-day reflection period, immigration officials determined whether to grant TRP holders a longer residency period of up to three years, and victims had access to essential and emergency medical care, dental care, and trauma counseling. TRP holders could apply for fee-exempt work permits, and some foreign victims received these permits during the reporting period. Some officials and NGOs reported difficulties in getting TRPs for foreign victims due to lack of coordination or understanding among service providers, law enforcement officers, and immigration officials about whether an individual qualified as a trafficking victim. Identified victims were not penalized for crimes committed as a direct result of being subjected to human trafficking. Canadian authorities encouraged but did not require trafficking victims to participate in investigations and prosecutions of trafficking offenders. The government continued to provide protections to victims who chose to testify, such as witness protection programs and the use of closed circuit television testimony; however, it did not report how many victims, if any, participated in investigations and prosecutions. During the year, the wife and step-daughter of a Hungarian forced labor victim who testified against his traffickers were deported after their refugee request was denied.

Prevention

The Government of Canada maintained strong anti-trafficking prevention efforts during the reporting period. Canada's national action plan released in 2012 created a new federal-level interagency taskforce to replace the previous working group. In addition to outlining specific anti-trafficking commitments, the national plan increased transparency by requiring the federal government to report publicly and annually on its efforts. Although the plan did not come with a separate budget, it committed the equivalent of approximately $25.8 million from federal entities for anti-trafficking efforts over the next four years. The RCMP continued to conduct widespread awareness-raising activities and maintained six regional human trafficking awareness coordinators across the country to facilitate anti-trafficking initiatives and assist in developing local strategies. These coordinators distributed anti-trafficking toolkits to Aboriginal communities. The federal government funded several anti-trafficking initiatives abroad through the Canadian International Development Agency and the Department of Foreign Affairs and International Trade (DFAIT).

Provincial and local governments also undertook a variety of trafficking prevention events and initiatives during the year; these efforts varied in effectiveness. British Columbia had the only provincial anti-trafficking office in the country, and the office conducted a variety of prevention, training, and awareness activities. Quebec's provincial government reported funding NGOs that provided services to trafficking victims. Ontario implemented provincial-level initiatives including victim identification tools and awareness materials. The Alberta provincial government continued to fund an NGO coalition to coordinate the province's actions to combat trafficking.

Authorities continued to implement the compliance framework for the federal temporary foreign workers program. Immigration officials provided information to temporary foreign workers, including live-in caregivers, to let them know where to seek assistance in case of exploitation or abuse and to inform them of their rights. Some NGOs asserted that these efforts did not address the root issues that make temporary foreign workers vulnerable to forced labor and called for a national policy framework to regulate labor brokers and recruiters. In 2012, the federal government enacted a policy making it more difficult for businesses involved in the sex trade to hire temporary foreign workers and stopped processing new work permits for temporary foreign workers to work in related businesses, such as strip clubs and massage parlors. In 2012, the government banned two diplomatic missions from bringing domestic servants into Canada because of abuses, including unpaid wages, contract switching, and long hours; it is unclear if any civil suits were filed by the abused workers.

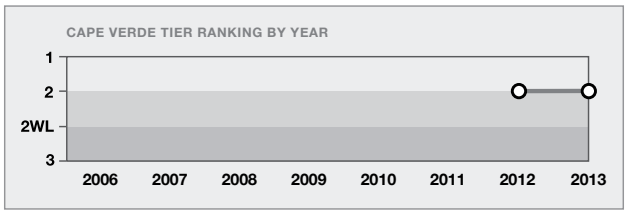
Canada is a source of child sex tourists, and the country prohibits its nationals from engaging in child sex tourism through Section 7(4.1) of its criminal code, which has extraterritorial application and carries penalties of up to 14 years' imprisonment. DFAIT continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law with every new Canadian passport issued. However, there were no public reports of investigations, prosecutions, or convictions of child sex tourists during the year. Canadian authorities provided anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions. Canadian authorities continued to prosecute individuals who solicited commercial sex, and there were no known efforts to address demand for forced labor.

CAPE VERDE (Tier 2)

Cape Verde is a source country for children subjected to forced labor and sex trafficking within the country and, at times, a source for persons trafficked to Brazil, Portugal, and other countries in Europe for forced transport of drugs. Migrants from China, Ghana, Guinea, Guinea-Bissau, Nigeria, and

Senegal may receive low wages, work without contracts, and not have regularized their visa status, creating vulnerabilities to forced labor. West African migrants may transit the archipelago *en route* to situations of exploitation in Europe. Cape Verdean children work in domestic service, often working long hours and at times experiencing physical and sexual abuse—indicators of forced labor. Reports indicate that boys and girls, some of whom may be foreign nationals, are exploited in prostitution in Santa Maria, Praia, and Mindelo. Sex tourism, at times involving prostituted children, is a problem in Cape Verde. Cape Verdean adults and children are at risk of being deceived or forced into transporting drugs to or within Brazil and Portugal. Between 2010 and 2012, three Cape Verdean trafficking victims were identified in Guinea.

The Government of Cape Verde does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated at least two cases involving alleged child prostitution, an increase compared to its failure to investigate any cases of suspected human trafficking in the previous reporting period. In addition, it began prosecution of three offenders in one case. The Cape Verdean Institute for Children and Adolescents (ICCA), under the Ministry of Youth, Employment, and Human Resources Development, made concerted efforts to protect child victims of sexual abuse, including children in prostitution, and to assist vulnerable children. Despite these efforts, the government did not prosecute or convict any trafficking offenders during the year. Furthermore, it did not make efforts to identify any trafficking victims or reduce the demand for commercial sex acts.



Recommendations for Cape Verde: Draft comprehensive anti-trafficking legislation consistent with the 2000 UN TIP Protocol, including a broad definition of trafficking in persons that does not rely on evidence of movement but rather on exploitation; prosecute, convict, and punish trafficking offenders under existing law; ensure Cape Verdean law prohibits facilitating the prostitution of children ages 16 and 17; train law enforcement officials to use existing laws to investigate and prosecute trafficking offenses; develop and implement procedures for the identification of trafficking victims amongst vulnerable populations; compile anti-trafficking law enforcement data; and launch a targeted anti-trafficking public awareness campaign.

Prosecution

The Government of Cape Verde demonstrated minimal efforts to combat human trafficking during the year; however, it did not prosecute or convict any trafficking offenders. Cape Verdean law does not specifically prohibit all forms of trafficking, though several existing statutes cover certain forms. Article 14 of the labor code prohibits forced labor and Article 271 of the penal code outlaws slavery, both of which prescribe sufficiently stringent penalties of six to 12 years' imprisonment. Article 148 of the penal code outlaws facilitating prostitution of children under the age of 16 and prescribes sufficiently stringent penalties of two to eight years' imprisonment for victims under 14 years and one to five years for victims aged 14 or 15. These penalties are not commensurate with penalties for other grave crimes, such as rape. The penal code does not prohibit or punish those who facilitate the prostitution of children aged 16 and 17. Investigations into sex crimes involving children aged 14 and 15 require complaints from the child's legal guardian; government officials indicate that no such case has ever been reported to police. Prostituted children aged 14 to 17 are rendered virtually invisible to law enforcement and social welfare officials under existing law, granting impunity to those who profit from their exploitation.

During the year, the judicial police investigated at least two cases of child prostitution reported by the ICCA. In February 2013, the government began prosecution of three men involved in the prostitution of teenage boys between the ages of 12 and 14 transported from Praia to other parts of the island of Santiago for prearranged clients. The second case involved the prostitution of children on the island of Sal. The government did not provide information regarding the status of these cases. It did not provide any specialized training for officials on the identification or prosecution of trafficking offenses. There were no reports of trafficking-related corruption during the year; corruption is generally not a significant issue in Cape Verde.

Protection

The government made modest efforts to protect trafficking victims. Although it did not report its identification or protection of trafficking victims, several government facilities that provide care to vulnerable children and victims of gender-based violence may have assisted trafficking victims during the year. Two ICCA-run centers for child emergencies in Praia and Mindelo afforded temporary care to child victims of sexual abuse, violence, and abandonment; children can remain in these centers for up to three months. The government maintained its five protection and social reinsertion centers on the islands of Sal, Sao Nicolau, Bao Vista, Fogo, and Santiago, which offered reintegration services to children experiencing long-term trauma. The ICCA continued its *Nos kasa* project that aims to reduce the vulnerability of street children to sexual abuse and child labor through the operation of six day centers on the islands of Santo Antao, Sao Vincente, Sao Nicolau, Fogo, Boa Vista, and Santiago, which host children during the day and provide counseling. There are also government-supported foster family and adoption programs for the care of children who cannot return to their families. The government lacked formal procedures for the identification and referral of trafficking victims. However, the ICCA's network for the protection and prevention of sexual abuse of children and adolescents—comprised of the judicial police, the national police, the national prosecutor, the directorate general of tourism, and the Office of Health for Praia—coordinated the referral of child victims of sexual abuse to care and offered support throughout court processes. *Disque Denuncia*, the government's hotline for reporting cases of child abuse, served as a referral system, coordinating efforts between the attorney general's office, the judiciary police, the national police, hospitals, and Offices of Health and School. ICCA and UNICEF established a special unit in the judicial police to attend to child sex abuse victims; the unit is equipped with a video room that allows children to testify outside of court. Cape Verdean law does not provide for legal alternatives to

the removal of foreign trafficking victims to countries where they may face hardship or retribution.

Prevention

The government made modest efforts to prevent trafficking during the reporting period through efforts directed towards the elimination of child labor and protection of migrants. Nonetheless, it did not undertake any trafficking awareness campaigns. During the year, the government continued its drafting of a list of hazardous forms of work. In 2012, ICCA inaugurated its unit for prevention and elimination of child labor and worked with government and civil society partners to establish the National Committee for Eradication of Child Labor in Cape Verde. The government did not identify any child labor violations during the reporting period and did not remove any children from situations of child labor. In the previous reporting period, it developed a national immigration strategy to manage migration flows, regulate migrant access to the labor market, develop a model employment contract for immigrant workers, and lay groundwork to identify and address labor exploitation by strengthening the coordination between inspection divisions, labor unions, NGOs, and migrant associations. In 2012, the government, in partnership with international organizations and donors, held awareness events about this strategy and workshops for the National Immigration Council and Permanent Monitoring Group. The National Immigration Council is a committee comprised of 26 members from different stakeholder organizations responsible for monitoring and evaluating the implementation of the national immigration strategy. The Permanent Monitoring Group is an advisory group that supports the immigration coordination unit, established in February 2012, to ensure coordination on and compliance with national immigration policies as part of its larger efforts to improve conditions for migrants and facilitate their integration into Cape Verdean society. In December 2012, the Minister of Internal Affairs opened the first Immigration Support Office, based in the Santa Maria police precinct, which aims to serve and inform migrants living in the area. During the year, the Ministry of Internal Administration reported one pending prosecution of a child sex tourist. In 2012, the government did not make significant efforts to reduce the demand for commercial sex acts or to address sex tourism.

CENTRAL AFRICAN REPUBLIC (Tier 3)

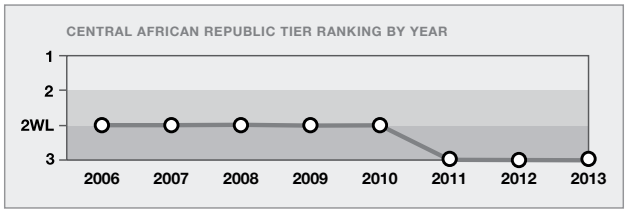
The Central African Republic (CAR) is a source and destination country for children subjected to forced labor and sex trafficking and possibly for women subjected to forced prostitution. While the scope of the CAR's trafficking problem is unknown, NGO programs launched during the reporting period to survey the problem have contributed to an increased understanding of the nature of trafficking in the country. Observers report that most victims appear to be Central African citizens exploited within the country, and that a smaller number are transported back and forth between the CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, and South Sudan. Trafficking offenders—likely including members of expatriate communities from Nigeria, South Sudan, and Chad as well as transient merchants and herders—subject children to domestic servitude, commercial sexual exploitation, and forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending. Within the country, children are at risk of becoming victims of forced labor, *Ba'aka* (Pygmy) minorities are at risk of becoming victims of forced agricultural work—especially in the region around the Lobaye rainforest—and girls are at risk of being exploited in the sex trade in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly commercial sexual exploitation. Women in prostitution, some of whom report being subjected to gang rapes and beatings perpetrated by peacekeeping troops from other Central African countries, may be vulnerable to sex trafficking.

Armed groups operating in the CAR continued to recruit and use children, at times through force, for military activities. Human rights observers reported that opposition militia groups in the north of the country continued to recruit and unlawfully use children in armed conflict. Despite having previously signed action plans with the UN to end the recruitment and use of children, both the Union of Democratic Forces for Unity (UFDR) and the Convention of Patriots for Justice and Peace (CPJP) continued to recruit and use children during the year. Some children formerly associated with the CPJP were threatened for having "deserted," and children released from both groups were at risk of being re-recruited. The rebel group Popular Front for Recovery (FPR) reportedly used children during the year; in September 2012, this group surrendered, and its members, including 18 children, were subsequently repatriated to Chad. Observers indicate the Democratic Front of the Central African Republic (FDPC) and the Movement of Central African Liberators for Justice (MLCJ) continued to harbor children. The People's Army for the Restoration of Democracy (APRD), known to recruit and use children, disbanded in May 2012. In February 2012, the Central African army (FACA) reportedly captured a 14-year-old boy fighting with the FPR and allegedly used him to identify FPR hideouts, and local observers reported the presence of children manning FACA checkpoints during the current reporting year. Village self-defense units, which were established by towns to combat armed groups and bandits in areas where the national army or *gendarmes* are not present, used children as combatants, lookouts, and porters. UNICEF estimated that children comprise one-third of these self-defense units. The government reportedly provides occasional in-kind support to some of these groups; in one December 2012 incident, government officials and members of the ruling political party distributed machetes to children in self-defense neighborhood groups in Bangui. The recruitment of children for use in armed groups increased in December 2012 when the Seleka coalition—an alliance comprised of members of the CPJP, UFDR, FDPC, and others—launched a rebellion against the government. Both Seleka rebels and pro-government militias are reported to have recruited and used children during the conflict.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operates in eastern regions of the CAR, continued to abduct and enslave South Sudanese, Congolese, Central African, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. The LRA also forced girls into marriages and forced children to commit atrocities such as looting and burning villages, killing village residents, and abducting or killing other children. Some of these children may have been taken back and forth across borders into South Sudan or the DRC. In May 2012, during the capture in the CAR of senior LRA commander Ceaser Achellam, who is accused of

recruiting and using children as soldiers and sex slaves, the Ugandan military identified a 12-year-old trafficking victim and referred her to an international organization for protection.

The Government of the Central African Republic does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not investigate or prosecute any suspected cases of human trafficking, and it did not identify, provide protection to, or refer to service providers any trafficking victims. Furthermore, it took actions during the year which caused further harm to victims of trafficking. In collaboration with an NGO, the government began convening a working group to develop a database for collecting and sharing information on cases of human trafficking as well as a national action plan for combating human trafficking in the CAR.



Recommendations for Central African Republic: Increase efforts to demobilize and reintegrate child soldiers serving in armed groups and self-defense units, and institute a zero tolerance policy for the use of children within the government's armed forces; in collaboration with NGOs and the international community, train law enforcement officials and magistrates to use the penal code's anti-trafficking provisions to investigate and prosecute these offenses; increase efforts to educate and encourage the public and relevant governmental authorities to identify and report trafficking victims among vulnerable populations, such as women and girls in prostitution, street children, children associated with armed groups, and *Ba'aka*; and, in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor.

Prosecution

The Government of the Central African Republic made no discernible anti-trafficking law enforcement efforts during the reporting period. Article 151 of the CAR's penal code prohibits all forms of trafficking in persons and prescribes penalties of five to 10 years' imprisonment, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. If the offense involves a child victim, Article 151 prescribes the additional penalty of hard labor. If the offense involves a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalty is life imprisonment with hard labor. Articles 7 and 8 of the January 2009 Labor Code prohibit forced and bonded labor and prescribe sufficiently stringent penalties of five to 10 years' imprisonment. Victims can file civil suits to seek damages from their traffickers. These provisions, however, are not enforced, and no cases of suspected human trafficking offenses were investigated or prosecuted during the reporting period. NGOs engaged in anti-trafficking work reported that local officials were generally disinterested in prosecuting human trafficking cases. Judges and prosecutors failed to prosecute trafficking cases brought to their attention, which may have contributed to an environment that allowed traffickers to operate with impunity. Traditional dispute resolution methods are widely practiced throughout the country, often to the exclusion of formal legal proceedings to punish criminal acts. Furthermore, the Criminal Court in Bangui has not held a session since 2010, apparently due to lack of financial resources. The CAR government did not investigate or prosecute any public officials for their alleged complicity in trafficking-related criminal activities during the reporting period. The government did not investigate the use of child soldiers in self-defense militias that may in fact be supported by the government. In addition, it took no punitive measures against the government security forces that forcibly removed and threatened 66 demobilized child soldiers in protective custody in Bangui. Law enforcement officials were not provided adequate technical training and resources to identify and investigate trafficking cases, and officials outside the capital may not have access to copies of the legal codes.

Protection

The Government of the CAR did not make significant efforts to ensure that victims of trafficking received access to protective services during the reporting period. It neither developed measures for the proactive identification of victims among vulnerable groups nor enacted a system for referring identified victims to NGOs to receive care. The government did not identify any trafficking victims during the year, but an NGO reported identifying 40 suspected victims of sex and labor trafficking. The government maintained its partnership with UNICEF and NGOs for the protection and reintegration of demobilized child soldiers. During the reporting period, UNICEF, in partnership with local NGOs, worked to reintegrate an unknown number of identified child soldiers; the government's role in this process was minimal and, at times, its actions inflicted further harm on children released from armed groups, who were sometimes detained by the government. In one December 2012 incident, the government raided a shelter serving former child soldiers, and arrested and jailed 66 children rescued from fighting among the ranks of the Seleka coalition; the children were eventually released to an NGO, but with threats that they would be shot if they tried to leave the shelter. These children were believed to have been re-recruited by the Seleka coalition, and as of the close of the reporting period, the government has not investigated or punished the officers involved. The government, which has very limited resources, did not directly provide reintegration programs for child soldiers, which left victims susceptible to further exploitation or re-trafficking by armed groups or other traffickers. Reports indicated that the government arrested and jailed individuals involved in the sex trade, some of whom may have been trafficking victims, without verifying their ages or attempting to identify indicators of trafficking. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, and no such victims were identified.

Prevention

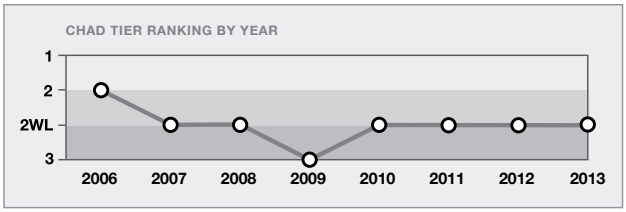
The government undertook moderate anti-trafficking prevention efforts during the reporting period. In November 2012, during a working group meeting convened by an NGO, government representatives and other stakeholders committed to the drafting of a national plan to combat trafficking. In December, this group constructed a rudimentary database in an attempt to increase efforts to collect and share data

across agencies. The working group has continued to meet twice weekly to develop the national plan, which was not finalized by the close of the reporting period. The government took no action to establish a policy against child soldiering or raise awareness about the country's laws prohibiting the use of children in armed forces. The government did not take any measures to reduce the demand for commercial sex acts during the year.

CHAD (Tier 2 Watch List)

Chad is a source, transit, and destination country for children subjected to forced labor and sex trafficking. The country's trafficking problem is primarily internal and frequently involves children being entrusted to relatives or intermediaries in return for promises of education, apprenticeship, goods, or money, only to result in forced labor in domestic servitude or forced herding. Some children are sold in markets, a practice that has been documented since 2011. Child trafficking victims are also subjected to forced labor as beggars and agricultural laborers. Some children who leave their villages to attend traditional Koranic schools are forced into begging, street vending, or other labor by illegitimate teachers. Child cattle herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and at times cross ill-defined international borders into Cameroon, the Central African Republic, and Nigeria. There continue to be allegations of child herders being forced to work by military or local government officials. Chadian girls travel to larger towns in search of work, where some are subsequently subjected to prostitution or are abused in domestic servitude. Chadian children were identified in some government military training centers and among rebel troops in 2012. Although some of the children may have lied about their age in order to enlist, reports indicate that some children were recruited by government forces during the reporting period.

The Government of Chad does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these modest steps, the government did not demonstrate evidence of overall increased efforts to address human trafficking compared to the previous year; therefore, Chad is placed on Tier 2 Watch List for a fourth consecutive year. The country was granted a second consecutive waiver of an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute significant efforts to meet the minimum standards for the elimination of human trafficking and is devoting sufficient resources to implement that plan. During the reporting period, the Government of Chad demonstrated a limited commitment to increased anti-trafficking law enforcement by investigating nine suspected trafficking cases and convicting five traffickers of forced child labor, including one senior military official. The government also continued nation-wide campaigns on human rights issues, including trafficking in persons, and high-ranking officials, such as the president and prime minister, spoke out publicly against trafficking. Despite these efforts, the government has yet to enact legislation specifically prohibiting human trafficking and strengthening labor protections for children within Chad. It also lacks formal victim identification procedures and has failed to provide trafficking victims with basic support. The country continued to face severe challenges, and its resources remain constrained following decades of conflict and instability.



Recommendations for Chad: Pass and enact draft penal code revisions that include a prohibition on child trafficking; consider drafting and enacting penal code provisions that criminalize the trafficking of adults; increase efforts to enhance magistrates' understanding of and capability to prosecute and punish trafficking offenses under existing laws; continue anti-trafficking law enforcement efforts, including the investigation and prosecution, when appropriate, of suspected trafficking offenders; adopt and implement the Child Protection Act, which would protect children from forced labor and prohibit their recruitment into the military; continue collaborating with NGOs and international organizations to increase the provision of protective services to all types of trafficking victims, including children forced into cattle herding, domestic service, or prostitution; create a senior-level inter-ministerial committee to combat trafficking and provide support and resources to regional bodies to help facilitate overall national coordination of anti-trafficking efforts; continue to take steps to raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system; and continue to work with international partners to implement a national action plan to combat trafficking.

Prosecution

Chad made modest law enforcement efforts against trafficking in persons during the reporting period, an increase from the previous reporting period. Existing laws do not specifically prohibit human trafficking, though forced prostitution and many types of labor exploitation are prohibited. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines equivalent to approximately $100 to $1,000, but not imprisonment, which is not sufficiently stringent to deter this form of trafficking and does not reflect the serious nature of the crimes. Penal code Articles 279 and 280 prohibit the prostitution of children, prescribing punishments of five to 10 years' imprisonment and fines up to the equivalent to approximately $2,000, penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Pimping and owning brothels is also prohibited under penal code Articles 281 and 282. The 1991 Chadian National Army Law prohibits recruitment of children younger than 18; punishment for those who violate this provision is conducted at the discretion of military justice officials. Draft revisions to the penal code that would prohibit child trafficking and provide protection for victims have not been enacted for the third consecutive year.

The Government of Chad prosecuted nine cases and convicted five traffickers during the reporting period. Local law enforcement officials in the Tandjile and Mandoul regions detected and investigated seven cases involving the sale of boys for forced labor in cattle herding and the sale of girls for forced

labor in domestic service. The government prosecuted all seven cases, resulting in three convictions and four acquittals; two traffickers were sentenced to two years' imprisonment, and one trafficker received a two-year suspended sentence and a fine. A trafficker was convicted of forced child labor in eastern Chad and received a one-year sentence, and a senior army official was sentenced to two years' imprisonment for child trafficking and forced labor.

Protection

The Chadian government did not take adequate steps to identify and provide protection to victims of trafficking during the reporting period. It did not officially report identifying or referring victims to protection services. Regional committees, located in six regions within Chad, identified and referred an unknown number of victims to appropriate services where available, but these bodies lacked support and resources and were unable to coordinate with the national government. Lack of formal victim identification procedures continued to be a problem. The government collaborated with a donor-funded NGO project to create a human trafficking database, but the database was not completed during the reporting period.

Inadequate human and financial resources severely limited the government's ability to provide adequate services to victims of all crimes, including victims of trafficking. The government provided limited in-kind contributions and social services to victims of crime through a joint agreement with UNICEF, though these services not tailored to the specific needs of trafficking victims. The government encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not detain, fine, or jail any trafficking victims for unlawful acts committed as a result of being trafficked.

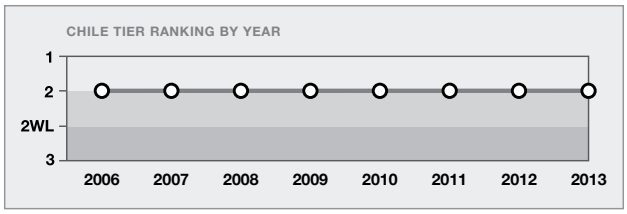
Prevention

The government made modest efforts to prevent human trafficking during the reporting period. The Ministry of Human Rights launched nationwide campaigns on human rights, which included sensitization of the population to the dangers of giving, renting, or selling one's child for animal herding or as domestic servants. These campaigns included the distribution of posters and other informational materials and involved various high-ranking government officials. The prime minister and president also made public announcements regarding combating trafficking in persons. A national committee focused on human trafficking continued to function in Chad, but it only included working-level representatives from relevant ministries who met on an informal basis and were not empowered to take significant action; a lack of information sharing between ministries continued to prevent effective coordination at a national level. During the reporting period, the government closed down motels that encouraged or practiced prostitution and the facilitation of prostitution, though it took no additional discernible action to reduce demand for commercial sex acts. The Minister of Defense published an order that all senior military officials responsible for recruitment or training identify any children still in their units, and joint inspections with UNICEF were conducted to verify compliance. Children found during the verification missions were removed from the army and reintegrated with their families with the assistance of the Ministry of Social Action. In 2012, the government drafted a law intended to establish a birth registration system, with the goal of better identifying victims of trafficking and child soldiering, and sent it to the National Assembly for approval.

CHILE (Tier 2)

Chile is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Chilean women and children are exploited in sex trafficking within the country, as are women and girls from other Latin American countries, including Argentina, Bolivia, Peru, Paraguay, the Dominican Republic, and Colombia. Men, women, and children, primarily from Bolivia, Peru, Paraguay, Colombia, and Ecuador, have been identified as forced labor victims in Chile's mining, agricultural, and hospitality sectors, and in domestic service. Authorities report that Chinese immigrants may also be vulnerable to both sex trafficking and forced labor. Chilean authorities continued to identify an increasing number of children involved in illicit activities, including the transportation of illegal drugs; some of these children may have been coerced or forced.

The Government of Chile does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government strengthened law enforcement efforts, particularly by achieving its first convictions under the 2011 trafficking law, and by enhancing the capacity of the dedicated investigative police. Authorities increased specialized services through opening a dedicated shelter for adult female trafficking victims and continued to provide services to children in commercial sexual exploitation. Specialized services for male victims remained limited, victim identification and assistance guidelines were lacking, and authorities had yet to convict a forced labor offender.



Recommendations for Chile: Increase efforts to investigate and prosecute all forms of human trafficking and convict and punish trafficking offenders; strengthen victim protection efforts for male as well as female victims, and ensure victims' access to shelters and comprehensive services through increased funding for these services; create and implement formal victim identification and referral protocols for front-line responders; continue to strengthen law enforcement's capability to proactively investigate trafficking cases outside the capital, especially involving potential forced labor and domestic servitude; expediently issue temporary visas to foreign trafficking victims to ensure they receive necessary services; improve data collection; and continue to enhance interagency coordination mechanisms and communication with NGOs, particularly at the working level.

Prosecution

The Government of Chile enhanced its anti-trafficking law enforcement efforts during the year by strengthening the

dedicated police unit, achieving the first convictions under the 2011 anti-trafficking law, and continuing to prosecute and convict child sex trafficking offenders. Chilean law prohibits all forms of human trafficking, prescribing penalties ranging from five years and a day in prison to 15 years' imprisonment, plus fines, for trafficking offenses. Such penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Officials continued to investigate and prosecute many internal child sex trafficking cases as commercial sexual exploitation of minors or pimping, pre-existing crimes which can carry lower sentences. During the year, authorities increased staffing and resources for the trafficking and smuggling investigative police unit, which had been limited to investigating crimes in the capital area. Authorities recognized the need for increased data collection and sharing.

During the reporting period, police investigated at least 16 sex trafficking and two labor trafficking cases. The government initiated at least 158 trafficking prosecutions, including 16 for labor trafficking and 15 for sex trafficking of adults, though the majority involved child sex trafficking. In 2012, Chilean courts achieved the first convictions under its 2011 anti-trafficking law, convicting four trafficking offenders for internal and transnational sex trafficking; sentences ranged from five to 15 years' imprisonment, with the lowest sentence suspended and served as immediate parole. Prosecutors also convicted one trafficker under Chile's previous transnational sex trafficking statute with a sentence of 185 days deemed already served in preventive detention. In addition, authorities reported convicting 22 trafficking offenders under statutes prohibiting the facilitation or promotion of prostitution of children but did not report the range of sentences for these convictions. This compares with 34 sex trafficking convictions achieved in 2011.

There were no reported investigations or prosecutions of public officials for alleged complicity in human trafficking-related offenses. During the year, authorities provided specialized training on trafficking for law enforcement officials, social workers, and other government officials, often in partnership with NGOs and international organizations. NGOs reported that some government agencies responsible for providing victim assistance lacked adequate training. Law enforcement officials collaborated on transnational trafficking investigations with other governments.

Protection

The Chilean government strengthened protection efforts during the year through opening a dedicated shelter for adult female victims, but NGOs reported a need for more specialized services, and authorities lacked guidelines for proactive victim identification and assistance. The government did not employ systematic procedures to proactively identify trafficking victims among vulnerable populations or to refer them to services, though some agencies reported use of guidelines for victim identification. Prosecutors reported identifying 95 trafficking victims during the year. It is likely that many child sex trafficking victims were identified as victims of different crimes, as officials reported assisting 1,209 children in commercial sexual exploitation in 2012.

Chilean law mandates the provision of medical care, psychological counseling, and witness protection services to adult victims of trafficking who assist in trafficking investigations, and authorities reported providing these services in 2012. It was unclear what services the 95 identified victims received, though prosecutors reported spending the equivalent of approximately $8,000 to assist trafficking victims. Authorities drafted a victim assistance protocol during the year. In August 2012, authorities opened a dedicated shelter for female adult victims of trafficking; the government funded a NGO-administered shelter housing 15 foreign victims during the reporting period, including two forced labor victims. This open shelter facilitated health, migration, and employment services, and the government spent the equivalent of approximately $68,000 for the shelter in 2012 and received additional funding from a private company. The National Service for Minors (SENAME) provided services to child victims of sex trafficking through its national network of 16 walk-in centers for children subjected to commercial sexual exploitation—including boys—and reported spending the equivalent to approximately $2.8 million in 2012 for these NGO-administered programs. SENAME also funded one residential shelter exclusively for child sex trafficking victims. Some NGOs reported that funding from SENAME was inadequate to provide all of these services and to conduct outreach to vulnerable youth. Specialized assistance for male victims was limited, and NGOs reported a lack of adequate services for some trafficking victims.

Chilean authorities encouraged victims to assist in the investigation and prosecution of trafficking offenders. Foreign victims who reported the crime to authorities were eligible for temporary residency with the right to work for a minimum six-month period, and five victims received this residency in 2012. NGOs reported that extensive wait time for these temporary visas impeded some foreign victims' access to service. The law also establishes foreign victims' rights to take steps toward regularizing their legal status in Chile. There were no reports that the government punished trafficking victims for unlawful acts they committed as a direct result of their being subjected to human trafficking.

Prevention

The government sustained awareness efforts during the reporting period and conducted an internal evaluation of its capacity to address trafficking. The anti-trafficking interagency working group met three times in 2012 and released a national assessment of anti-trafficking efforts, highlighting priority areas for action and forming the basis of a draft national action plan. SENAME continued to raise awareness about child prostitution through awareness campaigns. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The government prosecuted individuals for soliciting sexual services from children but did not report efforts targeting the demand for forced labor.

CHINA (Tier 3*)

China is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children from neighboring Asian countries, including Burma, Vietnam, Laos, Singapore, Mongolia, and the Democratic People's Republic of Korea (DPRK), as well as from Russia, Europe, Africa, and the Americas, are reportedly trafficked to China for commercial sexual exploitation and forced labor. While the majority of

trafficking occurs within China's borders, there are reports that Chinese men, women, and children may be subjected to conditions of forced prostitution and forced labor in numerous other countries. Low- and medium-skilled Chinese workers migrate voluntarily to other countries for jobs in coal mines, beauty parlors, construction, and residences, but some subsequently face conditions indicative of forced labor, such as withholding of passports and other restrictions on movement, non-payment of wages, physical or sexual abuse, and threats. High recruitment fees, sometimes as much as the equivalent of approximately $70,000, compound Chinese migrants' vulnerability to debt bondage.

Trafficking is pronounced among China's internal migrant population, estimated to exceed 236 million. Forced labor remains a problem, including in brick kilns, coal mines, and factories, some of which operate illegally and take advantage of lax labor supervision. Forced labor, including forced begging by adults and children, took place throughout China in 2012. Some evidence of child labor has been reported by media outlets, but the government has publicized only limited data on the subject. During the reporting period, some children in "work-study programs" supported by local governments were forced to work in farms and factories. In 2012, instances of schools forcing students to work in factories were reported. In November 2012, police rescued 11 mentally disabled men from a car wash in Tianjin, where the men had been beaten and not paid. Girls from the Tibet Autonomous Region are reportedly trafficked to other parts of China for domestic servitude and forced marriage.

State-sponsored forced labor is part of a systematic form of repression known as "re-education through labor." The government reportedly profits from this forced labor, and many prisoners and detainees in at least 320 of these facilities were required to work, often with no remuneration. The prisoners were sometimes beaten for failing to complete work quotas. NGO reports state that forced labor is also a problem in government drug detention centers. Chinese authorities continue to detain and forcibly deport North Korean trafficking victims, who may face severe punishment, including death, upon their return to the DPRK for crimes that were sometimes a direct result of being trafficked.

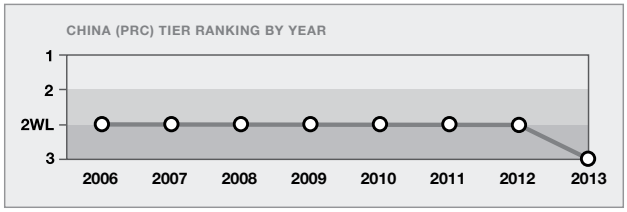
Chinese women and girls are subjected to sex trafficking within China; they are often recruited from rural areas and transported to urban centers. China is also a destination for women and girls, largely from neighboring countries, who are sometimes subjected to forced marriage and forced prostitution upon arrival. Well-organized international criminal syndicates and local gangs play key roles in both the outbound trafficking of Chinese women and girls and the inbound trafficking of foreign women and girls into China. Media sources have reported on the prevalence of underage girls in the sex trade in cities throughout China. In July 2012, eight girls under the age of 14 were kidnapped and forced into prostitution. Local government officials and businessmen were among the five people arrested for the girls' commercial sexual exploitation.

The Chinese government's birth limitation policy and a cultural preference for sons, create a skewed sex ratio of 118 boys to 100 girls in China, which served as a key source of demand for the trafficking of foreign women as brides for Chinese men and for forced prostitution. Women from Burma, Malaysia, Vietnam, and Mongolia are transported to China after being recruited through marriages brokers or fraudulent employment offers, where they are subsequently subjected to forced prostitution or forced labor. Chinese men and women are subjected to forced labor in many countries around the world. There have been reports of forced labor in service sectors, such as restaurants and shops, in overseas Chinese communities. A study in the Netherlands revealed that Chinese men were found at marijuana cultivation sites, while women were forced to work in beauty salons and offer sexual services. In addition, there have been reports of Chinese men abused in coal and copper mines in Africa.

China remains a significant source of girls and women subjected to forced prostitution throughout the world. During the year, Chinese sex trafficking victims were reported on all of the inhabited continents. Traffickers recruited girls and young women, often from rural areas of China, using a combination of fraudulent job offers, imposition of large travel fees, and threats of physical or financial harm, to obtain and maintain their service in prostitution. Locations of sex trafficking of Chinese women and girls abroad vary widely, and sometimes are collocated with concentrations of Chinese migrant workers in factories, and mining and logging camps.

The Government of the People's Republic of China does not fully comply with the minimum standards for the elimination of trafficking, and has been placed on Tier 2 Watch List for the last nine consecutive years. In the 2011 and 2012 TIP Reports, China was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The Trafficking Victims Protection Act (TVPA) authorizes a maximum of two consecutive waivers; a waiver is no longer available to China, which is therefore deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3.

During the reporting period, the Chinese government released a new national plan of action that sets forth ways in which the government will increase its efforts in victim protection and cooperation with international organizations. The government also demonstrated increased cooperation with foreign governments in extraditing alleged traffickers and repatriating victims. Through the government's use of social media, national public awareness of human trafficking has increased over previous years. However, despite these modest signs of interest in anti-trafficking reforms, the Chinese government did not demonstrate significant efforts to comprehensively prohibit and punish all forms of trafficking and to prosecute traffickers. The government continued to perpetuate human trafficking in at least 320 state-run institutions—through its "re-education through labor" camps—while helping victims of human trafficking in only seven. The government also did not report providing comprehensive victim protection services to domestic or foreign, male or female victims of trafficking. In addition, as the government provides little information about arrests or prosecutions, it is difficult to determine if the government takes adequate steps to punish government officials complicit in trafficking.



Recommendations for China: Continue to update the legal framework to further refine the definitions of trafficking-related crimes per the 2000 UN TIP Protocol, separating out crimes such as abduction, illegal adoption, and smuggling; provide more disaggregated data on efforts to criminally investigate and prosecute sex trafficking of adults and children; provide data on the number of criminal investigations and prosecutions of cases identified as involving forced labor, including of recruiters and employers who facilitate forced labor and debt bondage, both within China and abroad; investigate, prosecute, and impose prison sentences on government officials who facilitate or are complicit in trafficking; expand efforts to institute proactive, formal procedures to systematically identify victims of trafficking, including labor trafficking victims and Chinese victims trafficked abroad, and among vulnerable groups such as migrant workers and foreign and local women and children arrested for prostitution, to ensure that they are not punished for acts committed as a direct result of being trafficked; cease detention, punishment, and forcible repatriation of North Korean trafficking victims; continue to expand victim protection services, including comprehensive counseling, medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking; end the "re-education through labor" system; continue to increase the transparency of government efforts to combat trafficking; and, provide legal alternatives to foreign victims' removal to countries where they would face hardship or retribution.

Prosecution

The government of China demonstrated moderate law enforcement efforts during this reporting year. Although the government claims otherwise, Chinese law remains inadequate to combat all forms of trafficking. Article 240 of China's criminal code prohibits "abducting and trafficking of women or children," but does not define these concepts. Article 358 prohibits forced prostitution, which is punishable by five to 10 years' imprisonment. Prescribed penalties under these statutes range from five years' imprisonment to death sentences, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape. Article 244 of the Chinese Criminal Code prohibits "forcing workers to labor," punishable by three to 10 years' imprisonment and a fine, and expands culpability to those who also recruit, transport, or assist in "forcing others to labor." However, it remains unclear whether, under Chinese law, children under the age of 18 in prostitution are considered victims of trafficking regardless of whether force is involved.

In addition, it remains unclear whether these laws have prohibited the use of common non-physical forms of coercion, such as threats of financial or reputational harm, or whether acts such as recruiting, providing, or obtaining persons for compelled prostitution are covered. While trafficking crimes could perhaps be prosecuted under general statutes related to fraud and deprivation of liberty, authorities did not report using these specific provisions to prosecute and punish trafficking offenders. The government reported law enforcement statistics that included incarceration of sex and labor trafficking offenders involving women and children victims. The government reported that police cracked down on 10,000 alleged human trafficking organized crime groups and placed over 80,000 alleged suspects in criminal detention. However, due to the government's continued conflation of human smuggling, child abduction, and fraudulent adoptions with trafficking offenses and its lack of judicial due process and transparency, it is difficult to ascertain how many trafficking cases the government actually investigated and prosecuted during the reporting period. It therefore was difficult to accurately assess Chinese anti-trafficking law enforcement efforts, including the government's statistics on trafficking-related investigations, prosecutions, and convictions. The government, however, reported cooperation with the governments of the United States, Vietnam, Colombia, Angola, the Philippines, Uganda, Russia, and Malaysia on trafficking investigations during the reporting period, which led to the arrest and extradition of suspected traffickers. For example, the Philippines extradited a human trafficker to China. The Ministry of Public Security also collaborated with Angolan police on a case resulting in the deportation from Angola of 37 Chinese nationals suspected of human trafficking. The cases with Vietnam, Colombia, and Uganda have led to the repatriation of both suspected trafficking offenders. A case involving the suspected trafficking of Chinese women to the United States for forced prostitution remains under investigation.

There were multiple media reports of anti-trafficking law enforcement activities. For example, Chinese authorities arrested five offenders for trafficking 200 Burmese victims to metal and paper factories in Guangdong province in December 2012. The fate of these traffickers or victims, however, remains unclear because the government did not release this information. A man who confined six female victims in his basement and subjected them to forced prostitution received the death penalty, while three female victims were prosecuted for the murder of two other victims. The Supreme People's Court holds both semi-annual and annual training courses on human trafficking and anti-trafficking in provinces in China where there is a higher prevalence of human trafficking. In July 2012, an anti-trafficking training course was held in Yunnan province attended by over 300 judges.

Protection

The Government of China's efforts to protect trafficked victims remained inadequate during the reporting period. During the reporting period, the Chinese government claimed that out of the 1,400 shelters serving a wide variety of people, including victims of crime and the homeless, five were dedicated to care for victims of human trafficking; victims also had access to basic services at China's general-purpose shelter network. The government also reported that two additional shelters were established in Yunnan and Guangxi provinces to protect and assist foreign trafficking victims. However, the government did not report the number of victims assisted or the services provided to the victims. The government's lack of transparency prevents an accurate assessment of its efforts; it has never provided any data on the number of victims it has identified or assisted. Law enforcement and judicial officials reported they continued to punish forced prostitution victims and expel foreign victims in violation of immigration law. The Chinese government reported it had four nationwide hotlines to report suspected cases of trafficking or access referral services for victims.

Chinese law also provides human trafficking victims the right to claim financial compensation by filing civil lawsuits and request criminal prosecution of traffickers. Chinese authorities continued to forcibly repatriate North Korean refugees. The government continued to treat North Koreans

found in China as illegal economic migrants, despite credible independent reporting that many North Korean female refugees in China are trafficking victims. The government detained and deported such refugees to North Korea, where they may face severe punishment, even death, including in North Korean forced labor camps. The Chinese government did not provide North Korean trafficking victims with legal alternatives to repatriation. Chinese authorities sometimes prosecuted citizens who assisted North Korean refugees and trafficking victims, as well as those who facilitated illegal border crossings. The government continued to bar UNHCR access to North Koreans in northeast China. The lack of access to UNHCR assistance and the issue of forced repatriation by Chinese authorities leave North Koreans vulnerable to human traffickers.

Prevention

The Government of China increased its efforts to prevent trafficking in persons during the reporting period. The government in early 2013 released a new eight-year national plan of action, which includes measures to improve interagency and other internal coordination among anti-trafficking stakeholders and improve victim protection. The new plan reaffirms the importance of international cooperation in handling trafficking cases but also focuses on the importance of strengthening domestic anti-trafficking efforts. The plan also shifts its previous focus away from women and children as the only victims of trafficking.

Chinese domestic media carried public service announcements from the Ministry of Public Security (MPS) highlighting the serious problem posed by human trafficking and calling for "every citizen to be mobilized" to report trafficking crimes. During the reporting period, popular social media platforms, such as Weibo micro blogs, permitted the government to raise awareness and receive information from the public to report suspected trafficking cases. The MPS also coordinated the anti-trafficking interagency process, which met semi-annually to review progress from each ministry with regard to the national action plan and budgetary concerns.

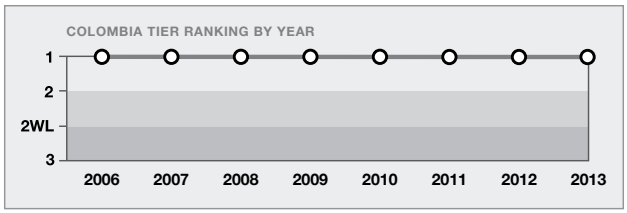
The government did not address the effects its birth limitation policy had in creating a gender imbalance and fueling trafficking, particularly through bride trafficking and forced marriage. "Punishment clauses" within the Labor Contract Law allowed Chinese companies to impose steep fines or require substantial deposits from Chinese workers, rendering them vulnerable to forced labor. Another important contributing factor to the problem of human trafficking continues to be the government *hukou* (household registration) system, which contributes to the vulnerability of internal migrants to trafficking. Individuals from a rural area who migrate for work to an urban area usually cannot register and live there legally. Unregistered urban residents are therefore vulnerable to abusive employers who can use threats of arrest as a form of coercion.

Chinese forces participating in peacekeeping initiatives abroad receive no anti-trafficking training from the Chinese government independent of the training provided by the UN prior to deployment. The government did not take any measures to reduce the demand for commercial sex acts. Despite reports that Chinese nationals engaged in child sex tourism, the government made no efforts to prevent Chinese citizens from engaging in child sex tourism while abroad during the reporting period.

COLOMBIA (Tier 1)

Colombia is a source country for women and children subjected to sex trafficking around the world, particularly in Latin America, the Caribbean, Asia, and Western Europe, as well as a source, transit, and destination country for men, women, and children subjected to forced labor. Within the country, Colombian victims are found in conditions of forced labor in mining, agriculture, and domestic service, and the sex trafficking of Colombian women and children remains a significant problem. Groups at high risk for internal trafficking include internally displaced persons, Afro-Colombians, indigenous communities, and relatives of members of criminal organizations. Ecuadorian children are subjected to forced labor and sex trafficking in Colombia, and Colombian children are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants, to cultivate illegal narcotics, or to be exploited in prostitution. Members of gangs and organized criminal networks force vulnerable Colombians, including displaced persons, into sex trafficking and forced labor, particularly in the sale and transportation of illegal narcotics. Colombia is a destination for foreign child sex tourists from the United States, Europe, and other South American countries.

The Government of Colombia fully complies with the minimum standards for the elimination of trafficking. Authorities continued to undertake awareness campaigns and law enforcement efforts, prosecuting transnational sex trafficking cases and opening a significant number of investigations. Identified victims of trafficking were provided with assistance from the government, including repatriation assistance, in cooperation with international organizations and NGOs. For the second consecutive year, however, the government did not report convicting any forced labor offenders. The pending victim protection decree, required by the 2005 anti-trafficking law, was not enacted during the reporting period, impeding more robust victim protection, though the government continued to provide limited funding to civil society organizations that provided some victim services. Authorities reported identifying five victims of forced labor and one victim of internal trafficking during the year, and it was difficult to assess government efforts to assist sex trafficking victims within the country, as it appeared that the majority of internal sex trafficking victims were not identified as such.



Recommendations for Colombia: Enact the victim assistance decree and designate funding for its implementation; ensure that all trafficking victims are provided access to protection and specialized services by continuing to increase funding for shelter and reintegration assistance; increase the

proactive identification, investigation, and prosecution of forced labor and internal sex trafficking cases, in part through enhancing coordination between labor officials, police, and social workers; continue to prosecute transnational sex trafficking offenses; create formal mechanisms to identify trafficking victims among vulnerable populations within the country, including displaced Colombians, and implement these measures; and strengthen the interagency trafficking center's ability to collect accurate data on all forms of trafficking and to coordinate national anti-trafficking efforts in partnership with civil society.

Prosecution

The Government of Colombia conducted law enforcement efforts against sex trafficking during the year, but efforts against forced labor remained inadequate. Colombian law prohibits all forms of trafficking and prescribes punishments of 13 to 23 years' imprisonment plus fines, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. While Colombia law penalizes all forms of trafficking, governmental structures failed to reflect this comprehensive approach. As in previous years, one specialized prosecutor handled all transnational trafficking cases and faced a significant caseload. There were no prosecutors assigned to oversee cases of internal trafficking. Instead, internal cases of trafficking were investigated by local prosecutors, including sex crimes units, some having only limited expertise. As a result, cases of internal child sex trafficking were often investigated as commercial sexual exploitation of minors. Officials reported that efforts to investigate trafficking crimes were limited by lack of dedicated resources. The Constitutional Court issued a ruling directing government entities to increase efforts against forced labor and domestic servitude. Authorities operated an interagency center which was intended to coordinate and track criminal investigations and prosecutions, collect nationwide statistics about trafficking crimes, and refer victims to providers of protective services. Data collection remained uneven and focused almost exclusively on law enforcement efforts against transnational trafficking.

In 2012, Colombian authorities reported 128 new trafficking investigations; the majority of the cases involved Colombian women in forced prostitution abroad, with two reported investigations of alleged forced labor crimes. Authorities reported initiating 18 trafficking prosecutions and convicting 10 transnational sex trafficking offenders in 2012. Sentences ranged from six to 10 years' imprisonment, with at least one convicted trafficker serving her sentence under house arrest, as well as fines. In comparison, authorities convicted 16 transnational sex trafficking offenders and achieved no convictions for internal trafficking in 2011. There were no reported convictions of forced labor offenses for a second consecutive year. In March 2013, the Constitutional Court ordered members of a family that kept a child in domestic servitude from 1963 to 1975 to pay the victim compensation for physical and psychological damages. Authorities conducted three joint transnational trafficking investigations with other governments in 2012.

Through partnerships with two international organizations, hundreds of prosecutors, judicial officials, police, and other government officials received training during the year on how to investigate trafficking cases and identify victims. The government did not report investigating, prosecuting, or convicting any public officials for trafficking-related offenses.

Protection

The Government of Colombia provided some services to trafficking victims, but its continued failure to enact a victim protection decree required in the 2005 anti-trafficking law hampered increased protection efforts. However, authorities provided funds for an NGO to open an emergency shelter for adult trafficking victims during the year. The government did not employ formal procedures to identify trafficking victims among vulnerable populations within the country, such as displaced persons or people in prostitution. The interagency anti-trafficking center reported identifying 38 trafficking victims in 2012, only five of which were subjected to forced labor, and only one of which was subjected to internal trafficking; most of these victims were Colombian women subjected to forced prostitution in other countries. Police also identified six women and six children in internal sex trafficking during the year. Civil society organizations were critical of the government's ability to identify and assist trafficking victims within the country, particularly children. The Colombian Child Welfare Institute (ICBF), a government institution, reported identifying 415 children in prostitution through September 2012.

Officials noted that the lack of legal guidelines for the care and protection of victims remained a significant challenge. A victim protection decree to assign responsibility formally for victim services and to allocate specific funding is required by the 2005 trafficking law and was first drafted in 2008; however, it has yet to be enacted. Without this decree, the government lacked both a budget for victim services at the local level and clear guidance for victim identification and assistance. Some local officials noted that in the absence of this decree, they did not have the legal mandate for dedicated trafficking victim services and could not include it in their budgets.

The majority of specialized victim services in Colombia were funded by international organizations and NGOs. In November 2012, an NGO opened a dedicated emergency shelter for adult male and female trafficking victims in the capital, and the Colombian government provided the equivalent of approximately $22,000 in funding to support the shelter, which assisted 11 victims referred by officials during the year. The government reported providing an international organization with the approximate equivalent of an additional $20,000 in funding for emergency victim services, to be dispersed through Colombian NGOs. Authorities reported following a national trafficking victim assistance plan to refer 38 identified victims to services and stated that they met all of these victims' needs. However, NGOs, as well as some local officials and trafficking victims, asserted that government-funded victim assistance was cursory and argued that at times authorities put victims' security at risk due to bureaucratic delays in the provision of assistance. Local governments responsible for providing services beyond emergency care reported that they had no dedicated resources to do so. Reintegration services, including employment assistance, were virtually nonexistent. Services for male victims were very limited. The ICBF operated centers that provided psycho-social, medical, and legal services to child victims of sexual violence and reported that through August 2012 it assisted 415 children in prostitution , although it did not report how many of these victims received government-funded shelter during the year. In partnership with an international

organization, the government assisted at least 483 children recruited by illegal armed groups and provided them with protection, health, psychological, and education services. Colombian consular officials assisted Colombian trafficking victims overseas during the reporting period, though in the past some victims were critical of assistance they had received from consular staff.

The government encouraged victims to assist in trafficking investigations and prosecutions and 21 victims did so in 2012. Some victims, however, were reluctant to testify against their traffickers due to fear of reprisals or lack of trust in the government. There was a limited program to provide protection to victims of crimes who testify and 21 trafficking victims participated during the year. There were no reports of victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being trafficked. There was no specialized legal mechanism whereby the government offered a visa or temporary residence status to foreign trafficking victims. Authorities reported that they could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities did not identify any foreign trafficking victims in 2012.

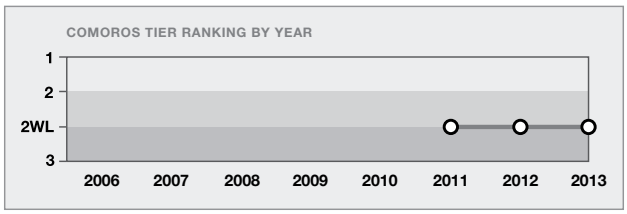
Prevention

The government maintained prevention efforts during the year. The interagency anti-trafficking committee continued to coordinate government efforts and held several workshops for government officials to draft policies. In partnership with an international organization, all 32 departments had anti-trafficking committees, although they maintained varying degrees of activity and civil society actors noted that some existed in name only. Throughout the year 27 departments developed local action plans against trafficking in persons with the assistance and guidance of the Ministry of Interior. The government continued to fund a trafficking hotline operated by the Ministry of Interior. Authorities reported conducting anti-trafficking awareness and training activities with and providing the equivalent of hundreds of thousands of dollars in funding for international organizations. The government developed a national strategy for the prevention of sexual exploitation of children in the context of travel and tourism and worked with civil society to certify hotels and tourism establishments committed to combating sexual exploitation of children. It did not, however, report any investigations, prosecutions, or convictions of child sex tourism offenders during the year.

COMOROS (Tier 2 Watch List)

The Comoros is a source country for children subjected to forced labor and reportedly sex trafficking. Comoran children are subjected to forced labor within the country, mostly on the island of Anjouan, in domestic service, roadside and market vending, baking, and agriculture. On the islands of Anjouan and Moheli, it is commonplace for poor rural families to place their children with wealthier relatives or acquaintances in urban areas for access to schooling and other benefits; however, some of these children become victims of domestic servitude. Most Comoran boys and girls aged three to seven (but on occasion up to age 14) study at Koranic schools headed by private instructors, and some are exploited for a few hours a week in forced labor as field hands or domestic servants in payment for instruction. These Koranic students are sometimes subjected to physical and sexual abuse. Additionally, children from Anjouan are reportedly coerced into criminal activities such as drug trafficking. According to one unconfirmed report, girls are exploited in prostitution in the Comoros, and tourists from Mayotte were among the clients of children in prostitution in Anjouan. Comoran tourists visiting Madagascar also reportedly engaged in child sex tourism there. There are no reports of any organized recruiting or trafficking networks in the Comoros. The Comoros may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in human smuggling.

The Government of the Comoros does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, the Comoros is placed on Tier 2 Watch List for a third consecutive year. The Comoros was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. The government did not collect and thus failed to provide data on any trafficking prosecutions or convictions; however, the Morals and Minors Brigade investigated 92 cases of child abuse and exploitation, the majority of which were prosecuted and may have involved trafficking. Although the government provided some funding to UNICEF-supported NGO-run centers, victim protection provisions remained extremely modest. The government relied on donor funding and international organization partners for the majority of its anti-trafficking efforts during the year. Corruption in the justice system and inadequate support for victim protection efforts continued to hinder anti-trafficking progress in the Comoros. During the year, the government made efforts to improve its labor laws and increase its capacity to combat human trafficking. The National Assembly passed a new labor code, which prohibits child trafficking, and the Ministry of Justice revised the penal code to include prohibitions against and penalties for human trafficking, which awaits parliamentary adoption.



Recommendations for the Comoros: Enact anti-trafficking legislation; increase the capacity of the Morals and Minors Brigade to identify and respond to trafficking, including through investigation and prosecution of these crimes; develop procedures for the identification and referral of trafficking victims to care; establish services and provide support for the care of trafficking victims, including counseling and psychological care, possibly within facilities already in existence for victims of other crimes; work with international

partners to conduct a study on the forms and extent of the trafficking problem in the Comoros; continue anti-trafficking public awareness campaigns on each of the islands; and accede to the 2000 UN TIP Protocol.

Prosecution

The government worked to improve its capacity to investigate and prosecute trafficking crimes by incorporating anti-trafficking provisions into the labor code and the draft penal code during the reporting period. Comoran law does not prohibit all forms of human trafficking. Article 323 of the penal code prohibits child prostitution, prescribing sufficiently stringent punishments of two to five years' imprisonment and fines of between the equivalent to approximately $460 and $6,150; however, these penalties are not commensurate with those for other serious crimes, such as rape. Although prostitution is illegal in the Comoros, existing laws do not criminalize the forced prostitution of adults. Article 2 of the labor code prohibits forced and bonded labor, prescribing insufficiently stringent penalties of from three months' to three years' imprisonment or fines from the equivalent of approximately $310 to $1,540. Article 333 of the penal code prohibits illegal restraint and prescribes penalties of 10 to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. In September 2012, the National Assembly passed a new comprehensive labor code which prohibits but does not prescribe penalties for child trafficking; this law is in effect but the enhanced penalties await the parliamentary passage of the draft penal code. The Ministry of Justice, in partnership with the ILO, reviewed amendments to the penal code and incorporated penalties for human trafficking into its draft.

The Morals and Minors Brigade of the national police investigated 92 cases of child abuse or exploitation, some of which may have included trafficking crimes. The government reported its prosecution of the majority of these cases, though it failed to provide detailed information on the status of the court proceedings. Social stigma sometimes inhibited referral to law enforcement of cases involving child abuse or exploitation, and alleged perpetrators were sometimes released without prosecution after out-of-court settlements with victims' families. In such cases, staff from NGO-run centers visit the affected family to convince them to pursue prosecution—most often successfully. The *gendarmerie*, prosecutors, and local authorities were influenced by important or wealthy members of Comoran society, including one reported case leading to the release of an offender before completion of his sentence. Corruption remained endemic throughout the Comoros and hindered law enforcement efforts, including efforts to address trafficking. The government did not make proactive efforts to investigate official complicity in trafficking crimes. The government failed to train its law enforcement officials on trafficking during the year. In addition, the police generally lacked technical, logistical, and financial support, which stymied investigation of child abuse and exploitation cases. Although the Morals and Minors Brigade is supposed to investigate cases of child abuse and exploitation nationwide, it has no presence on the islands of Moheli or Anjouan, where the majority of trafficking crimes reportedly occurred. The regular police have the responsibility for investigating and prosecuting these cases on the two islands.

Protection

The government made limited efforts to protect victims of human trafficking, and its provision of care remained extremely modest during the year. In 2012 the government provided the equivalent of approximately $12,000 to three UNICEF-supported NGO-run centers for abused children; one government employee coordinated efforts among each of these three centers, which provided immediate medical care to an unknown number of child trafficking victims during the year. The centers received a total of 760 cases of child abuse and violence, which may have included child trafficking victims. The government failed to provide psycho-social services for victims and provided minimal support to NGOs doing so. In May 2012, in partnership with UNICEF, it built its first child-friendly courtroom in Moroni. Nonetheless, law enforcement's failure to fully protect children remained a concern; the Morals and Minors Brigade lacked adequate facilities to shelter child victims, even temporarily, and its staff remained without training for interviewing child victims of crime. To assist in the identification of victims of child abuse and exploitation, in March 2013 the government began funding a new toll-free emergency line for reporting crimes to staff at the UNICEF-supported NGO-run centers. The government did not, however, develop or employ systematic procedures for identifying trafficking victims or for referring them to the limited care available. As government officials lacked the ability to identify trafficking victims, some victims may have been penalized for crimes committed as a result of being trafficked.

Prevention

The Comoran government maintained minimal efforts to prevent trafficking during the reporting period. It did not establish a national coordinating body to guide its efforts to combat trafficking. The government continued its partnership with the ILO on the implementation of its 2010-2015 national action plan for the elimination of the worst forms of child labor, which includes activities to address child trafficking. As part of this plan, in August 2012 the cabinet adopted a list of the worst forms of child labor, including child trafficking, forced labor in Koranic schools, and domestic work. The ILO and UNICEF funded and ran all awareness-raising events in 2012, and government officials, including the minister of labor, played an active role in the events. The government did not make efforts to reduce the unconfirmed reported demand for commercial sex acts. Despite unconfirmed reports of child sex tourism on the island of Anjouan and the report of Comoran child sex tourists in Madagascar, the government did not make efforts to address this phenomenon. The Comoros is not a party to the 2000 UN TIP Protocol.

CONGO, DEMOCRATIC REPUBLIC OF THE (Tier 3)

The Democratic Republic of the Congo (DRC) is a source, destination, and possibly a transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of this trafficking is internal, and while much of it is perpetrated by armed groups and rogue elements of government forces outside government control in the country's unstable eastern provinces, incidents of trafficking likely occurred throughout all 11 provinces. A significant number

of men and boys working as unlicensed Congolese artisanal miners are reported to be exploited in situations of debt bondage by businesspeople and supply dealers from whom they acquire cash advances, tools, food, and other provisions at inflated prices and to whom they must sell mined minerals at prices below the market value. The miners are forced to continue working to pay off constantly accumulating debts that are virtually impossible to repay. Throughout the year, in North Kivu, South Kivu, and Katanga provinces, armed groups such as the Democratic Forces for the Liberation of Rwanda (FDLR) as well as elements of the Congolese national army (FARDC) routinely used threats and coercion to force men and children to mine for minerals, turn over their mineral production, pay illegal "taxes," or carry looted goods from mining villages.

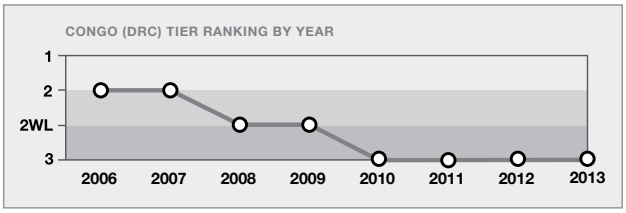
Some Congolese girls are forcibly prostituted in brothels or informal camps, including in markets and mining areas, by loosely organized networks, gangs, and brothel operators. Some girls in Bas-Congo province are reportedly coerced into prostitution by family members or transported to Angola and placed into the sex trade. Congolese women and children have been exploited within the country in conditions of domestic servitude, and some migrate to Angola, South Africa, Republic of the Congo, and South Sudan, as well as East Africa, the Middle East, and Europe, where they are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. There were reports that some Congolese youth in Bandundu and Bas-Congo provinces were lured to Angola by the promise of employment; however, they were subjected upon arrival to forced labor in diamond mines or forced into prostitution. Children from the Republic of the Congo may transit through the DRC *en route* to Angola or South Africa, where they are subjected to domestic servitude. Local observers suspect that some homeless children known as *chegués* who act as beggars and thieves on the streets of Kinshasa are controlled by a third party. Children working in the informal sector—particularly in agriculture, street vending, water selling, mines, stone quarries, bars, and restaurants—were vulnerable to trafficking, and girls living on the streets were vulnerable to sex trafficking. In previous years, Chinese women and girls in Kinshasa were reportedly subjected to sex trafficking in Chinese-owned massage facilities. Some members of Batwa, or pygmy groups, are subjected to conditions of forced labor in agriculture, mining, mechanics, and domestic service in remote areas of the DRC. A representative from a local NGO reported that Batwa are exploited in Equateur province in a form of hereditary slavery through which a non-Batwa family maintains control over a Batwa family for generations; the victims are forced to work in timber or agriculture or to hunt for the family for little or no compensation.

The UN reported that indigenous and foreign armed groups, notably the FDLR, Coalition of Patriots in the Congolese Resistance, various local self-defense militias (Mai-Mai), Nyatura, the Patriotic Force of Resistance in Ituri/Popular Front for Justice in Congo, the Allied Democratic Forces/National Army for the Liberation of Uganda, and the Lord's Resistance Army (LRA), continued to abduct and forcibly recruit Congolese men, women, and children to bolster their ranks and serve as bodyguards, laborers, porters, domestic workers, combatants, and sex slaves. Some children were also forced to commit crimes for their captors, such as looting. In one case, members of a rebel group forced a child to kill another child. The LRA continued to abduct Congolese citizens, including children, in and near Orientale province; some of these abductees were later taken to Sudan, South Sudan, and the Central African Republic. Likewise, abducted South Sudanese, Ugandan, and Central African Republic citizens experienced conditions of forced labor and sexual servitude at the hands of the LRA after being forcibly taken to the DRC. Some FARDC commanders recruited, at times through force, men and child soldiers as young as nine years old for use as combatants, escorts, and porters. During the year, the UN noted the continued presence of some children in FARDC training centers. In April 2012, the security situation in eastern DRC deteriorated rapidly when several hundred former members of the militia group National Congress for the Defense of the People who had been loosely integrated into the FARDC mutinied and formed the M23, an armed group backed by Rwanda. Among the mutineers were some of the worst offenders of trafficking crimes within the FARDC, including Bosco Ntaganda. The government's re-allocation of security personnel and resources toward fighting M23 rebels in North and South Kivu created a security vacuum in the areas from which the FARDC was forced to withdraw; the resulting increase in activity of other armed groups—such as the LRA and the FDLR—increased the vulnerability of men, women, and children to trafficking in the regions where these groups operated. The M23 forcibly recruited adults and children in North Kivu province and in Rwanda. Due to the heightened conflict, an additional 500,000 people were displaced in eastern DRC, and displaced persons in North Kivu were particularly vulnerable to abduction, forced conscription, sexual violence, and illegal taxation by armed groups and government forces. The FARDC launched a recruitment campaign during the year targeting those aged 18 to 25. The low rates of birth registration throughout the country posed challenges for standardized screening mechanisms in identifying children among applicants. Children may have been coerced by their parents to join the military.

The UN Organization Stabilization Mission in the DRC (MONUSCO) documented 587 cases of children who were both recruited and separated from armed groups in 2012; 21 of these children were from the FARDC, 66 were from M23, and the remainder—including 228 from various Mai-Mai groups—were from other Congolese and foreign armed groups. FARDC elements reportedly pressed men, women, and children, including internally displaced persons and prisoners, into forced labor to carry ammunition, supplies, and looted goods, fetch water and firewood, serve as guides and domestic laborers, mine for minerals, or construct military facilities and temporary huts. There were reports that police, Congolese military officers, and members of armed groups in eastern DRC arrested people arbitrarily to extort money from them; those who could not pay were forced to work until they had "earned" their freedom.

The Government of the Democratic Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the year, the government signed a UN-backed action plan to end abuses against children by its armed forces, including the recruitment and use of child soldiers. It established a working group to oversee implementation of the action plan. It did not, however, apply legal sanctions against those who recruit and use child soldiers and did not report any law enforcement efforts to combat any other forms of trafficking. It continued to cooperate with international organizations in the demobilization of children from armed

forces and improved access to military units for international monitors and child protection officers, but at times it detained and interrogated children apprehended from armed groups. Despite evidence of a multifaceted human trafficking problem throughout the country's 11 provinces, the government did not identify victims of other forms of trafficking, and it did not provide protective services or referrals to NGO-operated facilities to victims of other forms of forced labor or sex trafficking.



Recommendations for the Democratic Republic of the Congo: Investigate and prosecute military and law enforcement personnel—to the extent possible using existing legislation and irrespective of their rank—accused of unlawful recruitment or use of child soldiers, as called for in the UN-sponsored action plan on child soldiers, or of using local populations to perform forced labor, including in the mining of minerals, and punish convicted offenders; in partnership with local or international NGOs, provide training to law enforcement and judicial officials on the laws available to prosecute trafficking cases; increase efforts to prosecute and punish non-military trafficking offenders who utilize forced labor or control women and children in prostitution; end the FARDC's unlawful recruitment and use of child soldiers, and demobilize all children from its ranks; adopt the implementing regulations to effectively apply the previously passed Child Protection Code; continue to ensure any armed groups integrated into the FARDC are vetted for the presence of child soldiers and all associated children are removed and demobilized; ensure perpetrators of trafficking crimes within armed groups are not integrated into government forces and are held accountable; continue allowing unfettered access to military installations for all UN observers and child protection officers; develop a legislative proposal to comprehensively address all forms of human trafficking, including labor trafficking; ensure the provision of short-term protective services in partnership with civil society to victims of forced labor and sex trafficking; and take steps to raise awareness about all forms of human trafficking among the general population.

Prosecution

While legal structures were largely adequate, the government made no discernible progress in undertaking law enforcement efforts to combat human trafficking during the reporting period. The government's ability to enforce its laws does not extend to many areas of the country in which human trafficking occurs, and its civilian and military justice institutions experienced a critical shortage of judges and prosecutors. Judges, prosecutors, and investigators often lacked adequate training and resources for conducting investigations, and some did not have access to the country's legal codes. Existing laws do not prohibit all forms of labor trafficking. The July 2006 sexual violence statute (Law 6/018) specifically prohibits sexual slavery, sex trafficking, child and forced prostitution, and pimping, prescribing penalties for these offenses ranging from three months' to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government has not reported applying this law to suspected trafficking cases. The Child Protection Code (Law 09/001) also prohibits and prescribes penalties of 10 to 20 years' imprisonment for sexual slavery, child trafficking, child commercial sexual exploitation, and the enlistment of children into the armed forces; however, it cannot be fully implemented, because necessary decrees from several ministries reportedly continue to be lacking.

The government did not report investigating or prosecuting any trafficking cases during the year or convicting any offenders of trafficking on related crimes. Bedi Mubuli Engangela (also known as Colonel 106), a former Mai-Mai commander suspected of insurrection and war crimes including the conscription of children, remained in detention for a fifth year; a date for his trial was not set before the close of the reporting period. Impunity for the commission of trafficking crimes by the security forces remained acute; the government did not report taking disciplinary action against members of the security forces suspected of exploiting civilians in forced labor or unlawfully recruiting and using child soldiers. Lieutenant Colonel Jean-Pierre Biyoyo, formerly of the Mudundu-40 armed group and the first person convicted by Congolese courts of conscripting children, escaped from prison in 2006 and was not re-incarcerated by the close of the reporting period. "Captain Gaston," an armed group commander allegedly responsible for the 2006 murder of an NGO child protection advocate attempting to identify and remove child soldiers, remained at large during the reporting period; his 2007 arrest warrant has not been executed and, after being promoted by the FARDC to the rank of major, he is leading a FARDC battalion. In April 2012, the government called for the arrest and domestic prosecution of Bosco Ntaganda, a military commander who is the subject of two arrest warrants by the International Criminal Court for crimes against humanity and war crimes, including the recruitment and use of children under the age of 15 and sexual slavery. Prior to his defection from the FARDC earlier in the same month, he had been a commander in the government's armed forces, where he operated for years with impunity. In March 2013, Ntaganda surrendered to the U.S. embassy in Rwanda without involvement of the Congolese government and was transferred to the International Criminal Court. During the year, the government trained approximately 700 police and FARDC officers on civilian-military operations including preventing sexual violence and child soldiering, but it did not provide specialized training to officials on combating other forms of trafficking.

Protection

Elements of the governmental security forces continued to victimize, rather than protect, local populations during the reporting period. Although the government assisted in the identification and demobilization of some child soldiers, it did not offer specific protections to other types of trafficking victims; besides child soldiers, it did not report identifying any other victims of forced labor or sex trafficking. NGOs continued to provide the vast majority of the limited shelter, legal, medical, and psychological services available to trafficking victims. The government lacked procedures for proactively identifying victims of trafficking among vulnerable groups and for referring victims to protective services, and there were reports that victims traveling within the country without proper documentation were sometimes detained. The

FARDC detained and sometimes mistreated children formerly associated with armed groups in order to gain intelligence. Security forces reportedly performed regular sweeps to round up *chegués* in Kinshasa and expel them outside the city center. The government did not show evidence of encouraging victims to assist in investigations against their traffickers. While trafficking victims could file cases against their traffickers in civil courts, there is no evidence that any have done so; the public widely viewed civil courts as corrupt and believed outcomes were determined based on the relative financial means of the parties to the lawsuit. The government offered no legal alternatives to the removal of foreign victims to countries in which they may face hardship or retribution; however, there were few foreign trafficking victims identified within the DRC in 2012, and the government has consistently allowed for the safe repatriation of foreign child soldiers in cooperation with MONUSCO.

Under the National Disarmament, Demobilization, and Reintegration Plan, all ex-combatants, including child soldiers, pass through a common process during which they disarm and receive information about military and civilian reintegration options. During this process, the National Demobilization Agency, in cooperation with MONUSCO and UNICEF, continued to separate and transport any identified children to NGO-run centers for temporary housing and vocational training. In October 2012, elements of the armed group Nyatura were integrated into the FARDC; the government and the UN jointly screened Nyatura elements prior to assimilation, resulting in the identification and separation of 49 children. Reintegrated child soldiers remain vulnerable to re-recruitment, as adequate rehabilitation services do not exist for children suffering the most severe psychological trauma. While the FARDC high command remained supportive of MONUSCO's efforts to remove children from its forces during the reporting period, it lacked sufficient command and control to compel some FARDC commanders to comply with standing orders to release their child soldiers or to prevent ground troops from recruiting additional children or subjecting local populations to forced labor. UN monitors and civil society partners reported child protection workers were granted improved, if imperfect, access to military installations. The significant decrease in the number of children identified among FARDC ranks is likely the result of the mutiny of the most egregious violators of laws prohibiting child soldiering.

Prevention

The government made modest efforts to prevent human trafficking during the reporting period. While the country has inter-ministerial bodies focused on human rights and child protection, no similar coordinating mechanism existed to address human trafficking. A government coordinating body existed for the identification, verification, and release of child soldiers, but in practice these efforts were led by non-governmental partners. In October 2012, the government signed a UN-backed action plan to end recruitment and use of child soldiers, sexual violence, and other grave child rights violations in the armed forces. The plan commits the government to the following tasks, *inter alia*: to establish an inter-ministerial committee to monitor implementation, to end underage recruitment and sexual violence against children and ensure reintegration of victims, to provide unimpeded access to UN personnel for verification, to combat impunity of perpetrators of child rights violations, and to regularly report on progress in implementing the plan. The Ministry of Defense, which in previous years did not publicly recognize the existence of child soldiers within the FARDC, demonstrated significant progress by signing and taking initial steps to implement the action plan. The vice prime minister and the minister of defense issued a letter in November 2012 asking relevant ministries to designate a focal point for the technical working group for the implementation of the plan; subsequently, the group was formally established and began meeting regularly. Prior to launching its national military recruitment campaign, the government did not have adequate systems in place to ensure children were not registered, though it sought assistance from the UN and other child protection actors to screen for children. As a result of this collaboration, more than 240 underage applicants were identified and prevented from joining the FARDC.

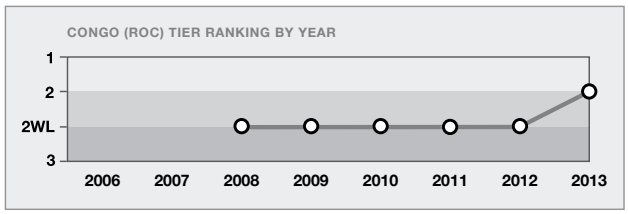
The government did not increase efforts to establish the identity of local populations, and low rates of birth registration continued to contribute to individuals' vulnerability to trafficking. Although the National Ministry of Labor remained responsible for inspecting worksites for child labor, the ministry did not identify any cases of forced child labor in 2012. Inspectors had limited presence outside Kinshasa and often lacked means of transportation or resources to carry out their work. The government took no discernible measures during the reporting period to reduce the demand for forced labor or commercial sex acts.

CONGO, REPUBLIC OF THE (Tier 2)

The Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. The majority of children trafficked within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Some child trafficking victims are also subjected to forced labor in stone quarries, bakeries, and the fishing and agricultural sectors, including in cocoa fields in the Sangha Department. According to a study released by IOM in 2013, most trafficking victims in the Congo originate from Benin, the Democratic Republic of the Congo (DRC), Central African Republic (CAR), Senegal, Cameroon, and Gabon, and are subjected to forced domestic service and market vending by other nationals of the West African community, as well as by Congolese nationals. Source countries for adult victims include the DRC, CAR, Cameroon, Benin, and Mali. During the year, the government identified Beninese, Togolese, Nigerian, and Malian trafficking victims, including 23 Beninese adults. Both adults and children are victims of sex trafficking in the Congo, with the majority of victims originating from the DRC and exploited in Brazzaville. Nationals of the Congo are among both traffickers and victims, with 43 percent of traffickers, 28 percent of adult victims, and 14 percent of child victims reported as Congolese. Internal trafficking involves recruitment from rural areas for exploitation in cities. The Congo's indigenous population is especially vulnerable to forced labor in the agricultural sector.

The Government of the Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the last year, the government made substantial anti-trafficking progress and demonstrated increased political will at the highest levels, including from the president, to

combat trafficking. Specifically, the government addressed systemic weaknesses by beginning to draft comprehensive anti-trafficking legislation, developing institutional trainings at its *gendarme* and police academies, and removing an official for alleged complicity in trafficking crimes. The government continued strong victim protection efforts, identifying 50 victims and providing support to NGOs and foster families that offered care to trafficked children. In addition, the minister of social affairs instructed officials to seek the criminal prosecution of offenders and the minister of justice designated two prosecutors to oversee trafficking cases. Still, the government has not yet convicted a trafficking offender, which remains a critical concern. The lack of a national coordinating body hindered country-wide progress to address internal trafficking and sex trafficking from the DRC, which is significant in Brazzaville.



Recommendations for the Republic of the Congo: Finalize and enact comprehensive anti-trafficking legislation, including provisions prohibiting the trafficking of adults; greatly increase efforts to investigate and prosecute trafficking offenses and to convict and punish trafficking offenders under the 2010 Child Protection Code; file ratification documents for the 2000 UN TIP Protocol with the United Nations; increase outreach, victim identification, and law enforcement efforts on sex trafficking and internal trafficking, including the trafficking of adults; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; continue care to trafficking victims via government-funded programs, including medical, psychological, and legal services; conduct government-led training for social workers and law enforcement officials on the use of identification and referral procedures; consider establishment of a national body that includes all relevant ministries to increase coordination of country-wide anti-trafficking efforts; increase anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the DRC; and continue anti-trafficking awareness campaigns.

Prosecution

The Government of the Republic of the Congo increased its law enforcement efforts during the reporting period. It drafted comprehensive anti-trafficking legislation, trained *gendarme* officers, and removed an official for alleged complicity. Nevertheless, despite its arrest of several suspected traffickers, the government failed to convict any offenders during the year. Article 60, Chapter 2, of the 2010 Child Protection Code prohibits the trafficking, sale, trading, and exploitation of children, for which Article 115 prescribes penalties of hard labor for an undefined period and fines. Article 68 prohibits the worst forms of child labor, including the forced labor and prostitution of children, for which Article 122 prescribes penalties of three months' to one year's imprisonment or fines of between the equivalent of approximately $110 and $1,080. Article 4 of the country's labor code prohibits forced or compulsory labor, imposing fines the equivalent of approximately $1,300 to $1,900. None of these penalties are sufficiently stringent and the penalties prescribed for sex trafficking are not commensurate with penalties prescribed for other serious crimes, such as rape. The penal code, which prohibits forced prostitution, may be used to prosecute sex trafficking offenses involving adults. Although Congolese law prohibits some forms of trafficking of adults, currently the country does not outlaw bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. In January 2013, the government formed a legislative drafting committee and, in partnership with UNODC, reviewed its draft comprehensive anti-trafficking legislation prepared during the year—which when enacted should be a significant improvement over current law, which inadequately defines, prohibits, and penalizes trafficking crimes. In addition, in September 2012, the Ministry of Justice appointed two special prosecutors—one each in Brazzaville and Pointe-Noire—to oversee the prosecution of suspected traffickers.

In January 2013, the government apprehended 10 alleged trafficking offenders, charged with "trafficking and exploitation" under the Child Protection Code by the local office of the Ministry of Social Affairs (MSA). The offenders remain in jail awaiting prosecution for the alleged labor trafficking of 14 children. In December 2012, the Juvenile Court of Pointe-Noire suspended its hearing of a civil case against eight alleged labor trafficking offenders. In February 2013, the magistrate of the juvenile court sent the case to the prosecutor overseeing trafficking cases, with the expectation that the government will file criminal charges in this case. These efforts follow the minister of social affairs' instruction to officials in January 2013 to file criminal charges in all potential trafficking cases, replacing the former *modus operandi* of addressing these offenses as civil cases, with mediation to negotiate restitution to the victim. Nonetheless, the government failed to complete prosecutions of 13 trafficking offenders, which remained pending from the previous reporting period. One of these suspects—arrested during a July 2011 operation and conditionally released pending trial—reportedly is again harboring children in domestic servitude. The ministry of labor did not report investigating or otherwise addressing any cases of forced child labor in 2012.

Limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors hindered the prosecution of trafficking crimes. During the reporting period, the police and *gendarme* academies instituted new training modules on trafficking; 56 senior *gendarmerie* officers received this training in 2012. This was an improvement from the government's failure to independently train officials in 2011. The chiefs of immigration at Brazzaville and Pointe-Noire airports developed an anti-trafficking training and trained more than 40 officials during the year. The government also reassigned an official following allegations of his complicity in trafficking crimes, although it failed to carry out criminal investigations into, or prosecutions of, this and other alleged cases of complicity reported during the year, including by a national intelligence service lieutenant and a prosecutor suspected of attempting to interfere with trafficking investigations and intimidate anti-trafficking activists. During the reporting period, the minister of social affairs and her judicial advisor intervened to protect anti-trafficking activists from harassment by some government officials.

Protection

The Congolese government continued to ensure that trafficking victims in Pointe-Noire received access to care during the reporting period, primarily through partnerships with NGOs and foster families. The government, in partnership with an NGO, identified 50 foreign trafficking victims in Pointe-Noire in 2012, a slight decrease from 57 identified in 2011. Of these 50 victims, 11 were repatriated to their countries of origin and 22 remain in the Congo pending repatriation. Adult victims or victims who had reached the age of 18 while in the custody of the government were given the option of repatriation at the government's expense or local reinsertion. For foreign victims choosing local reinsertion, the government paid for three months' rent and provided assistance in finding an apprenticeship or job. At the end of 2012, eight victims received, and nine awaited, such assistance. Social workers temporarily placed 18 child trafficking victims with foster families during the year until they could be repatriated or reinserted. The MSA supported additional victim care through NGOs and foster families and coordinated with other government agencies to repatriate victims. The government allocated foster families the equivalent of approximately $10 per child per day to ensure the victims' basic needs were met. It also provided medical care on a case-by-case basis by partnering with local hospitals to subsidize these costs. Although the government offered foreign trafficking victims the same access to accommodation in foster homes offered to Congolese victims, and it did not deport rescued foreign victims, it did not provide temporary or permanent residency status to foreign victims during the year.

The government continued to fail to identify and assist victims outside of Pointe-Noire. In addition, though the DRC and the Republic of the Congo are the source of many child and adult victims, the government did not identify nationals from either country as victims—evidence of its failure to increase efforts to address the trafficking of adults, sex trafficking, or internal trafficking. Law enforcement, immigration, and social services personnel did not employ systematic procedures proactively to identify victims among vulnerable groups, relying instead on NGOs and UNICEF to identify victims; however, the government began to train its staff on victim identification in 2012. The government claimed that it encouraged victims to assist in the investigation and prosecution of their traffickers, though it presented no evidence of having done so during the year. Although the Congolese government repatriated at least 10 Beninese trafficking victims as part of its bilateral agreement with the Government of Benin, it failed in 2012 to carry out joint investigations or extraditions of charged trafficking offenders—a critical part of this agreement.

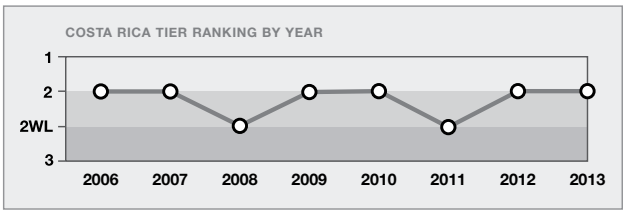
Prevention

The government made increased efforts to prevent trafficking during the year. In April 2012, the president urged his cabinet to end trafficking in the country. In 2012, the government launched trafficking awareness campaigns. In December 2012, for example, the local coordination committee— overseeing anti-trafficking efforts in Pointe-Noire as part of its project to combat child trafficking—held a three-day public information session on the identification and protection of trafficked children, with a follow-up session in January, which reached 60 participants and received national press coverage. In support of these campaigns, the MSA—the *de facto* lead entity overseeing national anti-trafficking efforts—produced awareness materials, including a video that was shown at the sessions and leaflets that were distributed as part of a door-to-door campaign in Pointe-Noire. The MSA continued its oversight of the implementation of the 2011-2013 Action Plan to Fight Child Trafficking and began drafting a plan covering 2013 to 2015. The government more than doubled its anti-trafficking budget from the approximate equivalent of $180,000 in 2011-2012 to $428,000 in 2012-2013; a portion of this funding was allocated to implement the 2011-2013 action plan. The government failed to establish a national coordinating body to guide its efforts to combat trafficking, which hindered its progress in addressing trafficking outside of Pointe-Noire. In 2012, the MSA and Ministry of the Interior, in partnership with IOM, conducted a study of trafficking in the Republic of the Congo covering nine of its 12 regions. The government did not take measures to reduce the domestic and transnational demand for commercial sex acts during the reporting period. The parliament ratified the 2000 UN TIP Protocol in May 2012, although the Congolese mission to the United Nations has not yet submitted the ratification papers.

COSTA RICA (Tier 2)

Costa Rica is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Costa Rican women and children are subjected to sex trafficking within the country, and residents of the north and central Pacific coast zones are particularly vulnerable to internal trafficking. Authorities noticed an increase in adults using children for drug trafficking. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Child sex tourism is a serious problem, particularly in the provinces of Guanacaste, Limon, Puntarenas, and San Jose. Child sex tourists arrive mostly from the United States and Europe. Men and children from other Central American countries and from Asian countries, including China, are subjected to conditions of forced labor in Costa Rica, particularly in the agriculture, construction, fishing, and commercial sectors. Indigenous Panamanians are also reportedly vulnerable to forced labor.

The Government of Costa Rica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government convicted two labor trafficking offenders and enacted a new trafficking law that established increased victim protection measures and a fund to finance government anti-trafficking efforts. Authorities identified victims in both sex trafficking and forced labor, but the number of trafficking offenders prosecuted and convicted was low in light of the large number of victims identified, as authorities could not confirm any convictions for sex trafficking offenders. The government did not fund any specialized shelters or services for trafficking victims, and services remained inadequate through most of the country. The new law did not correct a problematic definition of human trafficking in the penal code, contributing to flawed data collection.



Recommendations for Costa Rica: Significantly intensify efforts to investigate and prosecute human trafficking offenses, including forced labor, and convict and punish trafficking offenders; fund specialized services for trafficking victims, including child sex trafficking victims, through the establishment of a shelter specifically for trafficking victims or through funding NGOs to provide services; strengthen dedicated prosecutorial and police units through increased resources and training, including for victim treatment; ensure that cases of trafficking not involving movement are investigated and prosecuted and that Costa Rican victims of human trafficking receive appropriate services; improve the efficacy and the implementation of the victim assistance protocol, particularly outside of the capital, and in partnership with civil society organizations; increase efforts to investigate and prosecute child sex tourism; and improve data collection for law enforcement and victim protection efforts.

Prosecution

The Government of Costa Rica continued to investigate potential trafficking cases and achieved the first convictions for forced labor, but efforts to prosecute and convict trafficking offenders were inadequate, as was data collection. In December 2012, the government enacted a new trafficking law which codified the responsibilities of government entities and created a fund to fight human trafficking and smuggling which will be financed by increasing the country departure tax by the equivalent of approximately one dollar per traveler. This law prohibits all forms of human trafficking and prescribes penalties of four to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. Before December, different articles of the penal code prescribed penalties of four to 16 years' imprisonment for different forms of human trafficking. However, the new law did not address deficiencies in the penal code that made the definition both too narrow—continuing to require the displacement of the victim—and too broad—penalizing non-trafficking crimes such as illegal adoption, moving persons for the purpose of prostitution, and labor exploitation that does not rise to the level of forced labor.

Data collection on human trafficking remained problematic. Authorities reported investigating over 50 potential trafficking cases during the reporting period but did not report how many trafficking cases were prosecuted. The government convicted two labor trafficking offenders whose sentences were pending. Authorities did not report convicting any sex trafficking offenders under the anti-trafficking law during the reporting period, and while authorities reported using other statutes, such as those penalizing rape, to convict sex trafficking offenders during the year, they could not report how many offenders were convicted under these statutes. In comparison, there was one sex trafficking conviction in 2011. The dedicated anti-trafficking police unit investigated a significant number of forced labor and sex trafficking cases. The organized crime prosecutor's office was responsible for trafficking cases involving displacement, while local prosecutors were responsible for prosecuting cases of trafficking without movement, leading to jurisdiction issues and making it difficult to assess prosecution efforts. Police and prosecutors were limited by inadequate staffing and resources. Some officials conflated trafficking with smuggling. Government ministries provided training to prosecutors, police officers, and other public officials, often in partnership with civil society organizations. Prosecutors coordinated with the Government of Nicaragua on a child sex trafficking investigation. Authorities continued to investigate a mayor for possible trafficking crimes but did not report any prosecutions or convictions of public officials allegedly complicit in human trafficking offenses during the year.

Protection

The Costa Rican government maintained efforts to identify and assist foreign trafficking victims during the year, though access to specialized services, including shelters, remained inadequate, particularly in light of significant internal child sex trafficking. The government continued to implement its "immediate attention" protocol, which defines the steps for the different government institutions that compose the emergency response team to identify, protect, and provide integrated assistance to victims. NGOs and some officials asserted, however, that victim identification and referral mechanisms were not always implemented in an effective or timely manner, and that some officials were unaware of the protocol. Police reported identifying 22 trafficking victims in 2012, three of whom were Costa Rican. Of the 22 victims, five were exploited in forced prostitution, one in forced labor, and 15 were exploited for both in bars. One victim identified during the year had been forced to assist in the trafficking of illegal narcotics. Authorities also reported assisting 85 child victims of commercial sexual exploitation.

The government did not provide or fund specialized shelters or services for trafficking victims, and officials and NGOs alike noted the lack of dedicated housing for victims was a significant challenge. Authorities maintained emergency government shelters for female victims of domestic violence, but staff were reportedly reluctant to house trafficking victims in these shelters due to security concerns. Authorities reportedly sheltered 12 adult victims in hotels or rented houses on a temporary basis. The government also operated two emergency shelters for at-risk children that assisted three trafficking victims during the year, but these centers did not offer specialized services for trafficking victims, and one trafficking offender removed a child victim from one shelter during the year. Authorities did not report how many of the 85 child victims of commercial sexual exploitation identified in 2012 received shelter, but reported that all received psychological and social services. The government relied on NGOs and religious organizations to provide specialized care for trafficking victims and provided limited funding to two NGOs to provide some services to adults and children in prostitution. The Office for Care and Protection of Victims of Crime (OAPVD) provided emergency services as well as legal, psychological, and basic health assistance to victims of all crimes participating in the criminal process, including trafficking victims. OAPVD reported assisting 12 trafficking victims in 2012. Police and NGOs noted that victim services were virtually nonexistent outside of the capital.

The government granted temporary residency status, with permission to work, to eight foreign victims in 2012, and reported providing some employment assistance to foreign victims during the year. Costa Rican authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, and several victims did so during the reporting period, although other victims did not collaborate with investigations due to their lack of confidence in the judicial system. Some victims reportedly refused to cooperate in investigations after meeting with organized crime prosecutors and sensing a lack of sensitivity on the prosecutors' part. Funding for witness protection increased but remained limited. The government reportedly did not penalize identified victims for unlawful acts committed as a direct result of being subjected to human trafficking.

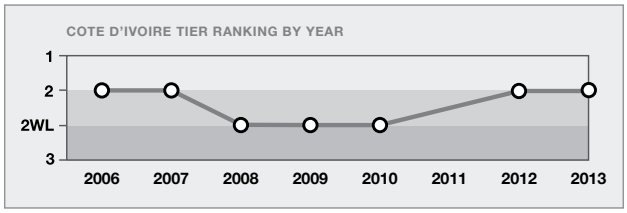
Prevention

The Government of Costa Rica increased prevention efforts during the reporting year. The government's anti-trafficking directorate, which coordinated the national anti-trafficking coalition, continued to lead government efforts and its responsibilities were further outlined in the new trafficking law. The coalition and its subcommittees met frequently during the year and continued to implement the country's national action plan on human trafficking. Authorities conducted awareness campaigns, often in partnership with civil society organizations, particularly targeting youth. In partnership with U.S. authorities, Costa Rican police deported four American citizens in 2012 for their involvement in child sex tourism. In an effort to reduce the demand for commercial sex, authorities continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in two convictions in 2012. Despite significant reports of child sex tourism, however, there were no reported local prosecutions or convictions of child sex tourists during the reporting period.

COTE D'IVOIRE (Tier 2)

Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficking within the country is more prevalent than transnational trafficking, and the majority of victims are children. Within Cote d'Ivoire, women and girls are subjected primarily to forced labor in domestic service and restaurants, as well as to forced prostitution. Ivoirian boys are subjected to forced labor within the country in the agriculture and service sectors. Boys from Ghana, Mali, Burkina Faso, Benin, and Togo are found in Cote d'Ivoire in forced agricultural labor, including on cocoa, coffee, pineapple, and rubber plantations; in the mining sector; and in carpentry and construction. Girls recruited from Ghana, Togo, and Benin work as domestic servants, and street vendors often are subjected to forced labor. Some women and girls who are recruited from Ghana and Nigeria to work as waitresses in restaurants and bars are subsequently subjected to forced prostitution. During the reporting period, an Ivorian girl in France was identified as a victim of forced labor in domestic service. Additionally, Ivoirian women were rescued while in transit to Saudi Arabia where they were promised jobs as domestic servants; they were believed to be victims of attempted trafficking.

The Government of Cote d'Ivoire does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government took a number of tangible steps towards addressing human trafficking, including increasing efforts to investigate and prosecute traffickers, resulting in eight prosecutions and two convictions; identifying 45 victims of trafficking; and formally launching and commencing the implementation of the 2012-2014 National Action Plan on Child Labor and Trafficking. Despite these efforts, the government failed to apply law enforcement measures to the trafficking of children in the cocoa industry, did not provide adequate assistance to trafficking victims, and failed to develop a national action plan focused on the trafficking of adults.



Recommendations for Cote d'Ivoire: Develop and enact legislation to criminalize all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, particularly those who exploit women in prostitution and men in forced labor; train law enforcement officials to follow established procedures to identify potential trafficking victims and refer them to protective services; improve efforts to collect law enforcement data on trafficking offenses, including cases involving the trafficking of adults who are prosecuted under separate statutes in the penal code, and make this data available to other government agencies and the general public; establish a formal referral mechanism between the government, NGOs, and international organizations providing care to trafficking victims; increase efforts to provide victims with appropriate services, including the dedication of specific funding for such services and the development of government-run shelters; and finalize and begin implementation of a national action plan to address adult trafficking.

Prosecution

The Government of Cote d'Ivoire demonstrated some progress in its anti-trafficking law enforcement efforts during the reporting period. Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, enacted in September 2010, prescribes penalties for compelling children into or offering them for prostitution of five to 20 years' imprisonment and a fine; these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious offenses, such as rape. The law's penalty for submitting a child to forced labor or situations akin to bondage or slavery is 10 to 20 years' imprisonment and a fine, punishments which are sufficiently stringent. Penal code Article 378 prohibits the forced labor of adults and children, prescribing a sufficiently stringent penalty of one to five years' imprisonment and a fine of the equivalent of approximately $800 to $2,200. Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing a punishment of five to 10 years' imprisonment and a fine. Pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse are outlawed by Articles 335 and 336. In December 2011, the Labor Advisory Board received a draft decree prohibiting and prescribing punishments for

involuntary domestic servitude; it did not finalize or issue the decree during the reporting period.

During the reporting period, the Government of Cote d'Ivoire conducted 15 investigations, commenced eight prosecutions, and convicted two trafficking offenders, a significant increase from 2011, when the government prosecuted and convicted one trafficker. In August 2012, following a cooperative investigation by Ivorian police, INTERPOL, and NGOs in Nigeria and Cote d'Ivoire, an Abidjan court sentenced a trafficking offender to 10 years' imprisonment under Articles 335 and 336 for subjecting Nigerian girls and women to forced prostitution; the trafficker was also ordered to pay the equivalent of approximately $2,000 in restitution to each of the three victims from Nigeria. An Abidjan court convicted another trafficker of forced prostitution and sentenced him to 15 days' imprisonment and a fine of the equivalent of approximately $40. Four prosecutions remained pending at the end of the reporting period, involving Malian men accused of child labor and sex trafficking, and an investigation remained ongoing involving three men apprehended in Ghana while allegedly attempting to traffic nine Ivorian women from Cote d'Ivoire to Saudi Arabia. Despite these increased efforts, there remains a lack of knowledge of the child trafficking law, and efforts are hampered by a shortage of resources and training for officers to identify, investigate, and prosecute cases of forced child labor. In collaboration with the ILO, the ministry of justice provided a three-day training to 25 magistrates in November 2012, which covered a multitude of trafficking-related subjects, including Ivorian and international anti-trafficking laws, protective services available to child trafficking victims, and the implementation of the national action plan. The Ministry of Interior operated a five-person anti-trafficking unit within the national police, which was supplemented with an additional five officers in January 2013; nevertheless, the unit's lack of resources essentially limited its reach to the capital city of Abidjan. The government did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the year; however, reports indicate that corruption among police and *gendarme* forces facilitated trafficking in 2012.

Protection

The Ivoirian government demonstrated increased efforts to protect victims of trafficking during the year. It reported the identification of 54 trafficking victims in 2012, a dramatic increase from the three victims identified by the government in 2011. NGOs and international organizations in Cote d'Ivoire identified an additional 83 victims. Despite these significant efforts in victim identification, the government did not provide adequate care to victims of trafficking, providing only the equivalent of approximately $6,600 for victim care and relying almost exclusively on services provided by NGOs and international partners. The government does not operate any formal care centers exclusively for victims of trafficking, nor does it have a formalized referral mechanism in place between itself and local NGOs. During the reporting period, the Ministry of Solidarity, Family, Women, and Children identified, rescued, and provided care and repatriation assistance to four child trafficking victims from Benin and Burkina Faso. The government also repatriated nine Ivorian trafficking victims from Ghana and referred these victims to an NGO shelter for medical and psychological services; however, the government did not provide any financial support to the NGO shelter. The government and the NGO jointly conducted mediation sessions with the victims and their families prior to the victims' reunification. Additionally, the government identified a site in Abidjan on which to build a care facility for trafficking victims, but construction has not yet begun.

Although the Government of Cote d'Ivoire does not have a formal policy in place to encourage victims' voluntary participation in investigations and prosecutions of their traffickers, some victims did testify against their traffickers during the reporting period. While the government lacks a formal policy for repatriating foreign victims, it typically cooperated with the victim's embassy, consulate, or local community leaders of the same nationality regarding repatriation. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Cote d'Ivoire demonstrated sustained efforts to prevent trafficking during the reporting period. The National Monitoring Committee (NMC) and the Inter-Ministerial Committee (IMC), established in 2011, continue to serve as the national coordinating bodies on trafficking in persons issues within Cote d'Ivoire. Both committees continued to meet regularly and promote the issue of trafficking and child labor in an effort to secure the political will and resources necessary to implement the 2012-2014 National Action Plan on Child Labor and Trafficking, which was officially launched in March 2012. The government committed the equivalent of approximately $7,229,400 towards the implementation of this action plan in 2012.

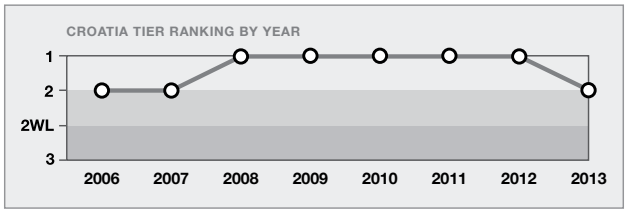
The NMC launched a nationwide awareness campaign in September 2012, which included TV and local radio information spots, 100 billboards, and the distribution of illustrated pamphlets in French and five local languages to explain the new child anti-trafficking law and to educate the public on how to take action against the worst forms of child labor. As part of the campaign, the government commemorated the International Day Against Child Labor in September 2012 with a series of events to raise community awareness. The government chose to hold these events in strategic locations known for a prevalence of child trafficking and forced labor. Additionally, the first ladies of Cote d'Ivoire and Burkina Faso signed a joint declaration in October 2012 that commits each country to finalize a bilateral cooperative agreement against cross-border child trafficking by early 2013.

The lack of comprehensive data remains an obstacle in Cote d'Ivoire. The government created a monitoring and evaluation system which is designed to collect and analyze statistical data on trafficking and worst forms of child labor, coordinate the efforts of different actors involved in the fight against child labor, and provide regular reports; however, the system has yet to be launched and does not address adult trafficking within Cote d'Ivoire. The government conducted three trainings during the reporting period for journalists, regional administrators, and NMC and IMC members on the national action plan, the definition of trafficking and child labor, and the framework of relevant Ivoirian and international laws. The government did not demonstrate efforts to address local demand for commercial sex acts during the reporting period.

CROATIA (Tier 2)

Croatia is a destination, source, and transit country for men, women, and children subjected to conditions of sex trafficking and forced labor. Croatian women and girls fall victim to sex trafficking within the country and throughout Europe. Women and girls from the United States, Serbia, Bosnia and Herzegovina, and other parts of Eastern Europe are subjected to sex trafficking in Croatia. Women and men reportedly are subjected to forced labor in agricultural sectors. Children are exploited in prostitution on the Adriatic Coast, particularly during the peak tourist season. The Council of Europe's GRETA Report and the European Commission concluded that the extent of trafficking in Croatia could be considerably higher than that identified by the government.

The Government of Croatia does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. While the government has a formally adequate anti-trafficking structure, its efforts to implement that structure stagnated over the last year. The government sustained funding for victim protection and continued to investigate and prosecute trafficking cases and the National Committee for the Suppression of Trafficking met for the first time in approximately two years. Nevertheless, the government identified very few trafficking victims, despite clear trends that human trafficking is increasing. The European Commission, in its Monitoring Report on Croatia's accession preparations, concluded that the government's sentencing for trafficking offenses was too low to deter criminals from human trafficking and noted that the government urgently needed to take concrete and proactive measures to fight the crime, including by ensuring that the relevant officials were aware of human trafficking.



Recommendations for Croatia: Strengthen trafficking victim identification by establishing and implementing new screening procedures to identify trafficking victims among vulnerable populations, including the rapidly growing number of asylum seekers, unaccompanied children, Roma population, and children in prostitution; ensure that all children in prostitution with third-party involvement are identified as trafficking victims; consider establishing a more inclusive procedure for the official designation of trafficking victim status in a trafficking case by better integrating civil society actors or representatives of other agencies into the formal victim certification process; designate a lead official responsible for trafficking in persons inside the Ministry of Social Policy and Youth; train social workers employed by or coordinating with the Ministry of Social Policy and Youth in identifying trafficking victims and the proper referral of victims to care; regularly convene the government's National Committee for the Suppression of Trafficking; establish a national rapporteur to carry out assessments of trends in trafficking in human beings, reporting, and the measuring of results of governmental anti-trafficking initiatives; ensure that identified trafficking victims are not punished for committing unlawful acts as a direct result of being trafficked; adopt a policy and articulate that policy through prosecutorial guidance, ordinances, or manuals, to ensure that children in prostitution are not prosecuted for prostitution offenses; ensure that training of law enforcement officials, including non-specialist law enforcement officials, includes the principle of non-prosecution of trafficking victims, including children in prostitution; strengthen partnerships with NGOs to enlist their help in identifying victims during authorities' initial contact with potential victims among women and children detained for prostitution offenses; vigorously investigate, prosecute, and convict trafficking offenders; ensure that trafficking offenders are punished with sentences commensurate with the gravity of the crime committed; increase anti-trafficking prevention efforts.

Prosecution

The Government of Croatia demonstrated mixed anti-trafficking law enforcement efforts during the reporting period; the European Commission concluded that the government's sentencing for trafficking convictions was inadequate. Croatia prohibits all forms of trafficking in persons through two newly-revised laws: Slavery, Article 105; and Trafficking in Persons, Article 106, which prescribe penalties of one to 10 years' imprisonment for sex or labor trafficking and up to 15 years' imprisonment for the trafficking of a child. These penalties are sufficiently stringent and are commensurate with those prescribed for rape. During the year, the government investigated 30 trafficking suspects, in contrast to 37 in 2011, and prosecuted nine defendants in 2012, in contrast to 14 prosecuted in 2011. In the three cases prosecuted in 2012, seven defendants were charged in the same international sex trafficking case under a transnational prostitution statute rather than under a trafficking statute despite clear evidence that the female victims were forced or coerced into prostitution, including by physical means. The other two cases involved sex and labor trafficking within Croatia. Experts noted that trafficking offenders were frequently charged for less serious offenses under non-trafficking articles, such as those for pimping. The government convicted eight trafficking offenders, six under the international prostitution statute and two under the trafficking statute; in 2010, they convicted seven. The traffickers were sentenced to prison terms between nine months' imprisonment and 10 years' imprisonment, a slight increase from 2011, when the convicted traffickers received terms of imprisonment between one month and nine years' imprisonment.

The European Commission, in a monitoring report for Croatia's EU accession, noted that Croatia's sentencing for trafficking crimes remains lower than the sentencing for other organized crimes, was not dissuasive enough compared with the gravity of the crime, and urged increased training for judges, prosecutors, and civil servants on the identification of trafficking victims and investigation and prosecution of trafficking cases. The Government of Croatia sponsored a variety of anti-trafficking trainings for law enforcement during the reporting period. For example, the Ministry of Interior (MOI) and the Office of Human Rights and Rights of National Minorities conducted a train-the-trainer session for 81 police officers in May 2012; subsequent sessions from this training reached over 1,000 police officers. In October, Croatian authorities organized an anti-trafficking seminar designed to strengthen the Croatian judicial system's response

to trafficking cases; several high-level officials attended the conference, including two Supreme Court justices, four Municipal court justices, and a number of municipal and county state attorneys. Croatian law enforcement officials collaborated with Spanish and Romanian counterparts to investigate and prosecute transnational trafficking cases. The Government of Croatia did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during this reporting period.

Protection

The Croatian government sustained its victim protection efforts, but failed to screen vulnerable populations effectively for trafficking victims. The government funded two NGO-run trafficking shelters, one for adults and one for women and children. The government also provided three reception centers to provide victims with care before they could be transported to the shelters. Adult victims were allowed to leave shelters at will and without chaperones. The Croatian government provided the equivalent of approximately $70,000 to fund the shelters in 2012, level with the amount it provided for shelter care in 2011. Foreign victims were offered the same standard of care as domestic victims, including shelter, medical care, education, legal assistance, psychological care, and assistance finding employment. The government's Office for Human Rights and Rights of National Minorities provided the equivalent of approximately $47, 900 for victim assistance, professional training, and the anti-trafficking hotline. The Ministry of Interior spent an estimated equivalent of approximately $870,000 on victim assistance, investigations, and travel. Despite this funding, there were reports that actual assistance provided by the Croatian government to reintegrate trafficking victims back into society was inadequate due to a lack of available financial assets for sustained adult education. During the reporting period, the government identified 13 victims of trafficking, nine of whom were female sex trafficking victims and four were male labor trafficking victims. In 2011, the government identified 11 victims. Although the Croatian government did not automatically identify children in prostitution as trafficking victims, the government improved by identifying three children in prostitution as trafficking victims during the reporting period. Government-funded NGOs offered care to seven of these victims during the reporting period. Experts and government officials reported victim identification was inadequate in light of the suspected magnitude of the trafficking problem in Croatia. Although the number of migrants in Croatia has soared to the highest level in recent years, and many in this vulnerable migrant population are likely trafficking victims, there was no reported screening of any of these migrants for indicators of trafficking. Furthermore, experts reported that women in prostitution who have been subjected to coercion, including physical violence, were not always identified as trafficking victims. The government continued employing a national referral mechanism to mobilize care for victims, once they have been preliminarily identified by MOI officials; mobile teams with NGO participation were dispatched to assess and place trafficking victims for assistance. Observers reported that restricting the responsibility of provisional victim identification to MOI personnel impaired the government's overall victim identification efforts. The Croatian government has designated a social worker in each of Croatia's 21 counties to assist trafficking victims once identified. There were reports, however, that the Ministry of Social Policy and Youth had insufficiently trained or given direction to its social workers to enable them to care effectively for trafficking victims. The Croatian government offered a "reflection period" to suspected victims of trafficking for 60 days for adults, and 90 days for children. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they faced hardship or retribution through its temporary residency permits for victims—initially valid from six months to one year, and subject to extension by the government based on a subsequent needs assessment. The Government of Croatia encouraged victims to assist in the prosecution of trafficking offenders by providing victims with free legal aid; during the reporting period, six trafficking victims testified in trafficking cases. There were no reports of trafficking victims being punished for unlawful acts committed as part of their trafficking experience.

Prevention

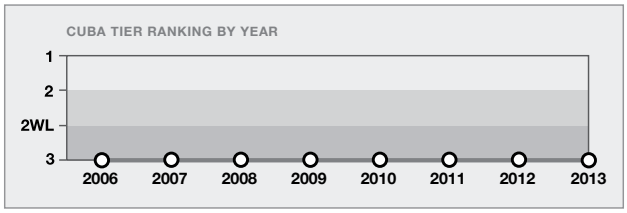
The Croatian government continued efforts to prevent trafficking in persons during the year. The Croatian government coordinated anti-trafficking activities through a number of mechanisms: a national coordinator housed in the Office for Human Rights; a cabinet-level National Committee; and an Operational Team composed of government officials and NGO representatives. The government's National Committee for the Suppression of Trafficking met for the first time in nearly two years in December 2012, although the Operational Team to Suppress Trafficking met monthly. The government continued to broadcast three anti-trafficking public service announcements on television. The government coordinated awareness-raising events around the annual EU Anti-Trafficking Day, including information booths, leaflets, and live anti-trafficking performances. To address demand for commercial sex acts, the Croatian government adopted a new law punishing the clients of prostitution. The Croatian government did not establish a national rapporteur to monitor its activities and make recommendations for progress. The European Commission concluded that the Government of Croatia urgently needed to take pro-active and concrete measures to address trafficking in human beings and raise awareness amongst the national authorities on this form of crime, including by launching an independent evaluation of the policy. The Croatian government provided anti-trafficking training to members of the Croatian armed forces prior to their deployment abroad on international peacekeeping missions.

CUBA (Tier 3)

Cuba is a source country for adults and children subjected to sex trafficking and forced labor. Child prostitution and child sex tourism reportedly occur within Cuba. Cuban citizens have been forced into prostitution outside of Cuba. There have been allegations of coerced labor, particularly with Cuban work missions abroad. Some Cubans working abroad have stated that postings are voluntary and well paid; however, others have claimed that Cuban authorities have withheld their passports and restricted their movements. The scope of trafficking involving Cuban citizens is particularly difficult to gauge because of the closed nature of the government and sparse non-governmental or independent reporting.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government

did not respond to requests for data on prosecutions of sex trafficking and forced labor or on trafficking-specific victim protection and prevention efforts that occurred during the reporting period. Governments that do not provide such data, consistent with the capacity of governments to obtain such data, are presumed by the Trafficking Victims Protection Act not to have made significant efforts to address human trafficking. The Government of Cuba has taken steps to share information about its general approach to protection for children and youth, and showed willingness to cooperate with another government on a child sex tourism investigation during the reporting period.



Recommendations for Cuba: Prohibit sex trafficking of all persons under the age of 18; in partnership with trafficking victim specialists, ensure adults and children have access to specialized trafficking victim protection and assistance; take measures to ensure identified sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor; recognize that human trafficking occurs in Cuba and publicize measures to address human trafficking, specifically forced labor and sex trafficking prosecution data, trafficking victim protection efforts, and trafficking prevention measures; ensure that coercion and other indicators of forced labor are not present in Cuban work-abroad missions; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Cuba did not report on its efforts to prosecute trafficking offenses that occurred during the reporting period. The government maintained that unlike other countries, sex trafficking of children or other forms of child exploitation does not exist in Cuba. Cuba appears to prohibit most forms of human trafficking through various provisions of its penal code; however, the use of these provisions could not be verified, and prostitution of children age 16 and older is not prohibited, leaving those children particularly vulnerable to sex trafficking. The government did not share official data for the reporting period relating to Cuban investigations, prosecutions, and convictions of trafficking offenders, including any officials complicit in human trafficking. The government provided information on general legal protections for children and adolescents in Cuba but did not report any information about current efforts to address human trafficking within Cuba. The government did not report any specific anti-trafficking training provided to officials in 2012.

Protection

The government did not publicize official data on protection of trafficking victims during the reporting period. The government did not report any trafficking victim identifications or procedures in place to guide officials in proactively identifying trafficking victims among vulnerable groups—such as persons in prostitution—and referring them to available services. Reportedly, the government operated three well-regarded facilities for the treatment of children who have been sexually and physically abused. In addition, the government operated a nationwide network of shelters for victims of domestic violence or child abuse, but the government did not verify if trafficking victims received treatment in these centers. The government provided no evidence that it encouraged trafficking victims to assist in the investigation and prosecution of trafficking offenders. The government did not report on the existence of any policies to ensure that identified trafficking victims were not punished for crimes committed as a direct result of being subjected to human trafficking.

Prevention

The government did not report any specific anti-trafficking prevention efforts that occurred during the reporting period. The government was not known to have implemented any public awareness campaigns to prevent forced labor or forced prostitution, though the government reported that the prevention of human trafficking should be a priority for all countries. The government did not report the existence of an anti-trafficking taskforce, anti-trafficking action plan, or monitoring mechanism. Transparency was lacking in the government's trafficking-related policies and activities; it did not report publicly on its efforts. The government reported that sex tourism in Cuba is forbidden and the Ministry of Tourism's security and protection division has taken measures to combat child sex tourism, but did not report on the specifics of these measures. The government showed willingness to cooperate with another government on a child sex tourism investigation during the reporting period. Cuba is not a party to the 2000 UN TIP Protocol.

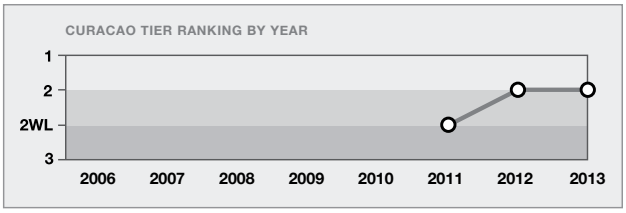
CURACAO (Tier 2)*

Curacao is a source, transit, and destination for women, children, and men who are subjected to sex trafficking and forced labor. There are indications that some of the hundreds of migrant women in Curacao's sex trade are victims of forced prostitution. It is unclear how the recruitment process works for Curacao's walled, legal brothel that offers "24/7 access to more than 120" foreign women in prostitution. Local authorities believe that migrant workers have also been subjected to forced domestic service and forced labor in construction, landscaping, and retail. Some migrants in restaurants and local businesses may be vulnerable to debt bondage. During the year, authorities reported Indian and Chinese nationals were vulnerable to forced labor in the country. Foreign trafficking victims originate predominantly from Colombia, the Dominican Republic, Haiti, and Asia. Organizations in Venezuela have also reported assisting trafficking victims who were exploited in Curacao. During the year, the government identified Haitian children

*Curacao is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Curacao is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Curacao would be assessed if it were a separate, independent country.

transiting Curacao without their parents *en route* to Suriname who were potential trafficking victims.

The Government of Curacao does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government significantly improved its anti-trafficking law enforcement response in 2012 by initiating the prosecution of a sex trafficking case and identifying and referring trafficking victims for care. Nevertheless, the lack of standard operating procedures on victim identification for all front-line responders, including immigration officers and health workers, hindered the government's ability to identify additional trafficking victims and increased the risk of victims' inadvertent arrest and deportation.



Recommendations for Curacao: Make a robust and transparent effort to identify and assist potential victims of sex trafficking and forced labor by implementing formal proactive victim protection measures to guide officials, including health workers, on how to identify victims and how to assist victims of forced labor and sex trafficking in the legal and illegal sex trade; empower local officials to conduct outreach in local migrant communities throughout the island to uncover potential trafficking victims; integrate outreach via a Spanish-speaking victim advocate trained in human trafficking indicators into routine health inspections at the legal brothel to ensure the rights of women in the brothel are protected, and coordinate with law enforcement if signs of trafficking arise; continue to consult with the Dutch government on how it proactively identifies victims of labor trafficking and sex trafficking; vigorously prosecute, convict, and sentence trafficking offenders, including any government officials complicit in human trafficking; and implement a multilingual public awareness campaign directed at potential victims, the general public, and potential clients of the sex trade.

Prosecution

The government improved its anti-trafficking law enforcement response during the reporting period by investigating and initiating prosecution of one sex trafficking case. Curacao prohibits all forms of trafficking in persons through the November 2011 Article 2:239 of its criminal code, which prescribe penalties ranging from nine to 24 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. In January 2013, the government reported it arrested four alleged trafficking offenders for subjecting foreign women to sex trafficking in a club; the government reported one of the alleged trafficking offenders was a police officer and confirmed that two of the four alleged offenders, including the police officer, were in jail pending trial. The government reported it also investigated a potential labor trafficking case involving Haitian children during the reporting period, but could not confirm whether trafficking elements were present. The government did not offer law enforcement training to identify trafficking victims and offenses.

Protection

The Government of Curacao improved its efforts to identify and protect trafficking victims during the reporting period. The government reported it identified seven sex trafficking victims during the last year, compared with zero victims identified in 2011. Authorities reported the referral of all seven victims for care and facilitated their safe repatriation. Media reports indicated that authorities identified the majority of the victims after an operation involving a raid of a nightclub and various sites of illegal prostitution. The government demonstrated notable improvement by treating the discovery of vulnerable foreign women in prostitution in bars as potential trafficking victims and referring them for care rather than detaining and deporting them. However, such gains in victim identification did not extend to Curacao's walled, legal brothel, where health officials charged with regulating this brothel did not employ measures to identify human trafficking victims or refer suspected victims for assistance. During the year, the media reported the death of a foreign woman in prostitution within the brothel compound; unconfirmed media reports indicated she was strangled. In addition, in August 2012, brothel management filed a report of a foreign woman missing from the compound; the ad placed in the local newspaper indicated the women would be deported upon discovery. The government did not report the initiation of trafficking investigations in response to either of these cases. The government did not grant temporary or longer-term residency status to any foreign victims of trafficking during the year. Furthermore, it did not report having a policy to protect identified victims from being punished for crimes committed as a direct result of being in a trafficking situation. The lack of standard operating procedures on victim identification for all front-line responders, including immigration officers, hindered the government's ability to identify trafficking victims and increased the risk of their inadvertent arrest and deportation.

Prevention

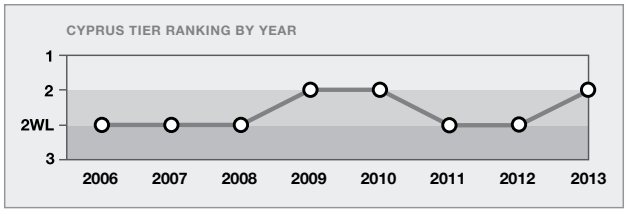
The government did not initiate any new trafficking awareness campaigns to educate the public or officials about trafficking in 2012. During the year, however, the government launched an official inquiry into the working conditions of Indian nationals on the island; as a result of their investigation, authorities identified this group as vulnerable to forced labor. The government did not have any awareness campaigns specifically targeting the demand for forced labor or potential clients of the sex trade in Curacao in an effort to reduce the demand for commercial sex acts. Curacao did not monitor and evaluate its anti-trafficking efforts. The government has not identified a problem of foreign child sex tourists in Curacao.

CYPRUS (Tier 2)

Cyprus is a source and destination country for men and women who are subjected to forced labor and sex trafficking. Victims of trafficking identified in Cyprus are from Cyprus, India, Romania, Bulgaria, Latvia, Bangladesh, the Philippines, Dominican Republic, Nigeria, Ukraine, Turkey, and Vietnam. Sex trafficking increasingly occurs in private apartments and hotels as well as within commercial sex trade outlets in Cyprus,

including bars, pubs, coffee shops, and cabarets. Foreign migrant workers and asylum seekers from Eastern Europe, Asia, and some countries in Africa are subjected to forced labor within construction, agriculture, and domestic work. Some migrant workers recruited by employment agencies and entering the country on short-term work permits are often subjected to debt bondage, threats, and withholding of pay and documents once the work permit expires. NGOs report that children of migrants and asylum seekers remain especially vulnerable to sex trafficking and forced labor.

The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government significantly increased the numbers of trafficking investigations, prosecutions, and convictions. The government improved protection by allowing victims to remain in Cyprus on humanitarian grounds after trials. The government also expanded the anti-trafficking police unit and added a forensic psychologist to conduct victim-sensitive interviews. However, improvement in the initial stages of law enforcement activity are not yet fully reflected in prosecution and court proceedings. The vast majority of offenders continued to be convicted under statutes that prescribe penalties less stringent than those prescribed by the anti-trafficking law. The government has yet to convict an individual for the crime of human trafficking using its 2007 law.



Recommendations for Cyprus: Improve efforts to vigorously prosecute, convict, and sentence trafficking offenders, including officials who are complicit in trafficking; continue to train judges to ensure robust application of the anti-trafficking law and to encourage punishment commensurate with the seriousness of the crime; consider the use of expert witness testimony in prosecutions of trafficking offenders; formalize the national referral mechanism to provide a practical guide that clearly outlines the roles and responsibilities of frontline responders, respective ministries, and NGOs; continue to monitor visa regimes for performing artists, students, bar-maids, domestic and agricultural workers, and other categories that present potential misuse by traffickers and increase screening for trafficking victimization among visa holders in vulnerable sectors; increase efforts to provide specialized and systematic training to officials to improve identification of victims of labor trafficking; improve case management services for trafficking victims; ensure that victims of trafficking are adequately informed of their rights, protected against intimidation, and assisted during lengthy criminal proceedings; and leverage the existing network of health workers to identify possible victims of trafficking by providing specialized training.

Prosecution

The Government of Cyprus improved its efforts to investigate, prosecute, and convict trafficking offenders, though the punishments imposed on convicted trafficking offenders remained weak. Cyprus prohibits both sex and labor trafficking through its Law 87(I) of 2007, which also contains protection measures for victims. Prescribed penalties for sex trafficking are up to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as abduction. The government investigated 47 new cases of suspected trafficking in persons in 2012, a significant increase compared to 18 investigations in 2011 and 29 investigations in 2010. Forty involved sex trafficking and seven involved labor trafficking. The government prosecuted 29 trafficking cases in 2012, involving 60 individual defendants. Twenty traffickers were convicted in 2012, an increase over the 10 prosecuted and convicted in 2011, though the majority of offenders in 2012 were ultimately convicted under non-trafficking statutes and received lenient sentences ranging from fines up to two years' imprisonment. NGOs and officials noted concerns of misapplication of the trafficking law in court; judges demanded corroborating evidence beyond what was required by the law. Observers reported that prosecutors failed to prepare victims adequately to testify, leaving victims subject to secondary victimization.

In 2012, the government co-funded specialized anti-trafficking training for public prosecutors, social workers, and judges regarding best practices in prosecution of human trafficking cases, use of expert witness testimony, and a focus on understanding of and sensitivity to the psychological state of victims. The government co-funded participation in a training organized by the Government of Moldova on international cooperation in combatting human trafficking. The Government of Cyprus did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during this reporting period, though a deputy chief of the Aliens and Immigration police unit who was acquitted in the last reporting period for alleged involvement in human trafficking and witness intimidation was dismissed from the force during this year. This special police constable was charged for sexual exploitation, procuration, and living on the earnings of prostitution. This case was pending trial at the end of the reporting period.

Protection

The government maintained efforts to protect victims of trafficking during the reporting period, though case management services to victims of trafficking needed improvement. The government identified 34 victims of trafficking in 2012 compared with 32 in 2011. Thirteen of the 34 victims identified during the reporting period were men; 18 of the 34 identified victims were subjected to labor trafficking. Authorities did not identify any child victims of trafficking in 2012. The government referred all of the identified victims to the social welfare office for assistance. Twenty-two victims stayed at the government-operated shelter for female trafficking victims in Nicosia. Victims were permitted to stay for up to one month in the shelter for a reflection period—time in which victims can recover before deciding whether to cooperate with law enforcement. The government spent the equivalent of approximately $353,700 in 2012 to operate the trafficking shelter, compared with $416,500 in 2011. The government provided the equivalent of approximately $318,600 in public assistance to victims of trafficking who chose to stay in private apartments and were entitled to a rent subsidy and monthly allowance. This was an increase from the equivalent of approximately $300,300 provided in 2011. In practice, NGOs reported substantial delays in issuance

of monthly public allowance checks to victims, which left victims indebted to landlords. Government case management services were inadequate, impeding victims' timely renewal of residency and work permits. The Government of Cyprus did not help victims identify appropriate, affordable housing or employment. Victims had the right to work, receive free medical, legal, and psychological care, receive police protection, use free interpretation services, and access vocational training but lack of directives on coordination between ministries and specific responsibilities of officials to identify and assist victims of trafficking led to gaps in the accessibility to and provision of these services.

The government gave all 34 victims who cooperated with law enforcement renewable temporary residence permits of six months, with the right to work in Cyprus. The government reported that although legislation stipulates that victims of trafficking be repatriated at the completion of legal proceedings, the police conducted a risk assessment for each victim prior to repatriation. Five victims of trafficking whose safety was assessed to be at risk were issued extensions of residence permits on humanitarian grounds and remained in Cyprus. One victim was granted permanent residence and one victim was granted refugee status. The government issued a manual and a pocket-sized operational guide on how to identify and assist victims of trafficking to police and immigration officers. The government encouraged victims of trafficking to assist in the investigation and prosecution of alleged traffickers. The anti-trafficking police unit added psychologists to its staff to conduct victim-sensitive interviews with potential witnesses before taking an official statement. All 34 victims identified in 2012 assisted law enforcement. Four victims visited their home countries and returned to Cyprus to testify in judicial proceedings during the reporting period. The government signed an agreement during the reporting period with the IOM to begin anti-trafficking projects and facilitate the safe repatriation of victims of trafficking. Undocumented workers who complained of a labor dispute or exploitation to the labor department reportedly faced a high risk of being deported by immigration authorities. An NGO reported a case in which a labor trafficking victim whose documents and wages were withheld by the employer was deported before a trafficking investigation could be initiated. There were no reports of victims being prosecuted for unlawful acts committed as a direct result of their being subjected to human trafficking in 2012.

Prevention

The Government of Cyprus continued modest efforts to prevent trafficking in 2012. Immigration officers at passport control continued to provide potential victims with an information card with basic information on trafficking and an emergency telephone number for assistance. In cooperation with NGOs, the government continued to conduct anti-trafficking presentations at high schools and army camps. Presentations for soldiers focused on sex trafficking and targeted potential clients of commercial sex acts. The Ministry of Education included human trafficking in its 2012-2013 curricula, made funding available to universities that wished to organize seminars on trafficking, distributed an information booklet, and organized several seminars to educate teachers on human trafficking. The multidisciplinary coordinating group to combat trafficking was responsible for overseeing the implementation of the government's 2010-2012 national action plan. The 2013-2015 national action plan was adopted in April 2013. The anti-trafficking law was amended during the reporting period to increase the number of NGOs participating in the group. The government allocated the equivalent of approximately $107,800 for the multidisciplinary group to cover the cost of information campaigns, participation in international trainings, hosting international experts in Cyprus, funding for NGOs, and implementation of some actions under the national action plan. During the reporting period, a law came into effect allowing the government to revoke the license of an employment agency if a person responsible for the agency, a director, or owner is convicted for any offense under the anti-trafficking law. The government did not make specific efforts to reduce the demand for forced labor. The government issued 176 "performing artists" work permits during the reporting period, including renewals, compared with 339 issued in 2011. The government issued 156 "bartender/barmaid" work permits compared with 246 in 2011. Fifty-two were issued to men and 98 were issued to women.

Area Administered by Turkish Cypriots

The northern area of Cyprus is administered by Turkish Cypriots; the area has declared itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. The area is a destination for women increasingly from Central Asia, as well as Eastern Europe and Africa, who are subjected to forced prostitution in night clubs that are licensed and regulated by Turkish Cypriot authorities. Men and women are subjected to conditions of forced labor in industrial, construction, agriculture, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and working conditions. Women issued permits for domestic work are vulnerable to forced labor. A significant number of women from Turkey enter the "TRNC" on three-month tourist or student visas and enter prostitution in apartments in Nicosia, Kyrenia, and Famagusta. Migrants and refugees are also at risk for sexual exploitation.

In 2012, 40 night clubs and three pubs operated in the "TRNC" for which authorities issued 1,121 hostess and 24 barmaid six-month work permits. The majority of permit holders came from Moldova and Ukraine, as well as Morocco, Kenya, Uzbekistan, Turkmenistan, Belarus, Russia, Kyrgyzstan, Kazakhstan, Paraguay, Georgia, Tunisia, Romania, Nigeria, Latvia, Egypt, Armenia, and Tanzania. Women were not permitted to change location once under contract with a night club and authorities deported 389 women who curtailed their contracts without screening for trafficking. There was a reported increase in the number of websites advertising sexual services to tourists and posting reviews by clients of nightclubs. While prostitution is illegal, authorities were complicit in the industry and made no efforts to reduce demand for commercial sex acts. Police continued to retain passports upon arrival of women working in night clubs. The "law" that governs night clubs prohibits foreign women from living on-site at their place of employment, however, most women live in group dormitories adjacent to the night clubs, or in other accommodations arranged by the establishment owner. The night clubs operated as "legal" businesses that provided revenue to the "government."

There is no "law" that prohibits human trafficking in the "TRNC." An anti-trafficking amendment to the "criminal

code" was pending approval by "parliament" at the end of the reporting period. The "TRNC" did not provide any specialized training for officials on how to identify or investigate human trafficking. Turkish Cypriot authorities did not keep statistics on law enforcement efforts against trafficking offenders. However, the "attorney general's office" reported it prosecuted a few trafficking-related cases involving falsified passports that resulted in penalties of 12 to 18 months' imprisonment. Sex trafficking offenders could be prosecuted under non-trafficking "statutes" for "living off the earnings of prostitution of women" or "encouraging prostitution of women." A misdemeanor offense of "compelling a person to labor against their will" is punishable by one year imprisonment. Authorities do not enforce the "law" stipulating that night clubs may only provide entertainment such as dance performances. Very few night club owners, pimps, or clients have been prosecuted for prostitution-related charges. Limited police raids on nightclubs result in arrests of low-level managers, waiters, and probable victims of trafficking. Authorities do not acknowledge the existence of forced labor. There is no "law" that punishes traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude.

Turkish Cypriot authorities allocated no funding to anti-trafficking efforts. Police were not trained to identify victims of trafficking and authorities provided no protection to victims. The lack of anti-trafficking legislation and lack of efforts to identify and protect victims indicated that Turkish Cypriot authorities tolerated human trafficking. An NGO that runs a shelter for victims of domestic violence, with no financial support from the authorities, reported helping five potential trafficking victims during the reporting period. Turkish Cypriot authorities do not acknowledge a need for care or shelter for victims of trafficking because police immediately deport foreign women who wish to leave their employer. Foreign women arrested for prostitution were immediately detained and deported to Turkey within 24 hours, regardless of country of origin. Victims of trafficking serving as material witnesses against a former employer are not entitled to find new employment and reside in temporary accommodation arranged by the police. There is no specific shelter for trafficking victims. According to human rights NGOs, police have been placing material witnesses in other working nightclubs. Witnesses are not allowed to leave the "TRNC" pending trial and are deported at the conclusion of legal proceedings. Turkish Cypriot authorities did not conduct any anti-trafficking awareness activities during the reporting period. Turkish Cypriot authorities made no efforts to reduce demand for forced labor.

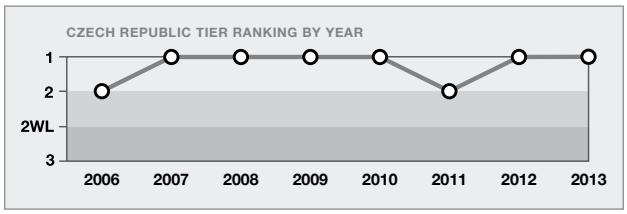
The "TRNC" does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3.

Recommendations for Turkish Cypriot authorities: Enact legislation prohibiting all forms of human trafficking; screen for human trafficking victims within nightclubs and pubs; increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution; provide alternatives to deportation for victims of trafficking; and acknowledge and take steps to address conditions of forced labor.

CZECH REPUBLIC (Tier 1)

The Czech Republic is a source, transit, and destination country for women who are subjected to forced prostitution, and a source, transit, and destination country for men and women subjected to forced labor. Women from many countries including the Czech Republic, Bulgaria, Moldova, Nigeria, the Philippines, Romania, Slovakia, Ukraine, and Vietnam are subjected to forced prostitution in the Czech Republic and also travel through the Czech Republic *en route* to Western European countries, including Germany and the United Kingdom, where they are subjected to forced prostitution. Men and women from the Czech Republic, Bulgaria, the Philippines, Poland, Romania, Slovakia, Sri Lanka, Ukraine, and Vietnam are subjected to forced labor in the construction, automotive, agricultural, and service sectors in the Czech Republic and also transit through the Czech Republic to other countries in the European Union. Roma women from the Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the United Kingdom. Men and women from the Czech Republic are subjected to trafficking in the United Kingdom, and women from the Czech Republic are subjected to forced labor in the United States. During the year, there were two cases of alleged domestic servitude in the houses of foreign diplomats working in the Czech Republic.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. The government issued the first final conviction of labor trafficking offenders and sentenced them to significant time in prison. The number of trafficking victims assisted through the government's program to protect victims assisting law enforcement dropped considerably. The government adopted its fourth national strategy to combat trafficking. However, authorities eliminated funding for new prevention activities in 2012, though it restored funding in 2013.



Recommendations for Czech Republic: Ensure trafficking victims are thoroughly explained their rights at the outset of identification and encouraged to cooperate with law enforcement; robustly implement new regulations to monitor and, as appropriate, investigate and prosecute labor agencies to ensure they do not exploit foreign workers through debt bondage or forced labor using deceptive labor agreements, the use of force, or threat of force; ensure workers are given written contracts they are able to understand, as required by new legislation; increase training opportunities for judges on anti-trafficking legislation; ensure existing trafficking identification criteria used by law enforcement authorities clearly incorporate indicators for forced labor; continue to train first responders, including labor inspectors, police, and state contracting officers, on labor trafficking victim identification criteria and evolving trends in labor trafficking; ensure adequate shelter space is available for large-scale cases, including labor trafficking cases; ensure that presumed victims

of trafficking are referred promptly to care; vigorously investigate and prosecute both sex and labor trafficking cases; strengthen bilateral coordination on trafficking with source countries, including neighboring EU countries; conduct large-scale public awareness-raising campaigns, particularly on labor trafficking; increase referrals to victims for assistance by law enforcement personnel; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of the Czech Republic demonstrated strengthened anti-trafficking law enforcement efforts during the reporting period, as it obtained its first labor trafficking convictions. The government prohibits all forms of trafficking in persons under Section 168 of its criminal code, revised in 2010, prescribing punishments of up to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government continued to prosecute some trafficking cases initiated before enactment of Section 168 under Sections 232a of the criminal code. During the reporting period, the police conducted 24 investigations of 22 offenders under Section 168, compared with 19 investigations of 29 offenders in 2011. In 2012, Czech authorities prosecuted 28 people under Section 168, and five individuals in cases brought under the old Section 232a. In contrast, Czech authorities in 2011 prosecuted 12 offenders previously investigated under Section 232a, and 21 offenders under Section 168. During 2012, Czech courts convicted five defendants under Section 168, a decrease from 10 convictions in 2011. Six defendants were convicted under Section 232a in 2012, compared with nine in 2011. Ten of the 11 defendants convicted in 2012 received prison terms ranging between four and eight and a half years' imprisonment; one received a conditional sentence. Czech judges more readily viewed forced labor cases as simple fraud rather than trafficking, in light of offenders' use of non-typical coercive practices. However, courts issued their first two post-appeal decisions on labor trafficking cases in 2012. In total, an appellate court affirmed the convictions of six offenders for labor trafficking; these offenders received prison sentences ranging from four to eight years.

The organized crime branch of the Czech police maintained a specialized anti-trafficking unit that offered trainings for investigators in different departments. During the year, the Czech judicial academy offered two anti-trafficking courses specifically for prosecutors and judges. Czech authorities collaborated on trafficking investigations during 2012 with foreign governments, including one coordinated by Eurojust. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Czech government demonstrated limited progress in its victim protection efforts during the reporting period. The Ministry of Labor and Social Affairs (MLSA) provided the equivalent of approximately $251,400 in 2012 to NGOs providing care for trafficking victims regardless of victims' participation with law enforcement. Government-funded NGOs provided shelter and care to approximately 55 victims of trafficking in 2012, of whom at least 22 were newly identified during the year. The government provided both foreign and Czech victims with a 60-day reflection period, in which victims received comprehensive care and determined whether to cooperate with law enforcement. The Ministry of Interior (MOI) continued to fund its witness support program, which provided funding to NGOs caring for victims willing to cooperate with law enforcement. However, there were only six victims in this program in 2012, compared with 17 in 2011. As a result, the MOI disbursed the equivalent of approximately only $30,000; this marked a decline from 2011, when the MOI allocated the equivalent of approximately $189,500 to NGOs for victim assistance and trafficking prevention projects. Police reported identifying an additional 52 victims of trafficking who did not enter the program. In 2012, the MOI also altered the program's funding mechanism; rather than granting funds to multiple NGOs to provide services, the ministry openly advertised a contract for one NGO to be the primary partner, with the ability to sub-contract out to other NGOs. The change has reportedly caused a breakdown in communication and cooperation among NGOs and a decline in the number of NGOs participating in the government's victim assistance program.

Law enforcement authorities continued to employ formal victim identification procedures and a victim referral mechanism, though experts suggested police could improve their identification and referral of victims. Foreign victims who cooperated with investigators received temporary residence, work visas, and support for the duration of the relevant legal proceedings. Upon conclusion of the court proceedings, victims could apply for permanent residency, although no victims did so in 2012. The MOI funded an NGO to assist the return of three Czech trafficking victims and the voluntary repatriation of one victim who was trafficked in the Czech Republic. NGOs did not report any victims of trafficking who were punished for unlawful acts committed as a direct result of their being trafficked.

Prevention

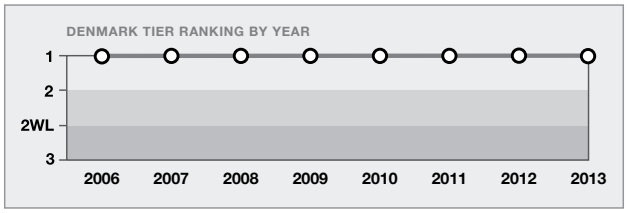
The Czech government demonstrated weakened prevention efforts in the reporting period. The MOI did not provide any NGO funding for new prevention activities in 2012, though the MOI recommenced funding in 2013. The Ministry of Foreign Affairs organized three anti-trafficking trainings for consular officers, reaching 70 attendees. Informational brochures for workers coming to the Czech Republic were available online in eight different languages and were distributed by consular officers. The MLSA inspected 113 licensed labor recruitment agencies and 42 companies that use recruitment agencies and found 66 in violation of contract compliance, such as hours and pay. The interior minister chaired the Inter-Ministerial Coordination Group for Combating Trafficking in Human Beings, which coordinated anti-trafficking efforts, compiled and analyzed data, and planned future strategies. The group presented the country's fourth national anti-trafficking strategy covering 2012 to 2015 that aimed to train more police, judges, and labor inspectors, as well as to research vulnerabilities in the Roma population and industries at risk for forced labor. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on anti-trafficking patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking; in 2012, the hotline received calls from 451 separate individuals. There were no reported investigations of child sex tourism or forced child labor during the reporting period. The government took no formal steps to reduce demand for

commercial sex acts during the year. The Czech Republic is not a party to the 2000 UN TIP Protocol.

DENMARK (Tier 1)

Denmark is primarily a destination and transit country for women and children subjected to sex trafficking from Nigeria, Cameroon, Romania, Estonia, Thailand, and other countries in Africa, Southeast Asia, Eastern Europe, and Latin America. Some migrants working in agriculture, domestic service, restaurants, hotels, and factories are subjected to labor trafficking under debt bondage, withheld wages, abuse, and threats of deportation. In one recent case, two Romanians were held against their will and compelled to work as janitors for three years and to live in squalid conditions. Unaccompanied migrant children are vulnerable to human trafficking, although in practice, there are very few cases of child trafficking. Copenhagen's relatively small red-light district represents only a portion of the country's larger commercial sex trade, which includes brothels, bars, strip clubs, and underground venues.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. The government maintained its law enforcement efforts and increased coordination between law enforcement and social workers to proactively identify some victims of trafficking through the use of crisis centers. Denmark's 72-hour limitation for charging an individual with a crime, including violations of immigration law, served as a structural impediment to meaningful victim identification in detention settings, which may have led to the punishment of some victims for acts committed as a direct result of their trafficking. Once victims were identified, the government provided them with protection, prevented them from being punished for acts committed as a result of trafficking, and encouraged their participation in investigations. Although there is not a trafficking-specific legal alternative to removal from Denmark, victims of trafficking have the option of applying for asylum in Denmark.



Recommendations for Denmark: Continue coordination with trained social workers to improve and institutionalize victim-sensitive, proactive identification procedures, including special concern for child victims, and to ensure that potential victims are not re-victimized, treated as offenders, or detained; continue law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims from police or immigration custody to crisis centers; assess current use of legal alternatives to removal, consider ways to increase use of these alternatives, or create alternatives specific to trafficking victims; improve procedures to encourage victims' meaningful participation in criminal proceedings against their traffickers; carry out an evaluation per the government's national action plan to determine why so few trafficking victims agree to "prepared return," and assess whether available services are meeting victims' needs; continue to investigate and prosecute trafficking offenders, and convict and sentence sex and labor trafficking offenders under Section 262(a) of the Danish criminal code; further enhance continued law enforcement efforts against labor trafficking; and ensure trafficking offenders serve sentences commensurate with the serious nature of the offense.

Prosecution

The Government of Denmark maintained its anti-trafficking law enforcement efforts in 2012. Denmark prohibits sex trafficking and forced labor through Section 262(a) of its criminal code, which prescribes punishments of up to ten years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities initiated four new investigations against nine trafficking suspects in 2012, compared with 14 suspects investigated in 2011. Trafficking prosecutions against 11 defendants resulted in three convictions, a decrease compared with 13 defendants prosecuted and nine convicted in 2011. Some offenders investigated and prosecuted under the anti-trafficking statute were convicted instead under Section 228 for procuring prostitution, which imposes more lenient maximum penalties of up to four years' imprisonment. One convicted offender was sentenced to 10 months' imprisonment; the case is under appeal. Two offenders were sentenced to two years' and six months' imprisonment and were expelled from Denmark.

Media reports noted the first arrests for forced labor in a case involving a Romanian couple who reportedly were held against their will doing janitorial work for three years, denied wages, and made to live in a closet on the alleged traffickers' balcony. A study commissioned by the Government of Denmark noted courts have yet to prosecute any labor trafficking cases despite reports of migrants held in debt bondage, under threat of losing residence permits, and denied wages in the agriculture and cleaning industries. Over the last year, the Danish government began to focus on identifying victims of labor trafficking; the study noted that the increasing number of labor trafficking cases would necessitate intensified efforts to prevent and combat this form of trafficking. Law enforcement and other officials experienced continued difficulties discerning forced labor from lesser labor violations but are taking proactive steps to enhance victim identification and law enforcement efforts in this area. The government trained tax inspectors and employees of trade unions on labor trafficking identification, which resulted in increased identification of forced labor cases during the reporting period. The government also trained social workers, police officers, judges, prosecutors, immigration officers, health professionals, and NGOs on human trafficking.

The government did not provide disaggregated data to demonstrate efforts against both sex and labor trafficking. The Government of Denmark did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

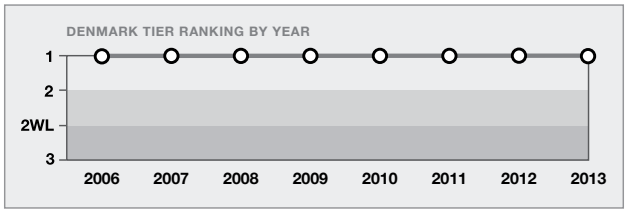
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Protection

The government increased coordination between law enforcement and social workers in an effort to improve victim identification during the reporting period. In 2012, the Danish Immigration Service identified 45 trafficking victims without legal status, and social workers in the government's center

against human trafficking identified 21 victims with legal status, for a total of 66 identified trafficking victims, compared with 60 victims identified in 2011. Denmark successfully identified 17 labor trafficking victims in 2012, compared with none in 2011.

The center referred 39 of the identified trafficking victims to crisis centers and informed all victims of the availability of short term healthcare and legal assistance. Eight victims stayed in asylum centers. In addition to two existing government-supported crisis centers and a mobile outreach health unit that served victims of trafficking, the government opened an additional drop-in crisis center during the reporting period in northern Jutland to offer health and social services to trafficking victims, which resulted in improved coordination between social workers and police to refer potential victims of trafficking to the center instead of remanding them to police custody. Victims were free to come and go from these centers. The police worked with the crisis center and local service providers to prepare services for possible victims of trafficking in advance of raids on massage clinics during the reporting period.

Denmark's 72-hour limitation for charging an individual with a crime, including violations of immigration law, served as a structural impediment to meaningful victim identification in detention settings, which may have led to the punishment of some victims for acts committed as a direct result of their trafficking. In November 2012, the Danish government allocated money through the 2013 financial bill to strengthen the efforts of the Danish center against human trafficking to improve confidence building in the early stages of interaction with victims.

Non-EU trafficking victims have both the option of applying for asylum in Denmark as well as receiving a residence permit if their stay is necessary for criminal investigations or proceedings; in practice these options have been rarely used. Since 2007, 11 foreign victims of foreign trafficking have been granted resident permits. There are no legal alternatives to removal specific to trafficking victims. For most non-EU victims, this precludes their presence and participation in prosecutions of their traffickers.

The Danish government provides non-EU victim services through a prepared return program. Victims officially identified by the Danish Immigration Service are granted a 30-day period in which to decide whether to accept a prepared return. During the reporting period, if victims accepted prepared return they could be granted a further 70-day postponement of removal from Denmark under section 33(1) of the Aliens Act. An amendment to the Alien's Act passed in November 2012 that will come into force next reporting period provided funding for the extension of this period from 70 to 90 days. Prepared return provided up to 100 days of accommodation in a shelter, referrals to organizations in victims' countries of origin to assist with repatriation and reintegration, preparation of travel documents, and escort during travel. In 2012, four victims of trafficking agreed to participate in the government's prepared return program, compared to 12 victims who participated in 2011.

In June 2012, the director of public prosecutions published guidelines instructing police commissioners, chief prosecutors, and regional public prosecutors to withdraw charges against formally identified victims of trafficking if the alleged offence relates to the trafficking and cannot be characterized as a serious crime in response to the fact that Danish law does not provide statutory protection for trafficking victims against such prosecutions.

Prevention

The Government of Denmark sustained efforts to prevent trafficking during the reporting period. The government's center against human trafficking funded an NGO-run campaign aimed at increasing public awareness of sex trafficking and reducing demand for prostitution. The government allocated the equivalent of approximately $15.5 million to fund activities under the national action plan for 2011 to 2014. During the reporting period, the government designated the equivalent of an additional $680,000 to fund victim identification, prepared return, and public awareness prevention activities in 2013 and 2014. The Government of Denmark also supported the third phase of a program against human trafficking in Belarus, Moldova, and Ukraine with a budget of the equivalent of approximately $2.7 million during the reporting period, Denmark's largest assistance program to combat human trafficking abroad.

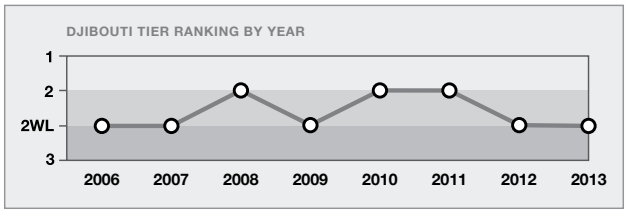
The government did not demonstrate efforts to reduce the demand for forced labor during the reporting period. The Danish Ministry of Defense provided human rights training to Danish soldiers prior to their deployment abroad on international peacekeeping missions, which included instruction on its zero-tolerance policy on human trafficking.

DJIBOUTI (Tier 2 Watch List)

Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Over 80,000 men, women, and children from Ethiopia, Somalia, and Eritrea are estimated to have passed through Djibouti as voluntary and undocumented economic migrants *en route* to Yemen and other locations in the Middle East. An unknown number of these migrants are subjected to conditions of forced labor and sex trafficking upon arrival in these destinations. During their time in Djibouti, which may last for extended periods, this large migrant population, including foreign street children, is vulnerable to various forms of exploitation, including human trafficking. Some Djiboutian and migrant women and girls may fall victim to domestic servitude or sex trafficking in Djibouti City, the Ethiopia-Djibouti trucking corridor, or Obock, the preferred departure point for Yemen via the Red Sea or Gulf of Aden. Some migrants intending to be smuggled may be moved or detained against their will within Djibouti. Networks, including Djiboutians and Djiboutian residents, may charge rents or kidnap and hold migrants for ransom—increasing their vulnerability to trafficking and, at times, creating situations tantamount to debt bondage; reports indicate some migrant women were subject to domestic servitude in Djibouti as a result. In addition, ransoms may be paid by traffickers based in Saudi Arabia, who reportedly intend to exploit migrants upon their arrival there. Djibouti's older street children reportedly act at times as pimps of younger children. Members of foreign militaries stationed in Djibouti contribute to the demand for women and girls in prostitution, including possible trafficking victims. Street children, including Djiboutian children, are sometimes forced by their parents or other adult relatives to

beg as an additional source of family income; children may be also recruited from foreign countries for begging in Djibouti. Children are vulnerable to forced labor as domestic servants and coerced to commit petty crimes, such as theft.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing efforts to address human trafficking since the previous reporting period; therefore, Djibouti is placed on Tier 2 Watch List for a second consecutive year. The government provided basic healthcare to undocumented migrants, but it failed to acknowledge their vulnerability to trafficking or the existence of various forms of human trafficking in the country. In their monitoring of bars and nightclubs for child prostitution, police arrested children and referred them to medical services on an *ad hoc* basis. The government expanded its partnership with IOM, requesting assistance in developing an anti-trafficking strategy, including the development of procedures for the identification of trafficking victims. However, unlike in previous reporting periods, the anti-trafficking working group led by the Ministry of Justice was inactive during the year and failed to complete its draft of a national action plan. Police investigated seven cases of Djiboutians exploiting or abusing children in prostitution. Outside of child prostitution, the government failed to investigate or prosecute any other trafficking offenses, including those allegedly committed by complicit officials. It made no attempt to implement the protection or prevention components of its anti-trafficking law, even within the confines of its limited resources and capacity.



Recommendations for Djibouti: Draft a national action plan to coordinate and pace government efforts; amend Law 210 to distinguish between trafficking and smuggling offenses; when implementing Law 210, identifying victims, and combating trafficking generally, ensure use of a broad definition of trafficking in persons consistent with the 2000 UN TIP Protocol that does not rely on evidence of movement but rather on exploitation of the victim; continue to work with judges, prosecutors, and police to clarify the difference between cases of human trafficking and alien smuggling; enforce the anti-trafficking statute through investigation and prosecution of trafficking offenders, especially those responsible for child prostitution, domestic servitude, or other forced labor offenses, and provide data on convictions and sentences of trafficking offenders; institute a module on human trafficking as a standard part of the mandatory training program for new police and border guards; establish policies and procedures for government officials—including law enforcement, health, and social welfare officers—to identify proactively and interview potential trafficking victims and transfer them to care; expand mechanisms for providing protective services to victims, possibly through the forging of partnerships with NGOs or international organizations; form partnerships with local religious leaders, encouraging them to educate their congregations about trafficking; and launch a nationwide anti-trafficking awareness campaign.

Prosecution

The government made minimal efforts to enforce its laws against human trafficking during the reporting period. Although there is a deputy prosecutor with responsibility for overseeing all human trafficking prosecutions, the government did not successfully prosecute any trafficking offenders in 2012. This was due in part to Djibouti's Law 210, "Regarding the Fight Against Human Trafficking," enacted in December 2007, which prohibits both forced labor and sex trafficking but does not adequately distinguish between human trafficking and alien smuggling. Law 210 provides for the protection of victims regardless of ethnicity, gender, or nationality, and prescribes penalties of two to five years' imprisonment, penalties which are sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Djiboutian authorities failed to demonstrate efforts to investigate or punish domestic servitude, other forced labor, or sex trafficking offenses. The National Police reported an attempt to assist suspected victims of forced labor, though the workers chose to continue their exploitative work in hopes of affording passage to Yemen. In 2011, the most recent year for which data is available, the morality police continued their patrols of nightclubs and bars in Djibouti City to monitor for prostitution and arrested both clients and persons in prostitution, including 80 children between the ages of 10 and 17; the government failed to take any law enforcement action against the establishments in which they were found and did not screen others in this vulnerable population for trafficking victimization. Nonetheless, the government reported its investigation of seven cases of Djiboutians exploiting or abusing children in prostitution, although it provided minimal details on these cases. Following overnight detention, police officers reportedly delivered an Eritrean asylum seeker on two separate occasions to a construction site where he was forced to work all day without pay. There are unconfirmed allegations that police round-ups of non-Djiboutian residents, including asylum seekers, are semi-routine. The government failed to investigate officials allegedly complicit in trafficking or trafficking-related crimes, including border guards bribed to allow entry into Djibouti. The government did not independently train its officials to respond to trafficking crimes, though it contributed physical space for international organizations to provide training to Djiboutians on trafficking as part of migration management and border control training.

Protection

The government made minimal efforts to protect victims of trafficking during the reporting period or to ensure that victims received access to shelter or other services. With limited resources and a small pool of underfunded NGO partners, the government had little means with which to address the needs of trafficking victims during the year. Djiboutian authorities provided a baseline level of care to African migrants in crisis, including food and emergency outpatient care for dehydration, pregnancy, or injuries received while traveling; it is unclear whether trafficking victims in this population are being served. While partnership between IOM and the Government of Djibouti increased significantly during the year, the government lacked a formal system to proactively identify victims of trafficking among high-risk populations, such as

undocumented immigrants and persons found in prostitution. The government regularly deported undocumented foreigners and did not consistently screen this population for indicators of human trafficking. Additionally, the government detained children in prostitution and street children, including potential trafficking victims, following sweeps to clear the streets in advance of holidays or national events. Officials referred such children to medical services on an *ad hoc* basis. Though the government implemented a program to grant residency status to undocumented Ethiopian migrants, a population vulnerable to trafficking in Djibouti, it did not formally offer foreign trafficking victims legal alternatives to removal to countries where they may face hardship or retribution.

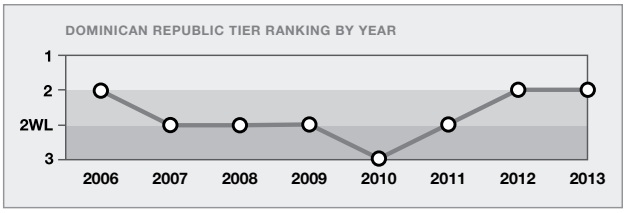
Prevention

The government made minimal efforts to prevent trafficking during the year. Its working group on trafficking, led by the Ministry of Justice, was inactive in 2012. The government failed to coordinate anti-trafficking awareness campaigns or to partner with NGOs or donors to undertake such efforts. During the reporting period, the Ministries of Justice, Interior, Foreign Affairs, and Labor worked on implementation provisions for a bilateral "Agreement to Combat Illegal Immigration and Human Trafficking," signed between the Governments of Djibouti and Ethiopia in January 2012. The agreement established a means for legal recognition and labor protection for undocumented Ethiopians residing in Djibouti. International donors trained 300 members of the Djiboutian armed forces on avoiding high-risk sexual behavior, including by not exploiting women in prostitution. The government did not take any known measures to reduce the demand for commercial sex act or forced labor.

DOMINICAN REPUBLIC (Tier 2)

The Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Reports indicate that large numbers of Dominican women and children are subjected to sex trafficking throughout the Dominican Republic, the Caribbean, Europe, South America, the Middle East, and the United States. A recent study conducted by the United Nations Population Fund revealed that tens of thousands of Dominican women are presently victims of trafficking worldwide. Additionally, the commercial sexual exploitation of local children by foreign tourists is a problem, particularly in coastal resort areas of the Dominican Republic, with these child sex tourists arriving year-round from the United States, Canada, and European countries. Dominican officials and NGOs have documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving of illicit narcotics. The large populations of working children and street children are highly vulnerable to forced labor and sex trafficking. NGOs have increasingly reported cases of forced labor of adults in construction, agricultural, and service sectors. The large population of undocumented or stateless persons of Haitian descent in the country is particularly vulnerable to trafficking. Dominican and foreign women in exotic dancing and in prostitution in the Dominican Republic's legalized sex trade are highly vulnerable to sex trafficking within the country.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government made notable progress by prosecuting, convicting, and punishing a perpetrator of child sex trafficking as well as perpetrators of child forced begging; the latter was the first known example of the government using its human trafficking statute to prosecute labor trafficking offenders. The lack of a government-wide protocol to guide officials in the proactive identification and referral of trafficking victims was a problem, and government-funded assistance for victims was scarce. Long-term shelter, counseling, and immigration relief for adult victims largely did not exist in the Dominican Republic. There were serious concerns that the government was also not addressing official complicity in human trafficking or the demand for human trafficking within the country.



Recommendations for the Dominican Republic: Vigorously prosecute and punish offenders involved in the forced labor and sex trafficking of children as well as adults; vigorously investigate and prosecute government employees complicit in forced prostitution or forced labor; work with NGOs to establish and implement a formal government-wide protocol to guide officials in how to identify adult and child trafficking victims, especially those in the sex trade, and refer them to available services; work with NGOs to ensure adequate shelter and services are available to adult victims and that more child and adult victims are identified and receive services; establish formal legal alternatives to removal for foreign victims to countries where they would face retribution or hardship; and implement a forced labor and forced prostitution awareness campaign in Spanish and Creole that targets trafficking victims, the demand for commercial sex acts and forced labor, and provides instruction for reporting human trafficking cases.

Prosecution

The government made progress in prosecuting sex and labor trafficking offenders during the reporting period, though alleged complicity of government officials in human trafficking remained a serious problem. Law 137-03 of 2003 prohibits all forms of human trafficking and prescribes penalties of up to 20 years' imprisonment with fines—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law's conflation of human trafficking and human smuggling, however, continues to be problematic. The government reported two new labor trafficking investigations and at least five new sex trafficking investigations during the reporting period. The government initiated two new forced begging prosecutions and two new sex trafficking prosecutions during the reporting period, compared with eight labor trafficking and 12 sex trafficking prosecutions the previous year. In a positive step marking the government's first labor trafficking convictions using its human trafficking

law, authorities reported two forced begging convictions and one acquittal in 2012; sentences for the two convicted labor trafficking offenders were 15 years' imprisonment plus fines. The government also reported one conviction of a child sex trafficking offender, who received a four-year prison sentence. All reported prosecutions and convictions involved child trafficking; the government did not report any prosecutions or convictions in cases involving adult victims of human trafficking. The government cooperated with governments in Europe and throughout the Western Hemisphere on investigations of transnational human trafficking cases.

There were also numerous reports that official complicity in human trafficking was a serious problem. For example, an agricultural worker reported that military personnel, or individuals dressed as such, prevented workers from leaving workers' accommodations. Agricultural workers in the coconut sector alleged that inspectors and military personnel in the border province of Dajabon conspired with a company owner to smuggle workers into the country, where they subsequently were held in coercive conditions. Several stakeholders alleged some police officers were complicit in the exploitation of children as drug couriers. NGOs reported a public protest in January 2013 involving scores of Haitian migrant workers who claimed to have been recruited through fraudulent offers of employment and other coercive measures. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

The government identified the need for specialized training for officials on human trafficking, and the government cooperated with international organizations and foreign donors on a number of trainings during the reporting period.

Protection

The government made little progress in the protection of trafficking victims during the reporting period. The government's lack of formal procedures to guide front-line responders such as police, labor inspectors, and health workers on how to proactively identify trafficking victims among vulnerable groups (such as people in the Dominican Republic's legalized sex trade and migrant workers) and refer them to available services resulted in victims being unaware of or being refused access to the limited victims' assistance resources. The government emphasized the use of temporary shelters to provide victim care services. The child welfare and protection agency (CONANI) had eight active shelters for children in danger. The Department of Migratory Control and Investigation referred victims of trafficking to IOM for appropriate attention and care, including provisional shelter and psychological help. The government reported the Attorney General's Office of Legal Representation of Victims provided pro bono orientation, assistance and legal representation to low-income victims as well as access to medical care, social workers, and family therapists. NGO partners reported inadequate victim care services for all identified victims, including child sex trafficking victims, and that services were generally provided on an *ad hoc* basis. Psychological support and legal assistance were provided in some cases through a local NGO with funding from the Ministry of Women. NGOs noted that few of the victims it referred to Dominican authorities during the reporting period received victim care services. The Dominican National Police reported identifying 77 potential trafficking victims during the reporting period, compared with 76 victims in the previous year. The labor ministry identified no human trafficking cases. CONANI reported providing services to 12 girls and nine boys who were human trafficking victims, a significant decrease from 60 child trafficking victims in the previous reporting period.

The government reportedly encouraged victims to participate in the prosecution of trafficking offenders, though there were no reports of adult trafficking victims assisting in such prosecutions during the reporting period. Dominican trafficking law protects victims from being punished for crimes committed as a direct result of their being in a human trafficking situation. The government did not provide formal long-term reintegration assistance for repatriated Dominican trafficking victims or legal alternatives to the deportation of foreign victims to countries where they would face retribution or hardship.

Prevention

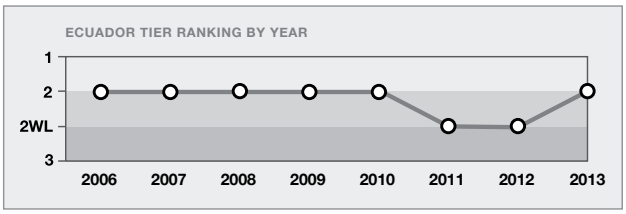
The government made minimal progress in human trafficking prevention during the reporting period and made no effort to address the demand for commercial sex acts. The Ministry of Labor developed a national campaign with the slogan "We Want to Play and Learn" to raise awareness for the prevention of child labor. The Ministry of Foreign Affairs continued its campaign designed to educate Dominican nationals living abroad of the risks and dangers of trafficking. NGOs were generally unaware of government information or education campaigns during the reporting period, though there was a national hotline to report human trafficking cases and gender-based violence. The Ministry of Foreign Affairs chaired an interagency anti-trafficking commission, which had a national action plan active through 2014. The Dominican government, with assistance from a foreign government, maintained a specialized police unit empowered to vigorously investigate and prosecute child sex tourism cases in the Dominican Republic; the government reported 10 investigations of alleged child sex tourists during the reporting period. The government did not undertake efforts to reduce the demand for commercial sex acts in the Dominican Republic's legalized sex trade or for forced labor during the reporting period.

ECUADOR (Tier 2)

Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The majority of Ecuadorian victims are women and children exploited in sex trafficking within the country, as well as in domestic servitude, forced begging, and forced labor, primarily in agriculture. Indigenous and Afro-Ecuadorians are particularly vulnerable. Some impoverished indigenous families reportedly allowed traffickers to take their children temporarily in order to earn money either within the country or in neighboring countries, where they were forced to work as domestic servants, in sweatshops, as street and commercial vendors, and to a lesser extent, in begging. There were also reports of Ecuadorian women and girls in forced labor in Colombia, Brazil, Venezuela, Chile, and Uruguay during the reporting period. To a more limited extent, Ecuadorian women and children are subjected to forced prostitution in neighboring countries. In some parts of the country, local gangs reportedly are involved in sex trafficking. There also have been reports of Ecuadorian children being forced to engage

in criminal activity, such as drug trafficking and robbery, and that armed groups based in Colombia forcibly recruit Ecuadorian children in the northern border region. Ecuador is a destination for Colombian, Peruvian, and Paraguayan women and girls exploited in sex trafficking and domestic servitude. Colombian refugees and migrants are subjected to forced labor on palm oil plantations.

The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government increased the number of trafficking convictions, including two for forced labor, and strengthened victim services by increasing funds for NGOs to provide services to trafficking victims and shelter to child trafficking victims. The government also strengthened its anti-trafficking police unit. Specialized services for adult victims remained limited and service provision was uneven across the country. The majority of law enforcement efforts focused on child trafficking and there were no reported convictions for cases involving adult trafficking victims. Trafficking-related complicity of officials remained a concern.



Recommendations for Ecuador: Increase efforts to investigate, prosecute, and convict trafficking offenders, particularly for cases involving adult trafficking victims; increase funding for specialized care services for trafficking victims, particularly for adults; develop and implement formal procedures for identifying trafficking victims among vulnerable populations, such as children and adults in prostitution or among child and migrant workers, and increase identification of adult victims; hold public officials complicit in trafficking criminally accountable through investigations and prosecutions; increase anti-trafficking training for local police officers, judges, labor inspectors, immigration officials, social service workers, and other government officials; and enhance data collection and coordination.

Prosecution

The government notably strengthened law enforcement efforts during the year through increased trafficking convictions and its expansion of the dedicated police unit. Ecuador's penal code prohibits all forms of trafficking and prescribes punishments of six to nine years' imprisonment for those convicted of labor trafficking offenses, and eight to 12 years' imprisonment for convicted sex trafficking offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Prosecutors often rely on other statutes, including those prohibiting pimping, to prosecute human trafficking crimes as these other statutes are familiar and require less investigative resources; some of these statutes prescribe lower sentences than trafficking statutes.

The government increased significantly the number of police officers in the anti-trafficking unit in Quito for a total of 27 officers. The national organized crime prosecutorial unit in Quito handled trafficking cases in partnership with local prosecutors. Lack of funding limited police and prosecutor efforts, and personnel and law enforcement coordination continued to be uneven. The majority of investigations focused on child sex trafficking or forced labor of children. Data collection of trafficking in persons remained a challenge, and a database developed by an international organization for the government to track law enforcement efforts remained in the early stages of implementation.

Police reported referring 150 investigations to prosecutors in 2012, but did not report how many cases involved forced labor and how many involved sex trafficking. Authorities reported prosecuting at least 23 trafficking offenders, and convicted 10 trafficking offenders in 2012. Three of these convictions were achieved under trafficking-specific statutes, including two convictions for forced labor; all cases resulting in convictions involved child victims. Sentences ranged from probation and fines, in the case of a child offender, to 12 years' imprisonment. In comparison, the government did not report convicting any trafficking offenders in 2011.

Some officials, particularly judges, demonstrated a lack of knowledge about trafficking, confusing it with prostitution or labor infractions to the detriment of the victim during legal procedures. Other judges reduced charges of trafficking to lesser crimes, such as pimping, resulting in shorter sentences. Civil society organizations and some officials noted that corruption impeded investigation and prosecution efforts. According to NGOs and some officials, corrupt officials allegedly informed traffickers prior to law enforcement operations, ignored sex trafficking in commercial sex sites, and some local authorities issued falsified business licenses to brothels. No prosecutions or convictions of complicit officials took place last year, although one judge reportedly was under investigation for complicity. Authorities provided increased training on human trafficking to police, immigration officers, and other officials during the year, including intensive training to new members of the anti-trafficking police unit. The government cooperated with other South American governments to investigate transnational trafficking cases, including several involving forced labor.

Protection

The Ecuadorian government increased victim protection efforts during the year, including by providing funding to NGOs to care for trafficking victims, though specialized services for adult victims remained limited, and services were not available in all parts of the country. Authorities reported continued efforts to remove children from sites of commercial sexual exploitation but did not systematically apply procedures to identify adult victims among vulnerable populations, such as women in prostitution. Police reported referring victims to services by consulting written referral mechanisms, though victim referrals from other officials were *ad hoc*. Police identified 127 trafficking victims in 2012: 88 were exploited in sex trafficking and 39 in forced labor. The majority of identified victims were female children.

The Ecuadorian government increased funding for specialized victim services in 2012 and provided $662,170 in funding to four NGOs that cared for over 130 victims of sex and labor trafficking during the year. Specialized victim services were lacking, however, in much of the country. Authorities reported that victims could receive general care services through a

network of government-run protection centers, as well as at domestic violence shelters. However, there were no data on how many victims were helped at these centers in 2012, nor were all of these centers able to provide adequate services or protection for trafficking victims. In some parts of the country, police had nowhere to house rescued victims. There were few specialized services available to adult trafficking victims. NGOs reported that adult trafficking victims requiring shelter were housed temporarily in hotels, and could receive specialized outpatient services from government and NGO-run centers; they did not report how many adult victims received this shelter and assistance in 2012. In addition to these short-term services, the government reported providing some victims with counseling, job training, and educational training but did not indicate how many victims received these services during the year.

The government encouraged victims to assist with the investigation and prosecution of trafficking offenders, and at least some victims did so during the year. The government maintained and funded a victim and witness protection program that reported assisting 25 trafficking victims in 2012, six of whom were subjected to forced labor. Many victims chose not to participate in investigations due to fear of threats and inadequate protection, lack of faith in the justice system, or costs associated with participating in lengthy judicial processes. Authorities reportedly did not penalize identified trafficking victims for unlawful acts committed as a direct result of their being trafficked. The Ecuadorian government does not provide specific legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution. Authorities reported that foreign trafficking victims encountered in anti-trafficking raids were given the option to remain temporarily in Ecuador, but did not report how many foreign victims were permitted to do so during the year. The government provided some victim services to repatriated Ecuadorian trafficking victims.

Prevention

The Government of Ecuador maintained prevention efforts during the year. The interagency anti-trafficking working group reportedly met regularly, and the Ministry of the Interior anti-trafficking sub-directorate coordinated government anti-trafficking activities, focusing on strengthening law enforcement efforts. Authorities continued awareness campaigns, many of which focused on the commercial sexual exploitation of children and partnered with businesses in the tourist sector to prevent child sex trafficking. The government did not report steps to reduce demand for commercial sex acts purchased from adults or forced labor during the reporting period.

EGYPT (Tier 2)

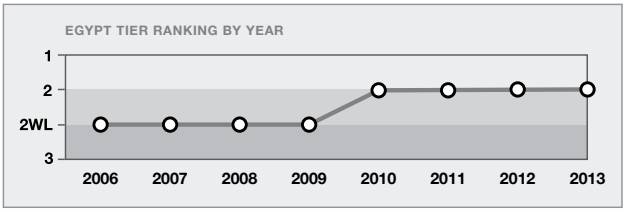
Egypt is a source, transit, and destination country for women and children who are subjected to conditions of forced labor and sex trafficking. Men and women from Egypt, South and Southeast Asia, and Africa may be subjected to forced labor in Egypt. Some workers in domestic service in Egypt have been held in conditions of forced labor, including foreign women from Indonesia, the Philippines, Sudan, Eritrea, Ethiopia, and possibly Sri Lanka. Indonesians make up the largest number of foreign domestic servants, including those who are held in conditions of forced labor. Some of these conditions include: lack of time off; sexual, physical, and emotional abuse; withholding of wages and documents; and restrictions on movement. Employers may use some domestic workers' lack of legal status and lack of employment contracts as coercive tools.

Instances of human trafficking, smuggling, abduction, torture, and extortion of migrants, including asylum seekers, and refugees—particularly from Eritrea, Sudan, and to a lesser extent Ethiopia—continue to occur in the Sinai Peninsula at the hands of criminal groups. Many of these migrants are reportedly held for ransom and forced into sexual servitude or forced labor during their captivity in the Sinai, based on documented victim testimonies. Reports of physical and sexual abuse continue to increase. While the flow of these migrants into Israel slowly decreased by mid-2012, likely in part because of the construction of Israel's border fence, there has not been a documented decrease in the number of migrants entering the Sinai. Whereas criminals previously abandoned the migrants at the Israeli border after collecting ransom payments, perpetrators now sometimes abandon migrants—some of whom are trafficking victims—at police stations and medical facilities in Cairo and in remote areas of the Sinai. There continue to be infrequent reports that Egyptian border patrols shoot and sometimes kill these migrants, refugees, asylum seekers, and trafficking victims in the Sinai as they attempt to cross the Israeli border; many are also arrested and detained in Egyptian prisons in the Sinai.

Some of Egypt's estimated 200,000 to one million street children—both boys and girls—are subjected to sex trafficking and forced begging. Informal criminal groups are sometimes involved in this exploitation. Egyptian children are recruited for domestic service and agricultural labor; some of these children face conditions indicative of forced labor, such as restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. In addition, wealthy men from the Gulf, including Saudi Arabia, the United Arab Emirates, and Kuwait reportedly continue to travel to Egypt to purchase "temporary" or "summer marriages" with Egyptian women and girls; these arrangements are often facilitated by the women and girls' parents and marriage brokers who profit from the transaction. Children involved in these temporary marriages are subjected to both sexual servitude and forced labor at the hands of their "husbands." Child sex tourism—the commercial sexual exploitation of children by foreign tourists—occurs in Egypt, particularly in Cairo, Alexandria, and Luxor. Egypt is a destination country for women and girls forced into prostitution, including refugees and migrants, from Asia and sub-Saharan Africa and to a lesser extent the Middle East. Egypt also is a source country for workers subjected to conditions of forced labor in neighboring countries. Young and middle-aged Egyptian men filled construction, agriculture, and low-paying service jobs in Jordan. NGO and media reports indicate some Egyptians are forced to work in Jordan and experience conditions of forced labor, namely the withholding of passports, forced overtime, nonpayment of wages, and restrictions on their movements.

The Government of Egypt does not fully comply with the minimum standards for the elimination of trafficking, but it is making efforts to do so. The government reported prosecuting and convicting trafficking offenders, though it failed to investigate and prosecute government officials allegedly complicit in trafficking offenses, particularly the forced labor of domestic workers in their private residences.

By some accounts, police ignored potential trafficking-related offenses in the Sinai. Egypt began to implement its national referral mechanism, identifying an increased number of trafficking victims. NGOs, international organizations, and foreign diplomats also noted increased capacity, sensitivity, and awareness of some government officials in identifying and providing services to trafficking victims. Despite this success, there were reports that many government officials failed to employ the referral mechanism systematically to identify victims among vulnerable groups, including foreign migrants abused in the Sinai, people in prostitution, and women in domestic servitude, and as a result victims were often treated as criminals.



Recommendations for Egypt: Increase investigations and prosecutions against all forms of trafficking; investigate and punish government officials complicit in trafficking offenses; investigate, prosecute, and punish perpetrators responsible for the human trafficking, smuggling, torture, abduction, and extortion of migrants, refugees, and asylum seekers in the Sinai; proactively identify and provide appropriate assistance to victims of trafficking in the Sinai and cease shooting foreign migrants, including possible trafficking victims, in the Sinai; continue to use the national victim referral mechanism to identify and assist victims of trafficking among vulnerable groups, including those arrested for prostitution, street children, and undocumented migrants, and continue to adequately train law enforcement officials and prosecutors on the referral mechanism; ensure identified trafficking victims, including those subject to forced prostitution, are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; expand the scope of protection services, including adequate shelter, and make these services available to all victims of trafficking; encourage victims of trafficking to assist in investigations against their traffickers; and provide adequate legal protections for domestic workers.

Prosecution

The Egyptian government made some progress in implementing its anti-trafficking statute, successfully prosecuting and convicting trafficking offenders for the first time under this law. However, allegations that government officials were complicit in and went unpunished for forced labor offenses continued, and police in the Sinai failed to investigate or accepted bribes from criminals transporting trafficking victims to the Sinai. Egypt prohibits all forms of human trafficking through its 2010 anti-trafficking law (Law No. 64), which prescribes penalties from three to 15 years' imprisonment along with fines ranging from the equivalent of approximately $8,300 to $33,300. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Amendments to the Child Law (No. 126 of 2008) include provisions prohibiting the sex trafficking of children and forced labor and prescribe sentences of at least five years' imprisonment, which also are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. The government reported that it prosecuted and convicted five individuals under its anti-trafficking law, which is the first time Egypt successfully used this law. Of the five convictions, four trafficking offenders were convicted in July 2012 for operating a criminal network to exploit women and girls for prostitution; three were sentenced to two years' imprisonment and one was sentenced *in absentia* to 15 years' imprisonment. In the fifth conviction, one trafficking offender was sentenced in November 2012 to three years' imprisonment for kidnapping and selling a child for exploitation purposes, though the details of this case were unclear. The government reported two additional sex trafficking prosecutions and seven investigations of trafficking—two of which were in North Sinai—that were ongoing at the end of the reporting period, though the details of these cases were not known. The National Coordinating Committee (NCC) on Preventing and Combating Trafficking in Persons continued to develop a database to track trafficking-related cases, though the database was not complete at the end of the reporting period.

The government did not report any efforts to punish government officials for complicity in human trafficking offenses, despite reports of such corruption. In the previous reporting period, international organizations and source country embassies reported that the government failed to investigate accusations that multiple government officials, including judges, Ministry of Interior officials, and other high level government leaders, forcibly held Indonesian domestic workers inside their homes, and in some cases physically and sexually abused them. The government reported no action taken to investigate or punish these officials. Police reportedly failed to investigate vehicles used by criminals to transport migrants—some of whom may be trafficking victims—across Ministry of Interior-controlled bridges into the Sinai. Uncorroborated anecdotal reports alleged that police also accepted bribes from criminals transporting the migrants and trafficking victims into the Sinai. Additionally, there were some reports that Egyptian border security personnel in the Sinai continued to shoot some undocumented migrants attempting to enter Israel. In October 2012, a Ugandan newspaper reported that an Egyptian diplomat allegedly brought two Ugandan girls from Uganda to Egypt with false promises of jobs, and upon arrival in Egypt, subjected them to forced labor; however, Egyptian government officials and international organizations were unaware of this case and could not provide further details.

The government provided trafficking-specific trainings to officials, but it relied in many cases on funding from international organizations and NGOs, though the National Council for Childhood and Motherhood (NCCM) and the public prosecutor conducted trainings for 569 officials on the anti-trafficking law and victim identification. An international organization funded and conducted most specialized anti-trafficking trainings—in cooperation with NCCM—for 454 government and NGO officials.

Protection

The Government of Egypt made some progress in its efforts to protect victims of trafficking during the reporting period. The government, in conjunction with an international organization, continued to distribute copies of victim identification guidelines and began implementation of its national trafficking victim referral mechanism in 2012, resulting in an increased number of identified victims in

this reporting period. International and local NGOs and NCCM worked together to identify and assist 277 trafficking victims, a significant increase from 122 victims identified in the previous reporting period. Despite this success, there were reports that many government officials failed to employ the referral mechanism to proactively and systematically identify victims among vulnerable groups, including foreign migrants and women in domestic servitude. While NCCM officials acknowledged that some of the migrants, refugees, and asylum seekers abused in the Sinai were trafficking victims, the NCC largely considered this vulnerable group as irregular migrants, and authorities made little attempt to proactively identify trafficking victims among this group or provide them with appropriate protective services.

The government, in partnership with international organizations and NGOs, provided shelter and a range of protective services to trafficking victims during the reporting period. A joint IOM-NCCM operated shelter designated for female and child trafficking victims received some in-kind support from the government and provided female victims of forced prostitution and forced labor with medical, psychological, legal, vocational, and repatriation assistance. The facility provided shelter for 12 victims for up to six months and was usually at full capacity, indicating a need for additional space or shelters. In this reporting period, the shelter assisted 24 foreign and 15 Egyptian victims of trafficking; most were victims of forced labor, with some cases involving sex trafficking and forced marriage. The Ministry of Health, with international assistance, continued to operate a Medical Recovery Unit for victims of trafficking at a Cairo hospital. This unit provided services to 177 victims of trafficking in the reporting period, most of whom were from Eritrea, as well as from Indonesia, the Philippines, and Egypt; it is not, however, intended as an overnight or long-term facility. In mid-2012, the government changed its referral policy for the medical unit, requiring international organizations and NGOs to provide trafficking victims' personal data to the Ministry of Interior for the purpose of assisting investigations and prosecutions. Fearing police detention and deportation, victims—primarily from the Horn of Africa—refused to share their information, and referrals to the medical unit decreased significantly. Reportedly no trafficking victims were deported or punished as a result of this policy, and referrals began to increase in late 2012. In addition, an international NGO, in partnership with the government, continued to run a day center in Cairo to care for abused street boys involved in forced begging or petty crime; the center provided counseling, medical care, and literacy and computer classes. NGOs reported that government-run facilities for women and children were in disrepair, crowded, unsanitary, lacked funds, and did not provide specialized services to trafficking victims. Cairo-based NGOs reported good cooperation with NCCM and the public prosecutor's office, particularly when NGOs requested expedited processing on trafficking victims' cases. However, while NGOs based outside of Cairo reported improvement this year in the trafficking victim referral system, they noted a lack of support from NCCM, the public prosecutor's office, and police as well as slow processing of cases compared to those in Cairo.

Due to uneven implementation of proactive identification of trafficking victims among vulnerable groups, trafficking victims, including many street children, women in prostitution, and foreign migrants abused in the Sinai, were often treated as criminals rather than victims; some were prosecuted on charges of prostitution, robbery, or immigration violations. In late 2012, after the Ministry of Interior received reports that 11 Ethiopian female victims of trafficking were detained in the Sinai, government officials asserted that the women were not trafficking victims and kept them in detention. Research conducted in 2011 by the government's National Center for Social and Criminological Research found that 40 percent of women in jail charged with crimes of prostitution were forced or coerced into prostitution. In addition, there were reports some law enforcement officers may have further mistreated trafficking victims, including minor girls, through verbal, physical, and sexual abuse. Some possible child trafficking victims were sent to juvenile detention centers that are in poor condition, while others were subject to incarceration with adults despite the Child Law, which prohibited this practice. Some foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. Anecdotal reporting suggested that some trafficking victims were deported during the reporting period. The government encouraged some victims to assist in investigations against trafficking offenders, although the exact number of victims who assisted in cases is unknown. Domestic workers were not covered by existing labor laws, making them highly vulnerable to abuse and forced labor.

Prevention

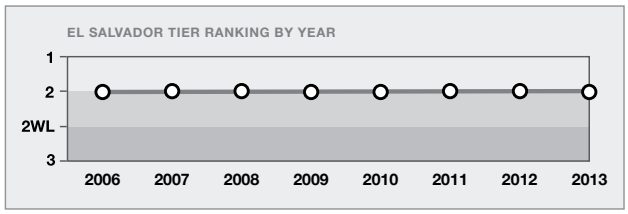
The government made some efforts to prevent trafficking in persons during the reporting period; however, lack of financial resources remained a significant impediment to the implementation of anti-trafficking programs, and international and local NGOs funded and conducted most specialized anti-trafficking prevention programs in collaboration with NCC. NCCM conducted, but did not fund, awareness-raising campaigns for students, educators, the public, and NGOs. The government continued to implement its 2010 comprehensive national action plan to combat trafficking in persons and publicly released an evaluation of it in December 2012. The government drafted a second national plan of action that prioritizes combating trafficking of street children, domestic workers, and migrants in the Sinai; however, the plan was not publicly released at the end of the reporting period. The NCC sent an anti-trafficking expert to Sudan—in coordination with and funded by an international organization—to collaborate with the Sudanese government on trafficking prevention. NCCM continued to support a free telephone hotline to report trafficking abuses; however, operation of the hotline was limited, as it lacked staffing, and calls frequently went unanswered. There was no evidence the government took measures to prevent forced domestic servitude; it did not make efforts to reduce the demand for forced labor or commercial sex or to raise awareness of sex tourism. The government provided anti-trafficking training for 20 Egyptian troops before deploying them to international peacekeeping missions.

EL SALVADOR (Tier 2)

El Salvador is a source, transit, and destination country for women, men, and children who are subjected to sex trafficking and forced labor. Women and girls, some from rural areas of El Salvador, are exploited in sex trafficking in urban centers and forced to work as "bar girls." Salvadoran adults and children are subjected to forced begging and forced labor in agriculture and domestic service. The majority of foreign victims are

women and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—who migrate to El Salvador seeking employment, but are subsequently forced into prostitution, domestic service, construction, or work in the informal sector. Gangs continued to use children for illicit activities, including drug trafficking, in some cases using force or coercion. Salvadorans have been subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Members of organized criminal groups, including transnational criminal organizations, are reportedly involved in some trafficking crimes in El Salvador.

The Government of El Salvador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities continued to investigate and prosecute sex trafficking cases and to provide services to girls exploited in child sex trafficking. Efforts to identify and investigate forced labor cases, however, remained weak, and victim services for male and adult female victims were inadequate. Official complicity in trafficking crimes remained a serious obstacle to anti-trafficking efforts.



Recommendations for El Salvador: Ensure that victims, particularly adults, are provided comprehensive services through increased funding for such services; strengthen efforts to investigate and prosecute trafficking offenses, and to convict and sentence trafficking offenders, especially for forced labor; hold government officials who are complicit in trafficking offenses criminally accountable through criminal investigations and prosecutions; proactively investigate possible cases of forced labor, including domestic servitude; continue to increase training on victim identification and assistance for social workers and for immigration, labor, law enforcement, and judicial officials; increase resources for specialized police and prosecutorial anti-trafficking units; establish formal mechanisms for identifying victims among vulnerable populations; consider enhancing the trafficking legal framework through passing draft legislation; strengthen anti-trafficking coordination between different government entities and with civil society organizations, particularly outside of the capital; ensure that foreign victims are consistently offered legal alternatives to their deportation; improve data collection capacity regarding victim identification and care; and increase public awareness of all forms of human trafficking.

Prosecution

The Government of El Salvador continued to increase law enforcement efforts against sex trafficking offenders, but efforts against forced labor were weak and official complicity remained a significant concern during the reporting period. Article 367B of El Salvador's penal code prohibits all forms of human trafficking and prescribes penalties of four to eight years' imprisonment. Such penalties are sufficiently stringent, though not commensurate with penalties prescribed for other serious offenses, such as rape, which carries a punishment of six to 20 years' imprisonment. Article 367B also prohibits fraudulent adoption, a separate crime from human trafficking. During the year, authorities presented to Congress new anti-trafficking legislation that would increase human trafficking penalties to eight to 10 years' imprisonment. Authorities did not investigate or consider as trafficking cases involving children who may have been forced by gangs to engage in illicit activities, despite indications that force or coercion may have been involved. The government's dedicated anti-trafficking police and prosecutorial units were located in the capital and also investigate other crimes, including human smuggling: there were seven police investigators and 12 prosecutors in these respective units.

Officials reported investigating 61 potential cases of human trafficking in 2012, all but one case involving sex trafficking. Authorities prosecuted at least 11 trafficking offenders, and obtained 11 convictions for sex trafficking, imposing sentences on those convicted ranging from eight to 22 years' imprisonment. There were no reported convictions for forced labor. In comparison, 15 sex trafficking offenders were prosecuted and nine convicted in 2011. Corruption, particularly among the judiciary, remained a significant obstacle to law enforcement efforts. In 2012, three prison guards were arrested for allowing an incarcerated gang member to bring a girl into a prison and forcing her to engage in prostitution; the guards claimed they were following the orders of their supervisors. Related investigations remained ongoing. There was no information available regarding the investigation initiated in 2009 of the former head of the dedicated prosecutorial anti-trafficking unit for trafficking-related complicity. Some officials, particularly judges, demonstrated a limited understanding of human trafficking, which impeded efforts to hold trafficking offenders accountable. In 2012, the specialized police unit reported training over 700 police officers on how to detect trafficking cases and assist trafficking victims and authorities trained 420 immigration officials on human trafficking. During the reporting period, authorities reported cooperating on trafficking investigations with officials from Guatemala, Honduras, Nicaragua, Costa Rica, Mexico, and the United States.

Protection

The Salvadoran government maintained efforts to assist underage girls exploited in sex trafficking, but services for other trafficking victims remained limited and authorities identified no forced labor victims during the year. Immigration officials continued efforts to identify possible trafficking victims in border regions, and identified two victims during the year. In general, however, the Salvadoran government did not proactively identify trafficking victims among vulnerable populations, such as adults in prostitution or migrant laborers. The government's San Salvador shelter for female child sex trafficking victims accommodated up to 15 girls at a time and offered victims psychological and medical care as well as education and vocational training. Victims were referred to the shelter by a judge. During the year, 17 victims received assistance at this shelter, and most stayed between seven to 12 months. Most assistance and services, including shelter, were not readily accessible to adults or male children, and NGOs and international organizations provided many services to trafficking victims. The government did not report funding civil society organizations to provide care to trafficking victims.

Authorities reported identifying 67 trafficking victims, none of whom were victims of forced labor. While the government referred 17 child sex trafficking victims to the government shelter, it is unclear how many of the other victims, including 35 adult female victims, received specialized services. Authorities encouraged identified victims to assist with law enforcement investigations and prosecutions but provided limited psychological and medical assistance to those who did; 11 victims participated in investigations or prosecutions of trafficking offenders during the reporting period. Other victims chose not to assist law enforcement efforts due to social stigma, fear of reprisals from their trafficking offenders, or lack of trust in the judicial system. Identified trafficking victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Authorities reported that foreign trafficking victims were eligible for either temporary or permanent residency on a case-by-case basis but did not report granting any foreign victims residency in 2012.

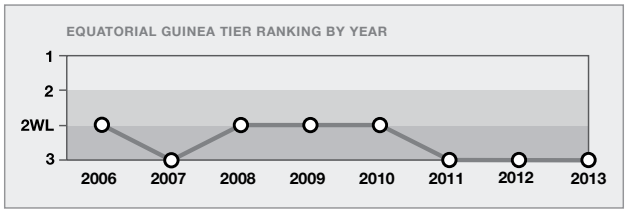
Prevention

The Salvadoran government maintained prevention efforts during the reporting period. The government anti-trafficking council coordinated interagency efforts and launched a national anti-trafficking policy outlining the government's anti-trafficking strategy. Authorities conducted awareness efforts focused on educating children about human trafficking. The Ministry of Tourism reported conducting awareness seminars on child sex tourism and trafficking for approximately 200 members of the business communities in coastal areas, but authorities did not report investigating or prosecuting any cases of child sex tourism during the year. Salvador officials reported employing radio and television interviews to publicize prison sentences for individuals who paid children for sexual services in order to reduce the demand for commercial sex acts.

EQUATORIAL GUINEA (Tier 3)

Equatorial Guinea is a source and destination country for women and children subjected to forced labor and sex trafficking. The majority of trafficking victims are believed to be exploited in Malabo and Bata, where burgeoning construction and economic activity funded by oil wealth has contributed to increases in the demand for cheap labor and prostitution. Children are transported from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—and may be forced to work as domestic servants, market laborers, ambulant vendors, and launderers. Equatoguinean girls are engaged in the sex trade in Malabo and Bata, and reports indicate some parents may encourage their daughters to engage in prostitution, especially with foreigners, to receive groceries, gifts, housing, and money. Women from Cameroon, Benin, and other neighboring countries are recruited for work in Equatorial Guinea, but may be subsequently subjected to forced labor or forced prostitution. Some Chinese women migrate to Equatorial Guinea for work or to engage in prostitution and may be subject to passport confiscation. Sub-contractor staff in the oil services and construction sectors, including migrants from other parts of Africa, Asia, and the Americas, may be vulnerable to forced labor, as they reportedly endure sub-standard working conditions and, in some instances, may be subject to passport confiscation.

The Government of Equatorial Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, the government demonstrated no efforts to identify victims of human trafficking or to provide victims with necessary services, despite a mandate to do so in its 2004 anti-trafficking law. It continued to deport undocumented migrants without screening them to determine whether they were victims of trafficking or referring them to assistance services, and the government rarely notified foreign embassies that their nationals had been detained in Equatorial Guinea. Although the government demonstrated a slight increase in prevention efforts in 2012 by conducting trainings for government officials and civil society members, it did not undertake any public awareness campaigns and its inter-ministerial commission on human trafficking remained inactive. Given its substantial financial resources, the government's response to human trafficking has been negligible.



Recommendations for Equatorial Guinea: Use the 2004 anti-trafficking law to prosecute and convict trafficking offenders and complicit officials; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; dedicate funding for the sheltering and protection of trafficking victims and develop a formal system to refer victims to such care; train law enforcement officials, immigration officials, and social workers in the use of identification and referral procedures; cease summary deportation of foreign men, women, and children from Equatoguinean territory without first screening for trafficking and, if appropriate, providing them with care and safe, voluntary repatriation; notify embassies when their nationals have been detained; research the extent and nature of the problem of human trafficking within the country; launch a nationwide anti-trafficking public awareness campaign; and revive the Inter-Ministerial Commission to Combat Trafficking in Persons and dedicate sufficient resources to the commission so that it can effectively implement a national action plan to combat trafficking in persons.

Prosecution

The Government of Equatorial Guinea demonstrated minimal anti-trafficking law enforcement efforts during the reporting period. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons prohibits all forms of trafficking and prescribes penalties of 10 to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Despite having enacted a law and receiving reports of child trafficking, the government initiated no investigations or prosecutions of suspected trafficking offenses during the year. In addition, it did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. In May and August 2012, the government,

in partnership with UNDP, held trainings for 30 working-level government officials from various ministries, including the Ministry of Justice, the Ministry of National Security, the Ministry of Internal Affairs, the Ministry of Women's and Social Affairs, and the Ministry of Labor; approximately 50 members of civil society were also in attendance. Both trainings focused on the implementation of the country's anti-trafficking in persons law. Additionally, in October 2012, the government, in partnership with the UN High Commission for Refugees, hosted a three-day workshop for 30 new police officers from the Ministry of National Security that focused on human rights issues, including the rights of trafficking victims.

Protection

The Government of Equatorial Guinea failed to demonstrate effective measures to protect trafficking victims during the reporting period. It did not identify or refer any victims to protective services in 2012. Although the 2004 anti-trafficking law mandates the government's provision of legal assistance, psychological and medical care, counseling, lodging, food, access to education, training, and employment opportunities to trafficking victims, no such services were provided. Care for possible Equatoguinean child trafficking victims continued to be provided by church-run orphanages with scholarships provided by the Equatoguinean government; foreign children continued to be deported summarily. The government provided no shelter or other protective services in Equatorial Guinea for adult trafficking victims. Law enforcement authorities did not employ procedures to proactively identify victims of trafficking and did not make efforts—in either a systematic or an *ad hoc* way—to refer victims to organizations that provide short- or long-term care. Although the Ministry of National Security claimed it had procedures in place to screen illegal immigrants detained at the border, these procedures proved ineffective in identifying trafficking victims. The absence of a proactive victim identification process, including procedures for screening deportees, impaired the government's ability to provide care or assistance to foreign trafficking victims. Although the government did not report that any victims of human trafficking were detained, fined, or jailed for unlawful acts committed as a result of being trafficked, it detained foreign nationals, including potential trafficking victims, at police stations for periods of several days to several months, and seldom notified their embassies of their detention or deportation. The overwhelming majority of those detained were young men, though children and women were also sometimes detained and deported. The government did not provide foreign trafficking victims with temporary or permanent resident status, or any other legal alternatives to their removal to countries where they might face retribution or hardship.

Prevention

The Government of Equatorial Guinea demonstrated a slight increase in its efforts to prevent trafficking during the reporting period. Although it did not launch any anti-trafficking informational or educational campaigns for the general public, a new working-level committee to combat trafficking in persons was created in May 2012, made up of representatives from the Ministries of Interior, Women's and Social Affairs, Justice, Foreign Affairs, and the Office of the President. This committee began to develop a new national action plan in cooperation with UNDP, though it has yet to be finalized. The government continued to issue new residency cards to foreigners that contain biometric and holographic security features; these cards were first introduced in 2011 and although old identity cards are still in circulation, the government has made significant progress in replacing them during the reporting period. The government did not participate in or implement any programs to address forced child labor and did not identify a single child labor victim despite having approximately 100 labor inspectors dedicated to documenting labor infractions. It did not undertake any discernible measures to reduce the demand for commercial sex acts during the year.

ERITREA (Tier 3)

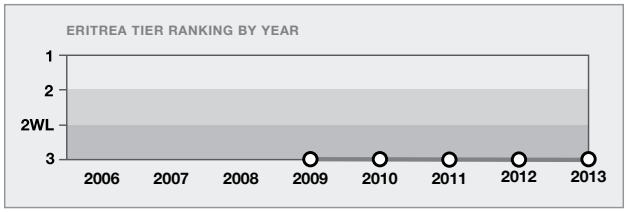
Eritrea is a source country for men, women, and children subjected to forced labor, and to a lesser extent, sex and labor trafficking abroad. During the reporting period, tens of thousands of persons fled the nation, many to escape conditions that amounted to forced labor through exploitative circumstances in the government's mandatory national service program. Under the Proclamation of National Service (No. 82/1995), persons aged 18 to 50 years had the obligation of performing national service. For persons aged 18 to 40, this obligation consisted of six months of military training and 12 months of active duty military service, for a total of 18 months; persons over 40 were considered to be on reserve status if they had performed active duty service. An emergency situation declared in 1998, as a result of a border war with Ethiopia, remained in effect during the year, with the result that despite the 18-month limit on active duty national service under the 1995 Proclamation, many conscripts were not demobilized from the military as scheduled and some were forced to serve indefinitely under threats of detention, torture, or punishment of their families. Persons performing national service could not resign from their jobs or take new employment, generally received no promotions or salary increases, and could not leave the country legally because they were denied passports or exit visas. Those conscripted into the Eritrean military performed standard patrols and border-monitoring, in addition to public works projects such as agricultural terracing, road maintenance, and laying of power lines. Working conditions were often harsh and sometimes involved physical abuse. There were reports that some Eritrean conscripts were forced to build private homes for army officers, perform agricultural labor on farms owned by the ruling party, or work in privately-owned mines; functions that fall outside the scope of the proclamation. During the reporting period, the Ministry of Education continued Mahtot, a national program in which secondary-school children engage in public works projects including anti-litter campaigns and building school furniture. All 12th-grade students, including some younger than 18, completed their final year of education at the Sawa military and educational camp; those who refused could not receive high school graduation certificates, go on to higher education, or be offered some types of jobs. The first six months consisted of military training prior to military service. In 2012, the government instituted a compulsory citizen militia, requiring persons not already in the military or being trained at Sawa, including many who had been demobilized or exempted from military service in the past, to carry firearms and attend military training. Eritrean children worked in various economic sectors, including domestic service, street vending, small-scale manufacturing, garages, bicycle repair shops, tea and coffee shops, metal workshops, and agriculture;

some may be subjected to forced labor. There were reports that children were exploited in the sex trade in Asmara.

Some Eritreans fleeing national service or migrating for other reasons became victims of forced labor, primarily domestic servitude, in Sudan, Egypt, Israel, Yemen, Djibouti, Saudi Arabia, or other Gulf countries. Smaller numbers of Eritrean women and girls were subjected to sex trafficking inside the country, as well as in South Sudan, Sudan, and Gulf countries. The government's strict exit control procedures and limited issuance of passports and exit visas effectively obliged those who wished to travel abroad to do so clandestinely, increasing their vulnerability to trafficking. During the reporting period, an estimated 2,000 to 3,000 Eritreans escaped to refugee camps in eastern Sudan each month. Additionally, there were at least 62,000 Eritreans, including 1,000 unaccompanied minors, in refugee camps inside Ethiopia, and smaller but increasing numbers of Eritrean refugees in Djibouti and Yemen. A significant number of fleeing Eritreans encountered serious risks of being shot and killed by Eritrean, Egyptian, or Libyan authorities or forcibly repatriated to Eritrea, where they were often detained without charge by the Eritrean government, or recalled into national service. Adolescent children who attempted to leave Eritrea were sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18.

International smugglers and traffickers sought out vulnerable Eritreans in refugee camps, particularly in Sudan, sometimes extorting money from them or torturing them as they were transported through the Sinai Peninsula. Over the reporting period, there were numerous reports of Eritrean nationals being brutalized by smugglers operating in the Sinai; victims were chained together, whipped and beaten regularly, deprived of food, raped, and forced to do construction work at gunpoint at smugglers' personal homes. Eritrean military officers sometimes colluded with Sudanese or Ethiopian military officers to exploit Eritrean migrants. Eritrean military officers sometimes operated within Sudan to abduct refugees from camps, particularly those who voiced criticism of the Eritrean government or were prominent political or military figures.

The Government of Eritrea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Eritrean government did not operate transparently, nor did it publish data or statistics regarding efforts to combat human trafficking. Although the government acknowledged the existence of a trafficking problem, including sending a letter seeking assistance of the UN Secretary-General, and warning its citizens of the dangers that traffickers posed, authorities largely lacked understanding of human trafficking, conflating it with all forms of transnational migration from Eritrea. The government rejected responsibility for creating circumstances that drove its citizens to flee the country.



Recommendations for Eritrea: Develop and enforce a comprehensive anti-trafficking statute that includes prohibitions against forced labor, differentiating between illegal migration and human trafficking; conduct campaigns to increase the general public's awareness of human trafficking at the local, regional, and national levels; enforce existing limits on the length of national service to 18 months and cease the use of threats and physical punishment for non-compliance; extend existing labor protections to persons performing national service and other mandatory citizen duties; investigate allegations of conscripts being forced to perform duties beyond the scope of the national service program and prosecute and punish, as appropriate, those who subjected recruits to exploitative labor; ensure that children who are sent to Sawa, the military school, do not participate in activities that amount to military service; cooperate with UN agencies to combat trafficking, and allow international NGOs to operate in the country, including helping to combat trafficking; institute trafficking awareness training for diplomats posted overseas; with assistance from international organizations, provide training to all levels of government, particularly law enforcement officials, on identifying and responding to trafficking crimes; in partnership with NGOs or religious entities, ensure the provision of short-term protective services to child trafficking victims; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Eritrea did not report prosecuting or convicting any traffickers during the year. Article 605 of the Eritrean Transitional Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by up to five years' imprisonment, or from three to 10 years' imprisonment if aggravating circumstances are present; these penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes punishment of five to 20 years' imprisonment, penalties which are sufficiently stringent. Forced labor and slavery are prohibited except where authorized by law under Article 16 of the ratified, but suspended, Eritrean Constitution; Article 17 of the 2001 Labor Proclamation specifically excludes activities performed under national service or other civic obligations from the definition of forced labor. Existing labor protections limiting hours of work and prohibiting harsh conditions did not apply to persons engaged in national service. Proclamation 11/199 prohibits the recruitment of children younger than 18 years of age into the armed forces. The penalties are sufficiently stringent, though the government does not appear to have used these statutes to prosecute cases of human trafficking. During the year, an unknown number of Eritrean citizens alleged to be traffickers were returned from Uganda. The government did not behave in a transparent or consistent manner regarding information about prosecutions or punishments of these or other suspected trafficking offenders during the reporting period. Nor was the government transparent regarding any investigations or prosecutions of government officials allegedly complicit in human trafficking. The government did not provide information regarding training it might have offered to its law enforcement officials on identifying and responding to trafficking crimes.

Protection

The local Eritrean media reported government efforts to repatriate women and girls exploited abroad in domestic servitude or sex trafficking. The government identified an unknown number of those trafficking victims and sought their assistance in the investigation of trafficking-related crimes, but did not provide information on how it cared for them after their repatriation. No international NGOs operated in Eritrea during the reporting period. During the year, the National Security Agency assumed additional responsibilities related to combating trafficking, but individual cases of transnational human trafficking were reportedly handled by the Eritrean Embassy in the country of destination; information regarding efforts made by Eritrea's diplomatic missions to assist trafficking victims was not available, and some victims reported that Eritrean Embassies abroad charged extra passport processing fees to victims lacking documentation. Whether the government trained its diplomatic officials in identifying and responding to trafficking situations involving Eritreans overseas was not known. The government did not have procedures in place to identify trafficking victims among migrants deported or forcibly removed by Eritrean security forces from neighboring countries; these individuals, some of whom may have been trafficking victims, often faced detention in Eritrea.

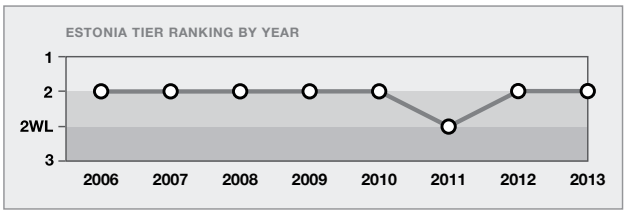
Prevention

The government made its first-ever efforts to prevent trafficking during the reporting period, though it tended to regard all transnational migration as "human trafficking." The government acknowledged the problem of its citizens becoming victims of "human trafficking" and began issuing warnings about the hazards they sometimes faced when attempting to migrate abroad. Warnings issued by government-sponsored organizations such as the Youth Association, Women's Association, and Workers' Federation incorporated information about the dangers of "trafficking" into their regular programming. In a letter dated February 2013, the president of Eritrea asked the UN Secretary-General for UN assistance "to launch an independent and transparent investigation" into human trafficking as it affects Eritrea. The government did not take steps to decrease migrants' vulnerability to trafficking, such as facilitating legal short- or long-term migration abroad. The Ministry of Labor was responsible for investigating cases of forced labor, but it lacked adequate capacity to carry out this mandate and its efforts in this regard during the reporting period were limited. In an effort to reduce the demand for commercial sex acts, the government arrested an unspecified number of clients of the country's sex trade during the year. Eritrea is not a party to the 2000 UN TIP Protocol.

ESTONIA (Tier 2)

Estonia is a source, transit, and destination country for women subjected to forced prostitution, and for men and women subjected to conditions of forced labor. Estonian women are subjected to sex trafficking in Finland, Luxembourg, Denmark, Germany, Spain, the United Kingdom, and the United States. Estonian women are forced into prostitution in Tallinn. Young Estonian women that engage in false marriages in exchange for employment abroad may also be vulnerable to trafficking in persons. Men and women from Estonia are subjected to conditions of forced labor in Finland, Norway, Spain, Sweden, and the United Kingdom. Ukrainian nationals were subjected to labor exploitation within Estonia within the reporting period. Vietnamese nationals who were subjected to forced labor in Russia were transported through Estonia *en route* to other EU countries within the reporting period.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2012, Estonian authorities prosecuted more individuals under the country's new anti-trafficking law, but they did not secure any convictions under this new law and did not impose significant prison sentences for individuals convicted under other laws for pimping or supporting human trafficking. The government sustained funding for victim care through NGOs, but the NGOs reported assisting fewer victims than in the previous year and the police did not refer any victims to NGOs for assistance. The temporary residency program for foreign trafficking victims went unused for a fifth consecutive year. The government sponsored some awareness campaigns for students and potential migrants, as well as a hotline to educate vulnerable individuals and refer victims to care.



Recommendations for Estonia: Increase efforts to investigate, prosecute, convict, and punish trafficking offenders; punish trafficking offenders with jail sentences that adequately reflect the seriousness of the offense; increase efforts to investigate labor recruiters as potential trafficking offenders; increase government efforts to identify victims of trafficking proactively; strengthen anti-trafficking training to include adding a distinct section on human trafficking to the curriculum of the Public Service Academy and other professional development programs for law enforcement personnel; ensure that potential trafficking victims are fully informed of their rights upon identification, including the right to apply for a residency permit; encourage more victims to assist in the prosecution of trafficking offenders by consistently funding legal counsel for victims; utilize the labor inspectorate to investigate labor trafficking and refer victims to care; increase the number of repatriated Estonian trafficking victims assisted; and fully implement the trafficking-specific policy objectives in the Development Plan for Reducing Violence for Years 2010-2014.

Prosecution

The Government of Estonia improved its law enforcement efforts during the reporting period by prosecuting more individuals under its new trafficking statute, but still struggled to secure convictions and strong prison sentences. Estonia prohibits all forms of trafficking through Article 133 of the penal code, which it amended in March 2012. The revised statute's penalties for trafficking offenses range up to 15 years' imprisonment; these sentences are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as forcible sexual assault. During the reporting period, Estonian authorities conducted 32 new investigations and prosecuted six people for trafficking under Article 133; in

2011, there were also three investigations and one prosecution under Article 133 in its prior form. All six cases in this reporting period involved sex trafficking offenses and were pending at the close of the reporting period. No defendant was convicted for human trafficking under the new law. One individual was convicted of providing support to human trafficking by attempting to transport five Vietnamese forced labor victims, including a child, from Russia to the EU; the offender received a prison sentence of eight months' imprisonment. In addition, a defendant was convicted in a high-profile case under the pimping statute for recruiting almost 100 women for forced prostitution in clubs in Luxembourg and Greece; the new human trafficking law could not be applied retroactively. Despite forfeiture of the equivalent of $89,300 and a fine of the equivalent of $7,700, the trafficking offender's sentence did not reflect the scope of this case; the offender served only six months in pre-trial detention.

The Central Criminal Police conducted a trafficking-focused seminar attended by 29 Central Criminal Police officials as well as representatives from Northern District Prosecutor's office. However, the only other specialized anti-trafficking training for police or border guard officials was written material distributed during basic training. A study on labor trafficking conducted during the year concluded that awareness of trafficking remained low among government officials. Estonian law enforcement authorities collaborated on four transnational trafficking investigations during the reporting period. The Estonian government did not report the investigation, prosecution, or conviction of any public officials for trafficking-related complicity in 2012.

Protection

The Government of Estonia assisted fewer victims during the reporting period, though it sustained funding for shelters. Government-funded NGOs assisted 21 victims of trafficking in 2012, a significant decline from the 56 victims assisted in 2011. Of the 21 victims assisted in 2012, seven were women and 14 were men; seven were victims of sex trafficking and 14 of labor trafficking. The police did not refer any victims to NGOs for assistance in the reporting period. According to a study, institutions with access to workplaces vulnerable to labor trafficking, such as the labor inspectorate and unions, did not participate in victim identification or referral. Law enforcement, immigration officials, and social workers received a manual produced by the government on how to identify and refer victims to care.

In 2012, the government provided the equivalent of approximately $148,600 to the two shelters for trafficking victims, as well as equivalent of approximately $43,600 to support the anti-trafficking hotline. There were no specialized shelters for male victims of trafficking; however, male victims had access to the same services as women, including legal counseling, aid in contacting the police, and assistance in submitting various applications for assistance. There were no specialized shelters for children, though child victims could reportedly stay at women's domestic violence shelters. Victims could leave the shelters unchaperoned. The government claimed that no identified trafficking victims were penalized for unlawful acts committed while being trafficked. During 2012, as in 2011 and 2010, no victims assisted in the investigation or prosecution of trafficking offenders. Although foreign victims were eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings in which they participate, no victims applied for such residency in 2012; one NGO reported that no trafficking victim has ever applied for a trafficking temporary residence permit since the introduction of such permits in 2007.

Prevention

The government demonstrated modest prevention activities during the reporting period. The government provided an NGO with the equivalent of approximately $43,600 to operate an anti-trafficking hotline; the hotline received 671 calls in 2012 from individuals vulnerable to trafficking. The government continued to educate consular officers, middle school students, and Estonians looking for work abroad. The Ministry of Justice led the government's anti-trafficking working group, bringing together approximately 75 representatives of various government agencies and NGOs who met regularly to discuss anti-trafficking policy. The working group prepares an annual report of activity, which is available on government websites upon final government approval. The government had a national action plan on reducing violence, which included preventing and combating human trafficking as one of its four objectives. There were no special campaigns to reduce the demand for commercial sex acts within Estonia, though the topic was covered at trainings and seminars conducted by the Ministry of Social Affairs.

ETHIOPIA (Tier 2)

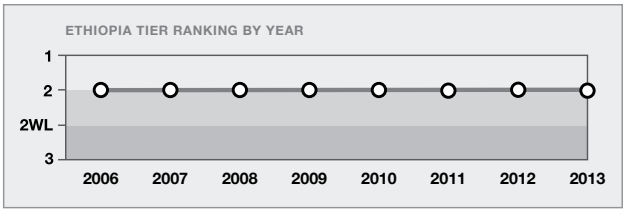
Ethiopia is a source and, to a lesser extent, a destination and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Girls from Ethiopia's rural areas are exploited in domestic servitude and, less frequently, prostitution within the country, while boys are subjected to forced labor in traditional weaving, herding, guarding, and street vending. Ethiopian girls are forced into domestic servitude and prostitution outside of Ethiopia, primarily in Djibouti and South Sudan, while Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, thieves, and street beggars.

Young women, most with only primary education, are subjected to domestic servitude throughout the Middle East, as well as in Sudan and South Sudan. Many young women transit through Djibouti, Egypt, Somalia, Sudan, or Yemen as they emigrate seeking work. Some women become stranded and exploited in these transit countries, unable to reach their intended destinations. Many Ethiopian women working in domestic service in the Middle East face severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, withholding of passports, confinement, and even murder. Although the Ministry of Labor and Social Affairs (MOLSA) reported that licensed Ethiopian overseas recruitment agencies received 198,000 applications for work in 2012, more than double the amount received in 2011, the ministry estimated that this represents only 30 to 40 percent of all Ethiopians migrating to the Middle East. The remaining 60 to 70 percent are either trafficked or smuggled with the facilitation of illegal brokers. Ethiopian women are sometimes exploited in the sex trade after migrating for labor purposes—particularly in brothels, mining camps, and near oil fields in Sudan and South Sudan—or after fleeing abusive employers in the Middle East. Low-skilled Ethiopian men and boys migrate to Saudi Arabia, the Gulf States, and

other African nations, where some are subjected to forced labor. During 2012, nine Ethiopian victims of sex and labor trafficking were also identified in the United States and seven in the United Kingdom.

Eritreans residing in Ethiopia-based refugee camps, some of whom voluntarily migrate out of the camps, and others who are abducted from the camps, face instances of human trafficking perpetrated in Egypt's Sinai Peninsula. In addition to being a transit country, Ethiopia also serves as a destination country for trafficking victims. For example, a small number of Rwandan nationals were transported from Kigali to Addis Ababa where they were exploited in forced labor or forced prostitution; some were transported further to European nations and forced into prostitution. In another instance, Tanzanian courts convicted three trafficking offenders in two separate cases of transporting six Tanzanian men to Ethiopia for exploitation in forced labor.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government ratified the 2000 UN TIP Protocol and the Federal High Court convicted an increased number of trafficking offenders, government action infrequently distinguished between trafficking in persons and smuggling; this lack of differentiation stymied anti-trafficking efforts. The government opened an emergency response center in the Afar Region that provided emergency services and logistical support to migrants in distress, who may include trafficking victims, and regional governments within Ethiopia hosted workshops to raise awareness of human trafficking and established taskforces to coordinate their work on trafficking cases. Although the government reported it conducted investigations into internal trafficking and prosecuted offenders using trafficking-specific provisions of Ethiopian law, its failure to compile data on such efforts from local jurisdictions remained a concern. Its provision of assistance to trafficking victims was compromised by its reluctance to partner with or otherwise support NGO service providers actively and consistently. The limited and inconsistent assistance provided to trafficking victims by Ethiopian diplomatic missions in the Middle East was inadequate compared to the scale of the problem; Ethiopia's parliament did not allocate funds for the establishment of labor attache positions in these missions, despite such positions being mandated by law.



Recommendations for Ethiopia: Strengthen criminal code penalties for sex trafficking, and amend Criminal Code Articles 597 and 635 to include a clear definition of human trafficking, explicit coverage for male victims, and enhanced penalties that are commensurate with other serious crimes; continue to improve the investigative capacity of police and enhance judicial understanding of trafficking throughout the country to allow for more prosecutions of internal child trafficking offenses; increase the use of articles 596, 597, and 635 to prosecute cases of labor and sex trafficking; allocate appropriate funding for the deployment of labor attachés to overseas diplomatic missions; institute regular trafficking awareness training for diplomats posted overseas, as well as labor officials who validate employment contracts or regulate employment agencies; incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to migrant workers; engage Middle Eastern governments on improving protections for Ethiopian workers; partner with local NGOs to increase the level of services available to trafficking victims returning from overseas, include allocating funding to enable the continuous operation of either a government or NGO-run shelter; improve the productivity of the national anti-trafficking taskforce; and launch a campaign to increase awareness of internal trafficking at the local and regional levels.

Prosecution

The Government of Ethiopia maintained its anti-trafficking law enforcement efforts during the reporting period. Ethiopia prohibits sex and labor trafficking through Criminal Code Articles 596 (Enslavement), 597 (Trafficking in Women and Children), 635 (Traffic in Women and Minors), and 636 (Aggravation to the Crime). Article 635, which prohibits sex trafficking, prescribes punishments not exceeding five years' imprisonment, penalties which are sufficiently stringent, though not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 596 and 597 outlaw slavery and labor trafficking and prescribe punishments of five to 20 years' imprisonment, penalties which are sufficiently stringent. Articles 597 and 635, however, lack a clear definition of human trafficking, do not include coverage for crimes committed against adult male victims, and have rarely been used to prosecute trafficking offenses. Instead, Articles 598 (Unlawful Sending of Ethiopians to Work Abroad) and 571 (Endangering the Life of Another) are regularly used to prosecute cases of transnational labor trafficking. The continued lack of a legal definition of human trafficking impeded the Ethiopian Federal Police's (EFP) and Ministry of Justice's (MOJ) ability to investigate and prosecute trafficking cases effectively.

The EFP continued to make progress in investigating human trafficking cases, as well as cooperating with the Federal Prosecutor's Office to bring an increased number of cases to trial and conclusion. During the reporting period the EFP's Human Trafficking and Narcotics Section, located within the Organized Crime Investigation Unit, investigated 166 trafficking offenders (representing 133 cases); at year's end, eight individuals remained under investigation. The remaining 158 individuals were prosecuted in the court, of which 58 prosecutions remain ongoing. The Federal High Court's 11th Criminal Bench secured 100 convictions (compared to 77 in 2011) and ordered punishments ranging from two to 16 years' imprisonment without parole. The government did not provide information to substantiate its efforts to investigate and prosecute internal trafficking crimes. Regional law enforcement entities throughout the country continued to exhibit an inability to distinguish human trafficking from human smuggling and lacked capacity to properly investigate and document cases, as well as to collect and organize relevant data. The government did not provide law enforcement officials with trafficking-specific training, though police and other officials received training from international organizations during the year. The government did not report

any investigations, prosecutions, and convictions of public officials allegedly complicit in human trafficking offenses.

Protection

The government provided only limited assistance to trafficking victims during the reporting period, instead relying almost exclusively on international organizations and NGOs to provide services to victims and not providing any care specific to trafficking victims, as opposed to victims of other crimes. In July 2012, the EFP and IOM opened an emergency response center in the Afar Region where police and local health professionals provided life-saving medical and nutritional care, temporary shelter, transport to home areas, and counseling to migrants in distress, including trafficking victims. Healthcare and other social services were generally provided to victims of trafficking by government-operated hospitals in the same manner as they were provided to other victims of abuse. The government's reliance on NGOs to provide direct assistance to most trafficking victims, while not providing financial or in-kind support to such NGOs, resulted in unpredictable availability of adequate care; many facilities lacked sustainability as they depended on project-based funding for continued operation. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2012.

Limited consular services provided to Ethiopian workers abroad continued to be a weakness in government efforts. Although the Employment Exchange Services Proclamation No. 632/2009, which governs the work of approximately 300 licensed labor recruitment agencies, requires licensed employment agencies to place funds in escrow to provide assistance in the event a worker's contract is broken, the Ministry of Foreign Affairs (MFA) has never used these deposits to pay for victims' transportation back to Ethiopia. Furthermore, while the proclamation mandates the establishment of labor attaché positions in diplomatic missions abroad, the parliament neither appropriated funds for MOLSA to establish these positions nor did it create a plan or timeframe for implementation of the proclamation's mandate. During the reporting period, Bole International Airport Authority and immigration officials in Addis Ababa informally referred 145 female victims to a trafficking-specific local NGO, though typically such referrals were made only at the behest of self-identified victims of trafficking.

Prevention

The government sustained its efforts to prevent human trafficking during the reporting period. Working-level officials from federal ministries and agencies met weekly as part of the Technical Working Group on Trafficking and had limited success in identifying patterns and tactics of traffickers, as well as in identifying source regions of trafficking victims. The Inter-Ministerial Task Force on Trafficking met quarterly, but failed to produce tangible results; its draft national anti-trafficking action plan remained pending with the Council of Ministers for a third year. The government did, however, approve a National Action Plan to Eliminate the Worst Forms of Child Labor in December 2012, which includes provisions for preventing the trafficking of children. Although the government enacted a law in June 2012 requiring registration of all births nationwide, the lack of a uniform national identification card impedes implementation of the law. Official documents are also highly vulnerable to fraud.

In July 2012, the Tigray Regional State Bureau of Youth and Sport Affairs co-hosted with IOM two seminars for law enforcement, prosecutors, judges, and other government officials to raise awareness on irregular migration and human trafficking. The regional government of Oromia and ILO hosted a workshop for law enforcement and government officials on the Oromia region's response to the threat of human trafficking in April 2012. Officials in the Gamo Gofa Zone formed a taskforce with members from the court, police, zonal council, civil service offices, and the Bureau of Justice that met quarterly to coordinate trafficking cases; similar taskforces were created at the *woreda* and *kebele* levels in Gamo Gofa that met more frequently. The SNNPR Tourism and Culture Bureau did not take action to implement or enforce its 2009 tourism code of conduct that bans facilitating or participating in sex tourism by tour operators or tourists.

During the reporting period, the government concluded labor migration agreements with Jordan, Kuwait, Qatar, and Saudi Arabia; an agreement with the United Arab Emirates remains in negotiation, though none of the parties have reported that these agreements contain protections from human trafficking. Ethiopia's agreement to send 45,000 female domestic workers per month to Saudi Arabia will address the labor shortage created by Indonesia and the Philippines' withdrawal of their workers due to alleged abuses; the new agreement increases the likelihood of traffickers directing victims to Saudi Arabia to meet the growing demand for cheap labor there. Despite documented abuse of Ethiopian migrant workers, the government showed only limited signs of engaging destination country governments in an effort to improve protections for Ethiopian workers.

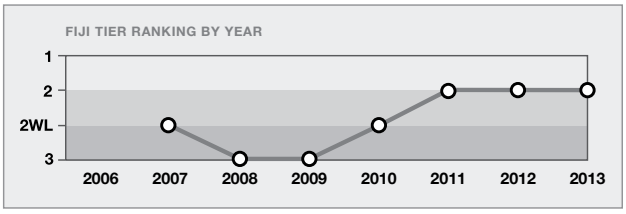
In 2012, MOLSA reviewed and approved 198,000 contracts for overseas employment, predominantly for women emigrating as domestic workers. Although the Ministry of Education launched a six-week pre-departure training for all workers migrating through this process, the training focused on job-related skills and communication and did not include a human and labor rights component. MOLSA's inspection unit increased in size during the reporting period from 130 to 380 inspectors, expanding its ability to inspect work places, identify violations, and suggest remedial actions. MOLSA inspectors are not trained to combat trafficking because it is considered outside their mandate. Law enforcement closed six Ethiopian Overseas Recruitment Agencies (EORAs) in Dessie for charging money for services they did not perform. Despite these closures, MOLSA reported that there were no systematic investigations of EORAs and that it was difficult for law enforcement to track illegal side activities by EORAs. Ethiopia ratified the 2000 UN TIP Protocol in June 2012.

FIJI (Tier 2)

Fiji is a source country for children subjected to sex trafficking and forced labor, and a destination country for Asian men and women subjected to forced labor and forced prostitution. Fiji's role as a regional transportation hub makes it a potential transit area for human trafficking. Victims in Fiji are allegedly exploited in illegal brothels, local hotels, private homes, and other rural and urban locations. Victims are recruited in their home countries or deceptively recruited while visiting Fiji, sometimes by Chinese criminal organizations. Family members, other Fijian citizens, foreign tourists, and crew on

foreign fishing vessels have been alleged to participate in the prostitution of Fijian children. Some Fijian children are at risk of human trafficking if their families follow a traditional practice of sending them to live with relatives or families in larger cities. These children may be subjected to domestic servitude or may be coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Fijian children are also subjected to labor in agriculture, begging, and industrial sectors.

The Government of Fiji does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting year, the Fijian government continued its anti-trafficking efforts, particularly through investigations that led to its first prosecution of an internal sex trafficking case, as well as another prosecution involving Thai nationals. Despite its limited resources, the Fijian government provided a range of victim protection services throughout the reporting period. Nevertheless, the government made insufficient progress in combating the serious problem of sex and labor trafficking, including of children, within the country. Authorities did not widely implement formal procedures to proactively identify victims of trafficking among vulnerable populations during the year.



Recommendations for Fiji: Continue efforts to investigate, prosecute, convict, and punish trafficking offenders under the provisions of the Crimes Decree; increase anti-trafficking cooperation among the Department of Immigration, the police Human Trafficking Unit, the police Transnational Crimes Unit, and other relevant government bodies; institute more trainings for law enforcement and immigration officers on victim identification and protection; develop and strengthen formal procedures to proactively identify victims of trafficking, especially among vulnerable groups, such as migrant workers, those allegedly involved in prostitution, and children exploited by local citizens; enhance efforts to provide access to legal, medical, and psychological assistance to victims of trafficking; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; disseminate more anti-trafficking awareness campaigns directed at clients of child and adult prostitution; and accede to the 2000 UN Protocol.

Prosecution

The Government of Fiji sustained its anti-trafficking law enforcement efforts during the reporting period. The government's 2009 Crimes Decree includes comprehensive anti-trafficking provisions for both domestic and international cases. The prescribed penalties of up to 25 years' imprisonment, and possible fines of up to the equivalent of approximately $400,000, are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The anti-trafficking unit investigated nine cases, compared to eight investigations during the previous reporting year, of which two were prosecuted during the current reporting period. In a case involving three Thai nationals subjected to forced prostitution by two foreign nationals and two Fijians, the government prosecuted and obtained convictions of the two offenders, who received sentences of seven to 10 years' imprisonment without parole. Prosecution of the first internal sex trafficking case, which involved two adults who allegedly had sexually exploited children, remained in court at the end of this reporting period. The government continued to fund the Police Human Trafficking Unit's training workshops to detect and investigate trafficking cases. Fijian government did not report any investigations or prosecutions of public officials complicit in human trafficking-related offenses during the year.

Protection

The Government of Fiji made modest efforts to identify and protect trafficking victims during the reporting period. Victim identification efforts were sustained, as three foreign adult victims and one adult Fijian victim were identified, in addition to two child victims of sex trafficking during this reporting year. The victims were provided accommodation, security, and daily allowances. The government continued to rely on NGOs and international organizations to supply long-term care facilities and specialized services for trafficking victims. The government provided temporary visas to foreign victims of trafficking, but did not offer permanent residency status for victims who were participating in criminal trials. The government continued a policy of referring victims to the anti-trafficking unit for assistance. During the year, the Immigration Department and the Police Human Trafficking Unit used guidelines for identifying potential trafficking victims, including at the border. The government did not, however, proactively identify victims of trafficking among vulnerable populations with which its officials come in contact, such as women and girls in prostitution or foreign workers in spas.

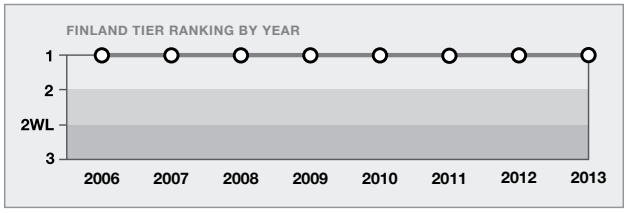
Prevention

The Government of Fiji sustained its efforts to raise public awareness about human trafficking. In March 2013, the government launched a human trafficking public awareness campaign and conducted a two-day workshop for prosecutors. The Child Labour Unit (CLU) conducted child labor training for 347 primary and secondary school teachers to assist children in forced labor situations. CLU hosted oratory and picture competitions in 17 schools, around the theme of world day against child labor. The government published press releases, advertisements, and pamphlets in Mandarin, Hindi, and Thai to publicize available government assistance for potential trafficking victims, and sustained a partnership with an NGO to raise awareness, through a poster campaign, at police stations, airports, and other locations. The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. The government provided anti-trafficking training as a component of human rights training given to Fijian military personnel prior to their deployment abroad on international peacekeeping missions. Fiji is not a party to the 2000 UN TIP Protocol.

FINLAND (Tier 1)

Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking, and for men and women subjected to conditions of forced labor. Female sex trafficking victims originate in Estonia, Russia, Latvia, Lithuania, Czech Republic, Poland, Romania, Nigeria, West Africa, and Southeast Asia. Forced labor victims come from a variety of countries including Estonia, Latvia, Lithuania, China, Thailand, Vietnam, Kyrgyzstan, Ukraine, India, and Belarus, and are exploited in the construction industry, restaurants, agriculture, and as cleaners and domestic servants. Finnish teenagers are reportedly vulnerable to sex trafficking. Officials believe that most labor trafficking is connected to ethnic businesses like restaurants and massage parlors. Ethnic Roma from other countries are vulnerable to forced begging in Finland.

The Government of Finland fully complies with the minimum standards for the elimination of trafficking. During the reporting period, authorities secured more convictions under the trafficking statute, as well as the first conviction for labor exploitation affirmed on appeal, and all convicted offenders were sentenced to time in prison. The government also improved issuance of residence permits to foreign trafficking victims. Authorities created new guidelines for victim identification and referral for police, although identification of sex trafficking victims remained low. The Finnish independent anti-trafficking national rapporteur continued exemplary self-critical reporting on trafficking in Finland, and there was cooperation between labor inspectors and police.



Recommendations for Finland: Continue making greater use of the trafficking statute to investigate and prosecute cases; encourage officials to proactively identify potential sex and labor trafficking victims and refer them to services to which they are entitled under Finnish law; continue training investigators, police, border officials, prosecutors, labor inspectors, and judges on human trafficking and the rights of trafficking victims; further explore the establishment of a national trafficking coordinator who can facilitate cooperation among different governmental entities; provide training on victim identification and referral for health care and social services employees; evaluate how NGOs can obtain secure funding, so more grassroots organizations can thrive and provide assistance to trafficking victims; continue to encourage victim participation in the criminal process; examine the possible vulnerabilities posed by residence permits that are valid only for one employer; improve the provision of social services by lessening bureaucratic obstacles; ensure trafficking victims are thoroughly explained their rights at the outset of identification, in a language they understand; and ensure advocates are available to assist victims in navigating the social services system.

Prosecution

The Government of Finland improved its anti-trafficking law enforcement efforts through increased convictions under the trafficking statute, including the first post-appeal confirmation of a conviction for forced labor offenses. Law 1889-39 of the Finnish penal code prohibits all forms of trafficking and prescribes up to 10 years' imprisonment for convicted offenders, penalties sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Other non-trafficking criminal statutes which prescribe lower penalties, such as a statute prohibiting pandering, continued to be used frequently to prosecute sex trafficking offenders. From April 2012 to January 2013, the Government of Finland reported initiating five sex trafficking investigations and nine labor trafficking investigations, compared to seven sex trafficking investigations and 14 labor trafficking investigations in 2011. The government prosecuted at least eight alleged trafficking offenders in 2012. In 2012, Finnish courts achieved their first convictions for labor trafficking under the human trafficking statute. The government convicted seven offenders for labor trafficking and one for sex trafficking, with sentences ranging from 18 to 82 months' imprisonment; this marked an increase from the two convictions in 2011. The Finnish government continued to integrate trafficking awareness into its formal classroom training for the police and border guard, and the rapporteur provided training to police, the border guard, prosecutors, and judges. Law enforcement authorities collaborated with other governments on trafficking investigations. There were no reports of government officials' complicity in trafficking during the reporting period.

Protection

The government sustained its protection efforts in 2012, showing improvements in the issuance of residence permits and providing guidance for police; however, it struggled to identify sex trafficking victims. The government fully funded victim protection efforts for trafficking victims, whether Finnish or foreign. The government provided both direct care and funding for appropriate third-party care through an asylum reception center that offered shelter, psychological assistance, medical care, and other services to identified victims of trafficking. The staff of the reception center was also empowered to identify and authorize care for trafficking victims, even when law enforcement authorities did not identify a person as a trafficking victim. Despite the center's efforts, some victims, particularly sex trafficking victims, faced stigma as trafficking victims, making them vulnerable to re-victimization. The reception center also maintained a hotline and a website in multiple languages exclusively for trafficking victims. In 2012, the government asylum reception center reported spending the equivalent of approximately $1,807,200 on the care of trafficking victims and operating expenses. Officials identified 46 victims during the reporting period, in contrast to 41 victims identified in 2011. In total, 60 potential trafficking victims asked for assistance in 2012. Victims of labor trafficking continued to comprise the bulk of the referrals to Finland's victim assistance program, and there were reports of insufficient identification of sex trafficking victims. Finnish courts required three convicted trafficking offenders to pay compensation to victims.

In 2012, the government produced guidelines for police on the identification and assistance of victims of human trafficking; the border guard continued to use guidelines developed by

the immigration service. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders. During the reporting period, approximately 50 victims assisted law enforcement in pre-trial investigations and at least 20 victims participated in the prosecutions of offenders. Finnish law allowed identified trafficking victims a six-month reflection period, during which they could receive immediate care and assistance while considering whether to assist law enforcement. No victims utilized the reflection period during the year, although most victims already had a form of legal residence. The government offered an extended residence permit for victims of trafficking wishing to stay longer than six months, and it approved 32 applications associated with human trafficking in the reporting period, a significant increase from the two permits issued in 2011. Although the government made efforts to ensure that identified victims were not penalized for unlawful acts committed as a direct result of being trafficked, there were reports that some potential trafficking victims, especially women of African descent, were deported without attempts made to ascertain whether they were trafficking victims.

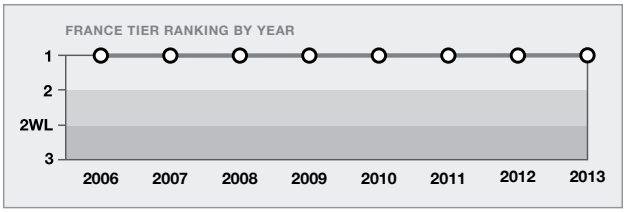
Prevention

The government improved its anti-trafficking prevention activities in 2012, particularly through support of the rapporteur and increased collaboration between labor inspectors and the police. The rapporteur continued her analysis of the government's anti-trafficking efforts and advocated for specific changes through its public report. The Government of Finland does not have a national trafficking coordinator, and such a coordinator could improve management and integration of action between government agencies and NGOs. The Finnish government collaborated with Finnair to train the airline's ground staff to identify potentially trafficked persons. A government official reported that labor inspectors have begun to report suspected labor trafficking cases to the police. New legal requirements came into force in September 2012 that obligated employers in the construction industry to ensure its sub-contractors were registered with various government agencies in order to increase oversight by regulating authorities. The government continued to provide assistance to other governments for counter-trafficking programs and to a regional expert group on trafficking. To prevent child sex tourism by Finnish citizens traveling abroad, the government distributed brochures at a travel show to thousands of potential travelers, highlighting the harm child sex tourism causes to children. The government also demonstrated efforts to reduce demand for commercial sex acts by issuing fines to individuals attempting to purchase commercial sex. The Finnish government provided anti-trafficking training to Finnish forces prior to their deployment abroad on international peacekeeping missions.

FRANCE (Tier 1)

France is a destination and transit country for men, women, and children from Eastern Europe, West Africa, and Asia, as well as the Caribbean and Brazil, subjected to sex trafficking and forced labor. France is also a limited source country for French citizens subjected to forced prostitution and forced labor. Sex trafficking networks controlled by Bulgarians, Nigerians, Romanians, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo. Women and children, many from Africa, continued to be subjected to forced domestic service. Many of these cases were reportedly inter-familial, in which families exploited family members brought from Africa to work in their households in France; other cases involved a small number of diplomats. The Government of France estimates that the majority of the 18,000 to 20,000 people in France's commercial sex trade—which is dominated by women from Bulgaria, Romania, and Nigeria—are likely trafficking victims. Women from northern China are particularly vulnerable to sex trafficking due to social ostracizing by southern Chinese immigrants. There are also reports that a significant number of children, primarily from Romania and West and North Africa, are victims of sex trafficking in France. Ethnic Roma and other unaccompanied children in France remained vulnerable to forced begging and forced theft. Transsexual persons from Colombia, Ecuador, and Peru were vulnerable to sex trafficking. Some French citizens were documented to have participated in child sex tourism in foreign countries. Women and children from Brazil were subjected to forced labor and sex trafficking in the French overseas territory of French Guiana.

The Government of France fully complies with the minimum standards for the elimination of trafficking. The government sustained funding for a network of shelters offering comprehensive care to trafficking victims, and identified more victims of pimping and sex trafficking. However, authorities continued to focus primarily on sex trafficking, with limited attention provided to forced labor offenses. The government lacked formal referral procedures for victims who were citizens or legal residents. The government provided limited resources to identifying victims of labor exploitation. Authorities generally did not offer victims reflection periods, and various prefects' policies for residence permit issuance were inconsistent. The government undertook a number of joint investigations and prevention projects with European partners. The government's number of criminal cases classified as trafficking rather than as pimping, however, remained far below the estimated occurrence of trafficking in France. Authorities took action against public officials complicit in trafficking offenses, as well as French citizens involved in child sex tourism.



Recommendations for France: Greatly increase investigations, prosecutions, and convictions under the trafficking statute, ensuring that convicted offenders are sentenced to jail terms; amplify training and enforcement of labor trafficking; increase anti-trafficking training for prosecutors and judges, ensuring that emphasis is placed on increasing the use of the trafficking statute; implement a national action plan that formalizes a referral mechanism that adequately addresses the needs of both sex and labor trafficking victims; improve victims' access to restitution; standardize residence permit issuance policies and consider decreasing the fees for trafficking victims; ensure women and children arrested for soliciting or theft are screened for trafficking indicators; offer trafficking victims the 30-day reflection period; ensure victims of trafficking receive care

regardless of cooperation with law enforcement; and enhance the collection of law enforcement and victim assistance data.

Prosecution

The Government of France made only modest anti-trafficking law enforcement efforts during the reporting period; law enforcement efforts continued to focus primarily on sex trafficking, with limited attention to forced labor offenses. France prohibits all forms of trafficking in persons through Article 225-4 of its penal code, which prescribes maximum penalties of between seven years' and life imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. During the reporting period, the government implemented the EU anti-trafficking directive, establishing extraterritorial jurisdiction over trafficking offenses. In 2012, the European Court of Human Rights found France had committed a violation of Article 4 of the European Convention of Human Rights because the French government had not established an effective criminal and administrative framework to protect the rights of trafficking victims.

The government continued to have difficulty collecting and reporting current data on its anti-trafficking law enforcement efforts, inhibiting its ability to assess the country's trafficking situation and its own anti-trafficking efforts. In 2012, French authorities formally questioned 572 individuals suspected of trafficking or pimping offenses, but did not specifically report the number of trafficking investigations within that figure. In 2011, the most recent year for which data is available for convictions, French authorities obtained convictions for 17 offenders under Article 225-4-2, an aggravated trafficking section, compared with convicting 20 offenders in 2010. The government also had convictions for 16 offenders for the prostitution of children in 2011, compared with 20 in 2010. In addition, in 2011, the government obtained convictions against 15 offenders for the exploitation of begging, compared with 30 in 2010. Some trafficking cases may be reflected in the 502 convictions under the aggravated anti-pimping statute in 2011; an estimated 15 percent of the original arrests in those cases were for trafficking-specific offenses. For example, six trafficking suspects were charged in June with aggravated pimping in a case in which the defendants lured Romanian women to France under false pretexts, confiscated their passports, and forced them into prostitution. In 2012, trafficking offenders were sentenced to up to nine and a half years' imprisonment, though some offenders received suspended sentences and fines. Although the government did not provide comprehensive prosecution and sentencing data for trafficking offenders in 2012, some cases demonstrated that the French government vigorously prosecuted, convicted, and sentenced trafficking offenders during the reporting period. In February 2013, a French court sentenced a convicted sex trafficking offender to five years in prison for the trafficking of six women in Paris. In October 2012, a court in Evry convicted five traffickers of aggravated pimping and sentenced them to non-suspended terms of imprisonment of nine and a half years; five years; four and a half years; and three years, for the forced prostitution of Romanian women.

The Central Office for the Suppression of Trafficking in Human Beings coordinated sex trafficking investigations throughout the country. The Ministry of Justice continued to offer an annual training session for prosecutors and magistrates on France's anti-trafficking laws, which have historically been under-used due to prosecutors' familiarity with anti-pimping statutes. In forced labor cases, prosecutors reportedly preferred to use non-trafficking statutes that prescribe less stringent punishments than the human trafficking statute. The French government sponsored training for police and distributed pocket-sized cards to border police and NGOs on how to identify trafficking victims. French law enforcement authorities collaborated with several governments in 2012, including authorities in Belgium, Bulgaria, Germany, Romania, to investigate human trafficking cases. This year, the government convicted the wife of Muammar Qadhafi's former chief of staff for holding four Tanzanian women against their will in the family's house in France. In 2012, the government arrested one soldier for forced prostitution and convicted and sentenced one police officer for aggravated pimping.

Protection

The government demonstrated protection efforts, providing funding to sex trafficking victims, while providing insufficient care and identification for labor trafficking victims. The government did not have a formal procedure for identifying victims who were French citizens or legal residents. Victims who did not have a legal status in France needed to cooperate with law enforcement to receive care. Labor inspectors did not receiving training on human trafficking and reportedly did not specifically search for indicators of human trafficking, resulting in authorities classifying trafficking victims as illegal migrant workers. The government sponsored trainings for social workers and other government employees on trafficking victim identification, as well as training for managers and employees of major hotel groups on suspicious activity that they should report to police.

The police identified 751 victims of pimping and sex trafficking in 2012, compared to 654 victims in 2011. Nine of these victims were males. The central government and city of Paris provided funding for the Ac-Se system, which is an NGO-managed network of 49 NGO-run shelters that assists vulnerable adult victims of sex and labor trafficking. Ac-Se assisted 68 victims of trafficking in 2012, providing them with shelter, legal, medical, and psychological services. Shelters located throughout France allowed NGOs to place victims far away from where they were exploited. Local governments provided French language classes to victims. Some victims could qualify for subsidized housing and job training programs. Victims receive the equivalent of approximately $450 as an initial stipend from the government, and approximately $130 per month subsequently. NGOs objected that the financial stipend was insufficient to permit victims to rehabilitate successfully. Victims had to wait an average of 14 days for access to a shelter, a decline from the average 40-day wait in 2011. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments. Child protective services placed child victims of trafficking into children's shelters. The government continued to operate a hotline for children in abusive situations, including human trafficking. While French authorities did not report overall funding allocations to NGOs for victims of trafficking, the central government, municipal governments, and the city of Paris provided at least the equivalent of approximately $3 million to NGOs for victim assistance in 2012.

French law provided for a 30-day reflection period for suspected trafficking victims; however, authorities were reportedly not familiar with the reflection period and did

not offer it. Victims of trafficking were eligible for temporary residency permits, provided they cooperate with police investigations. The permits were typically valid for one year and were renewable every six months. Waiting periods for permits ranged from 15 days to three months and cost the equivalent of approximately $390. Victims of trafficking who obtain residency may work or leave the country during trial proceedings. These permits were available during the duration of the criminal process and automatically become permanent upon an offender's conviction. In cases in which offenders were not convicted, local prefects had the discretion to grant permanent residency cards to victims. NGOs noted highly inconsistent practices among prefects in the issuance of residence permits, particularly if the victims had past convictions for prostitution. Some trafficking victims found it easier to apply for and obtain asylum, as the process involved no cost and no requirement to participate in a prosecution. Trafficking victims were eligible to receive restitution through the Crime Victims Compensation Program; however, only two victims of trafficking have received compensation through the program since its inception in 1985. Several compensation requests have been pending for many years. There were no specific reports of identified trafficking victims being penalized for crimes committed as a direct result of their being trafficked. However, NGOs reported that police often punished victims, including child victims, for soliciting and theft, and when repeatedly caught, imprisoned them.

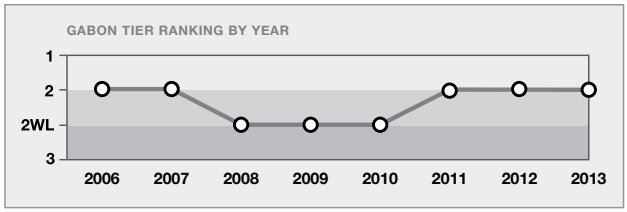
Prevention

The government sustained its prevention efforts during the reporting period. In January 2013, the government created the Inter-ministerial Mission for the Protection of Women Victims of Violence, with a mandate to evaluate and coordinate local-level policies in the fight against violence, help train experts in women's violence from the public and private sectors, and act as the national coordinator in the fight against human trafficking. The government appointed a national coordinator in April 2013. The government continued to operate without an approved action plan. The government did not run a national anti-trafficking awareness campaign, although NGOs receiving government funds ran campaigns. The French government worked with some source countries to prevent trafficking, such as its joint project with the Government of Bulgaria to raise awareness among minors and ethnic Roma in Varna. The French government funded programs through airlines and tourism operators describing the penalties for child sex tourism. All tourism students in France were obligated to take course work on preventing child sex tourism. In 2012, French authorities arrested three French nationals on suspicion of sexually abusing children abroad. French authorities also sentenced two French nationals to prison for eight and 10 years for raping children in Tahiti and Indonesia. The French government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions. During the reporting period, the government did not initiate any campaigns to reduce demand for commercial sex acts within France.

GABON (Tier 2)

Gabon is primarily a destination and transit country for children and women from Benin, Nigeria, Togo, Mali, Guinea, and other West African countries who are subjected to forced labor and sex trafficking. Some victims transit Gabon *en route* to Equatorial Guinea. The majority of victims are boys forced to work as street hawkers or mechanics. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. West African women are forced into domestic service or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration, but are subsequently forced into situations of labor or prostitution after arriving in Gabon without the proper documents for legal entry. During the reporting period, there was a slight increase in labor trafficking of Gabonese children to villages in the northern province of Woleu Ntem. Traffickers appear to operate in loose, ethnic-based crime networks, with female child traffickers serving as intermediaries in the victims' countries of origin. In some cases, child victims report that their families turned them over to intermediaries promising employment opportunities in Gabon. There is evidence some traffickers operate out of Lambarene to avoid detection in Libreville. Reports indicate the involvement of Nigerian syndicates in bringing trafficking victims to Gabon.

The Government of Gabon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government maintained strong law enforcement efforts during the year by initiating the prosecutions of 10 alleged trafficking offenders and by obtaining the first nine convictions under Gabon's 2004 child trafficking law. The government also continued efforts to protect victims, working with several governments in the region to repatriate seven foreign victims following their stay in shelters operated by the government or in government-supported NGO facilities. Despite these significant efforts, the Government of Gabon failed to conduct any new prevention efforts, due to inactivity by the Inter-Ministerial Committee to Monitor Child Trafficking, and failed to address trafficking of adults.



Recommendations for Gabon: Continue efforts to prosecute, convict, and punish trafficking offenders; draft and enact provisions prohibiting the trafficking of adults; continue to strengthen cooperation between police, immigration, and *gendarmerie* to address trafficking cases jointly; develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics; provide a regular and sufficient budget for the Inter-Ministerial Committee to Monitor Child Trafficking; develop an inter-ministerial committee to address adult trafficking, or expand the existing inter-ministerial committee's mandate to include adult trafficking; and revitalize prevention efforts through the provision of training for social workers, law enforcement, and judicial staff and the launching of national awareness-raising campaigns.

Prosecution

The Government of Gabon maintained strong law enforcement efforts during the reporting period. Existing laws do not

prohibit all forms of human trafficking, including bonded labor. Law 09/04, "Concerning the Prevention and the Fight Against the Trafficking of Children in the Gabonese Republic," enacted in September 2004, prohibits child trafficking for both labor and sexual exploitation and prescribes penalties of five to 15 years' imprisonment, along with fines of the equivalent of approximatley $20,000 to $40,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Penal code Article 261 prohibits the procuring of a child for the purpose of prostitution and prescribes a sufficiently stringent penalty of two to five years' imprisonment. Law 21/63-94 prohibits forced prostitution of adults and prescribes sufficiently stringent penalties of two to 10 years' imprisonment, which are commensurate with penalties prescribed for other serious crimes, such as rape. Penal code Article 48 prohibits the use of children in illegal activities, prescribing penalties of five to 10 years' imprisonment. Title 1, Article 4 of the Gabonese labor code (Law 3/94) criminalizes all forms of forced labor, prescribing penalties of one to six months' imprisonment, which are not sufficiently stringent and do not reflect the serious nature of the offense.

In February 2013, nine individuals were convicted of child trafficking by a Gabonese criminal court for attempting to traffic two children within Minvoul, a northern city near the border with Equatorial Guinea; two of these trafficking offenders were Equatoguinean citizens who were also convicted of illegal immigration for paying a bribe to border police to enter Gabon. The remaining seven offenders were Gabonese, including the chief of Doumassi village and his wife, and the four parents of the two children. All nine were sentenced to 14 years' imprisonment and ordered to pay a fine the equivalent of approximately $2,000. These are the first convictions obtained using Gabon's child trafficking law. Authorities also convicted a trafficking offender on non-trafficking charges related to forced child labor, sentencing the offender to two years in prison and approximately the equivalent of a $1,000 fine.

The Government of Gabon reported the investigations of 30 additional individuals suspected of committing trafficking offenses. In November 2012, five Beninese women were arrested for the suspected labor trafficking of eight Beninese children. However, they were released the following day. An investigation into allegations of bribery against two officials involved in the case remained ongoing at the close of the reporting period; both officials were removed from their posts and three of the released alleged traffickers were subsequently arrested and detained pending investigation. The status of the remaining 15 investigations is unknown. The government did not report any additional investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. Furthermore, it did not provide any training to law enforcement officials to improve their effectiveness in investigating or prosecuting trafficking offenses.

Protection

The Government of Gabon sustained modest efforts to ensure victims of trafficking received access to necessary protective services during the reporting period. In 2012, it provided an unknown amount of funding to support five centers that offered shelter, medical care, education, and psycho-social services to orphans and vulnerable children, including child trafficking victims, in Libreville and Port Gentil; the government has allocated approximately the equivalent of $272,700 to the operation of these shelters in 2013. Two centers were government-funded, while the other three were financed partly by the government through financial and in-kind donations, as well as the provision of service support, including social workers. The government could shelter trafficked adults in these government- and NGO-run transit centers, though it did not identify any adult victims during the reporting period.

Government officials identified 19 trafficking victims during the year, all of whom were children. Two victims were repatriated to Togo, four to Benin, and one to Mali, after receiving shelter and care prior to their departures. Eight Beninese child victims remained in a government-supported shelter in Libreville at the end of the reporting period. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon; no victims availed themselves of this legal alternative when offered during the reporting period. Government personnel employed procedures to identify victims of trafficking among vulnerable groups, such as migrant children, and systematically referred them to government or NGO shelters. Victims were encouraged to testify during the prosecution of their traffickers. Testimony is routinely taken by prosecutors, police, and magistrates at the time of arrest of the suspected traffickers or rescue of the victim. The Ministry of Justice worked with other ministries and agencies to provide victims with protective services in Gabon until prosecutors and investigators could present their cases in court. In cases where financial restitution for support and repatriation, where appropriate, could not be obtained from the trafficker or the country of origin, the Government of Gabon absorbed the costs or sought the assistance of NGOs. During the reporting period, the Ministry of Social Affairs did not have the funds necessary to transport eight Beninese victims to a shelter in Libreville and relied on funds provided by private citizens. The government did not detain, fine, or jail victims due to acts committed as a result of their being trafficked.

Prevention

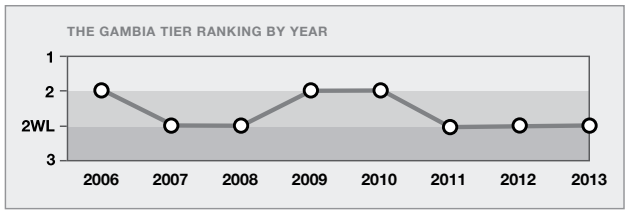
The Gabonese government made negligible efforts to prevent trafficking during the reporting period. The Inter-Ministerial Committee to Monitor and Combat Trafficking serves as the focal point for coordinating government anti-trafficking activities but, due to a reorganization of the President of Gabon's cabinet, no activities took place for six months in 2012. Although the committee's new president was appointed in October 2012, the committee's budget had been reauthorized to other government ministries by that time. The committee began developing a national action plan for 2013, but the plan was not finalized by the end of the reporting period.

THE GAMBIA (Tier 2 Watch List)

The Gambia is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and, to a lesser extent, boys are subjected to sex trafficking and domestic servitude. Women, girls, and boys from West African countries—mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau, and Benin—are recruited for commercial sexual exploitation in The Gambia, in particular

to meet the demands of European tourists seeking sex with children. Observers believe organized networks use both European and Gambian travel agencies to promote child sex tourism. Many Gambian boys attend Koranic schools led by religious teachers, known as *marabouts*; some corrupt or unscrupulous *marabouts* sometimes force such boys into begging and street vending. Gambian trafficking victims have been identified in neighboring West African countries, as well as in the United Kingdom.

The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking since the previous reporting period; therefore, The Gambia is placed on Tier 2 Watch List for a third consecutive year. The Gambia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Although it opened some investigations into potential trafficking crimes, the government failed to initiate any prosecutions of alleged trafficking offenders or to formally identify any victims. Sixty potential foreign child trafficking victims were referred to a government-run shelter and the government demonstrated increased prevention efforts relating to the practice of forced begging and street vending by unscrupulous *marabouts*.



Recommendations for The Gambia: Vigorously investigate and prosecute trafficking offenses and ensure adequate sentencing for convicted trafficking offenders; train law enforcement personnel to identify trafficking victims proactively among vulnerable populations, such as boys in street vending, unattended children in tourist resorts known to be sex tourism destinations, and women in prostitution, and refer them to protective services; engage with anti-trafficking counterparts in the region to enable the safe repatriation of victims to and from The Gambia; provide adequate funding and resources to the National Agency Against Trafficking in Persons so that the agency can effectively implement the anti-trafficking national action plan; and increase efforts to raise public awareness about the dangers of trafficking.

Prosecution

The Government of The Gambia sustained modest anti-trafficking law enforcement efforts during the reporting period. Its 2007 Trafficking in Persons Act prohibits all forms of trafficking, and an October 2010 amendment increased the prescribed penalties to 50 years to life imprisonment for all forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Gambia's 2005 Children's Act also prohibits child trafficking—though it does not include forced labor in its definition of trafficking—prescribing a penalty of life imprisonment. The 2003 Tourism Offenses Act explicitly prohibits child sex trafficking, prescribing a penalty of 10 years' imprisonment.

The government investigated several cases of suspected trafficking during the year. For instance, a Lebanese national was arrested for attempting to recruit 23 Gambian women, between the ages of 18 and 23, to work as maids in Lebanon, with the intent to subject them to forced prostitution once they arrived; however, in December 2012, the Ministry of Justice dropped the case due to a lack of evidence. In January 2013, police and immigration officers conducted a raid of a number of unfinished buildings in the Greater Banjul Area in January 2013 that lead to the identification of 77 Senegalese and two Gambian suspected trafficking victims; the individuals, the majority of whom were children, were working as housemaids and street vendors. Authorities arrested 18 individuals—17 Gambians and one Senegalese national—who were released on bail while the investigation continued; the government has not yet established whether the case involves elements of trafficking. Law enforcement efforts remained hindered by a lack of resources, training, and organization among various agencies. The government, in partnership with NGOs and international organizations, trained law enforcement officers to identify trafficking victims, interview victims, and prevent trafficking. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses.

Protection

The government efforts to protect victims of human trafficking were limited during the reporting period, as it did not formally identify any trafficking victims. Of the 77 aforementioned potential Senegalese victims, 60 were children and were all referred to a government-run shelter; the children stayed at the shelter for 10 days prior to their repatriation to Senegal. The government did not provide any shelter to the adult victims identified in this case, and instead deported them back to Senegal after an initial screening. The two Gambian adult victims were returned to their home villages without receiving shelter or services. The Department of Social Welfare operated a 24-hour multi-purpose hotline and allocated the equivalent of approximately $11,500 to operating a shelter and drop-in center; the government did not report the number of trafficking victims it may have cared for in these facilities. The department continued to maintain an electronic child protection database, which includes information on trafficking cases, although no cases were identified in 2012. The Trafficking in Persons Act allows foreign victims to obtain temporary residence visas for the duration of legal proceedings; the government offers no other legal alternatives to the removal of foreign trafficking victims to countries where they may face retribution or hardship. There were no reports of victims being penalized for unlawful acts committed as a result of being trafficked; however, the lack of a formal identification procedure likely resulted in some victims remaining unidentified in the law enforcement system.

Prevention

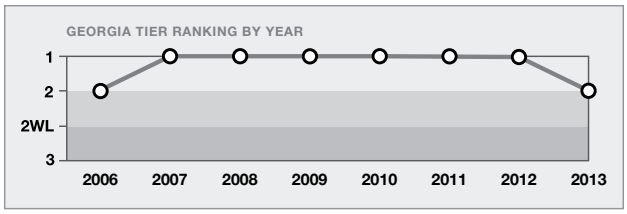
The government demonstrated increased prevention efforts during the reporting period. The Department of Social Welfare and the Department of Education launched a program that

provided financial support and resources to 12 Koranic schools on the condition that their students are not forced to beg; over 1,000 children benefitted from the program during the reporting period, and reports indicate that the number of Koranic students who were previously subjected to forced begging or street selling has decreased dramatically since the launch of the program. The Gambian government contributed the equivalent of approximately $3,000 each month during the reporting period to fund the program. The National Agency Against Trafficking in Persons (NAATIP)—the coordinating body for governmental anti-trafficking efforts—met with border officials in the Upper River Region, a region vulnerable to transnational trafficking, to educate them on trafficking in persons and the need to report any suspected cases directly to NAATIP. The agency continued to receive modest funding from the government, but relied on NGOs and international organizations for additional support. The NAATIP taskforce met four times during the reporting period. In January 2013, the Gambia Tourism Board, in collaboration with a local NGO, organized a one-day orientation for 50 members of the Tourism Security Unit to discuss trafficking and how to curb the local sex trade, including child sex tourism. Authorities continued to enforce the 2005 ban on unattended children in resort areas, but this effort did not lead to the referral of any child trafficking victims to protective services or the apprehension of any suspected traffickers or child sex tourists. The government did not make any discernible efforts to decrease the demand for forced labor during the reporting period. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions.

GEORGIA (Tier 2)

Georgia is a source, transit, and destination country for women and girls subjected to sex trafficking and men and women subjected to conditions of forced labor. Women and girls from Georgia are subjected to sex trafficking within the country, as well as in Turkey, the United Arab Emirates, and, to a lesser extent, Egypt, Greece, Russia, Germany, and Austria. Women from Uzbekistan and possibly other countries are subjected to forced prostitution in Georgia's commercial sex trade in the tourist areas of Batumi and Gonio. Experts report that foreign women engaged in prostitution in saunas, strip clubs, hotels, and escort services are vulnerable to forced prostitution. Georgian men and women are subjected to forced labor within Georgia, and in Turkey, Russia, and other countries. In recent years, foreign nationals have been exploited in agriculture, construction, and domestic service within Georgia. Some street children may be subjected to forced begging or coerced into criminality. Although children are not commonly found working in agriculture in Georgia—except on family-owned farms—a labor trafficking expert in the country indicated that children working in agriculture and in the informal urban economy are highly vulnerable to forced labor. There is no information about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia. In 2012, one Georgian labor trafficking victim was identified in the United States.

The Government of Georgia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government trained its officials on human trafficking and funded two anti-trafficking shelters, law enforcement efforts decreased, with fewer suspected trafficking offenders being investigated and prosecuted than in the previous year. Moreover, victim identification remained a challenge, with slightly fewer trafficking victims officially recognized by the government compared with the previous reporting period, and only limited efforts undertaken to identify victims proactively among vulnerable populations.



Recommendations for Georgia: Employ more effective, proactive methods to detect and identify potential trafficking victims among vulnerable populations; increase efforts to investigate and prosecute suspected trafficking cases, including by assessing non-physical forms of coercion, and convict labor and sex trafficking offenders; ensure that NGOs are funded and remain active partners in providing victim services and reintegration; ensure NGOs are provided with funding to assist potential trafficking victims before they receive official victim status and become eligible for state assistance; given the absence of labor inspectors in Georgia, ensure proactive outreach to workers, including both documented and undocumented foreign migrants, who are vulnerable to trafficking; ensure that children who are subjected to forced begging and vulnerable to commercial sexual exploitation are not inadvertently criminalized or punished for crimes committed as a direct result of their being trafficked; ensure children in prostitution are properly identified as trafficking victims; continue to permit civil society groups to systematically check for trafficking indicators among deported and returning Georgians at border points; consider appointing a victim-witness advocate to help ensure the rights of Georgian and foreign victims are respected during legal proceedings; continue to raise awareness among government officials and the general public about all forms of human trafficking; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

Prosecution

The Government of Georgia reported fewer trafficking investigations, prosecutions, and convictions during the reporting period. Georgia prohibits all forms of trafficking in persons through the Law on Combating Trafficking in Persons and Article 143 of its criminal code, which prescribe penalties ranging from seven to 20 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Investigations fell from 16 in 2011 to seven in 2012. Authorities prosecuted two defendants for sex trafficking under Article 143 in the reporting period but convicted none, a decrease from five sex trafficking offenders prosecuted and convicted in the previous year. Due to lack of convictions under the anti-trafficking law, no sentencing data could be examined; in September 2012, a trafficking sentence credited in the previous TIP Report was reduced by an appellate court from 15 to five years' imprisonment. The government convicted

and sentenced two defendants with punishments of two and four years' imprisonment and fines of the equivalent of approximately $3,000 and $12,000 under Article 171(3) for facilitating the prostitution of a minor. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period, though there were no reports of such alleged trafficking complicity. The absence of a labor inspectorate in Georgia contributed to workers' vulnerability to forced labor. The government continued its extensive training programs for law enforcement as well as additional specialized training for prosecutors, judges, immigration officials, border police, and other front-line responders during the year.

Protection

The Government of Georgia decreased its efforts to identify and protect trafficking victims in the reporting period. The government did not employ systematic procedures to proactively identify trafficking victims among vulnerable groups; three of the 18 government-certified victims were identified by government officials, while the other victims self-identified. During the reporting period, three Uzbek women, two Georgian men, and 13 Georgian women were certified by the government as trafficking victims, a slight decrease from the previous year. Eight of these 18 victims were subjected to forced prostitution, and 10 were forced into labor. Using an established formal referral system, the government referred all the victims to care facilities. Experts reported concerns with the low level of victim identification and overall lack of success in locating trafficking victims, including children in exploitative situations on the street, children and foreign women in the commercial sex sector, and Georgian and foreign workers in vulnerable labor sectors. In July 2012, Georgian diplomats alerted Turkish authorities to the plight of 22 Georgian forced laborers in Turkey. These men were subsequently returned to Georgia, but the government did not officially certify them as trafficking victims; consequently the men were not offered victim protection services. Georgian labor trafficking victims returning from Turkey sometimes believed that self-identification would prevent them from re-entering Turkey, which may have complicated efforts to identify and assist these victims. Despite indicators of sex trafficking in the Gonio area, law enforcement officers did not identify any sex trafficking victim during December 2012 brothel raids. A governmental body comprised of civil society groups—the "Permanent Group"—is tasked with granting official victim status to trafficking victims. The Ministry of Internal Affairs permitted an international organization to conduct screenings and interviews of deported Georgian migrants from Turkey from April to September 2012; the organization identified one trafficking victim, but the Permanent Group rejected the organization's request that the group provide that individual with victim status.

In April 2012, the government amended the Law on Combating Trafficking in Persons to codify existing assistance policies with regard to child victims. During the year, the government continued to fund and operate two shelters, but adult victims were not permitted to leave the shelters unchaperoned. Two other shelters are run by NGOs; these were used infrequently, largely as a short-term, interim solution when a victim could immediately be housed in a state-run shelter. The government's shelters provided extensive medical aid, psychological counseling, and legal assistance to 17 trafficking victims in the reporting period. Five trafficking victims received financial assistance from the government in 2012, consisting of a one-time payment in an amount equivalent to approximately $650 each, compared with six victims who received such support in 2011. The government reported that foreign victims were eligible for temporary residence permits, but no foreign victims requested them during the reporting period. The government reported that victims were encouraged to assist law enforcement with trafficking investigations and prosecutions; three of the 15 identified victims assisted law enforcement in the reporting period, a decrease compared to the assistance of all victims' participation during the previous year. Children who were begging and had been coerced into criminal activities occasionally were arrested, as opposed to being identified and assisted as trafficking victims.

Prevention

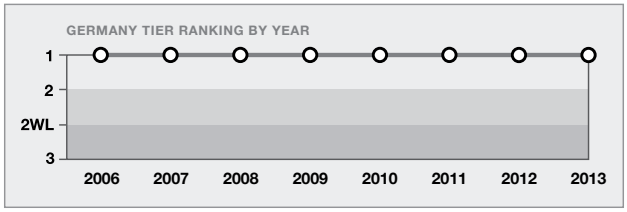
The Government of Georgia continued its anti-trafficking prevention activities during the reporting period. The new Minister of Justice publicly reaffirmed her commitment to fight human trafficking, and the Justice Ministry oversaw the finalization of Georgia's anti-trafficking action plan for 2013-2014, which the president signed in March 2013. The government did not provide any new anti-trafficking public awareness grants to NGOs during the reporting period. During the year, the government continued to conduct multiple information campaigns utilizing a broad array of media, including public service announcements, billboards, seminars, and television broadcasts throughout the country. The government continued to fund an anti-trafficking hotline. The Interagency Coordinating Council—chaired by the Minister of Justice—continued to serve as the government's coordinating body on anti-trafficking efforts. The government conducted public awareness campaigns to reduce the demand for child sex tourism, but did not take steps to reduce the demand for commercial sex acts.

GERMANY (Tier 1)

Germany is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Approximately 88 percent of identified victims of sex trafficking originate in Europe, including 26 percent from Romania, 22 percent from within Germany, and 15 percent from Bulgaria. Non-European victims originate in Nigeria, other parts of Africa, Asia, and the Western Hemisphere. Approximately 14 percent of the trafficking victims are children. The majority of sex trafficking victims have been exploited in bars, brothels, and apartments; approximately 27 percent of identified sex trafficking victims report that they had agreed initially to engage in prostitution, a decrease from prior years. Nigerian victims of trafficking are often coerced into prostitution through voodoo rituals. Organized motorcycle gangs are involved in facilitating trafficking in Germany. Victims of forced labor have been identified or suspected in the agriculture sector, hotels, construction sites, meat processing plants, and restaurants. Labor trafficking victims originate in Africa; Indonesia; Latin America; and Europe, including Latvia, Bulgaria, and Romania. Some forced labor victims have also been identified in domestic service, including in diplomatic households. Members of ethnic minorities, such as Roma, as well as foreign unaccompanied minors who arrived in Germany, were particularly vulnerable to human trafficking; including forced begging and coerced criminal

behavior. Various governments reported German citizen participation in sex tourism.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. The Government of Germany continued to identify a large number of sex trafficking victims and prosecute the cases of their exploitation. The government also took new steps to protect domestic workers in diplomatic communities, by establishing an in-person briefing for domestic workers and by funding opportunities for civil suits. Otherwise, however, the government's labor trafficking efforts were significantly weaker than those against sex trafficking. Fewer victims of labor trafficking were identified and those labor trafficking offenders who were convicted avoided jail sentences. Some officials noted that the government's program to oppose labor trafficking was not as well structured as that for sex trafficking.



Recommendations for Germany: Increase the government's efforts to fight labor trafficking; increase proactive identification of labor trafficking victims; ensure that labor trafficking is fully integrated into Cooperation Agreements at the state level; explore ways to increase the number of convicted trafficking offenders who receive sentences commensurate with the gravity of the crime committed; vigorously investigate, prosecute, and convict labor trafficking offenders; consider expanding longer-term residence permit eligibility for trafficking victims that is not reliant on the victim's willingness to testify at trial; better advertise and apply to trafficking victims the full range of residency permits available on humanitarian grounds, which are not linked to a victim's willingness to testify; encourage prosecutors' offices to assign specialized prosecutors to trafficking cases; establish an independent national anti-trafficking rapporteur to produce critical assessments on the Government of Germany's anti-trafficking efforts; revise Section 233 to ensure that the proof required under the law is not unduly restricting investigations and prosecutions of labor trafficking offenses; explore reasons why many trafficking victims are not provided care through the counseling centers; standardize victim assistance measures and government-civil society cooperation across the 16 federal states, taking into account Germany's federal structure; encourage victims to take advantage of financial restitution procedures available to them in court; increase asset seizure in trafficking cases; strengthen awareness campaigns targeting beneficiaries of forced labor and clients of the sex trade, particularly in the most frequented red light districts; ensure the prosecution of German offenders of child sex tourism; provide more consistent and stable funding of victim assistance at the state level; consider creating a mechanism to coordinate German efforts to address forced labor; and ensure that reported conviction data include all convictions for trafficking in persons.

Prosecution

The Government of Germany sustained its high rate of investigating and prosecuting sex trafficking offenses during the reporting period, but struggled to investigate and prosecute labor trafficking cases and sentenced few convicted trafficking offenders to non-suspended jail terms. In 2011, the German authorities again reported that the overwhelming majority of convicted labor and sex trafficking offenders were given suspended sentences. This practice derived from a provision in the criminal code allowing the suspension of assigned prison terms of less than two years, particularly for first-time offenders. Another factor that complicates tracking of trafficking convictions in Germany is that when a trafficking charge is combined with an accompanying criminal charge that has a higher statutory sentence than the trafficking statute, the German authorities do not record the conviction as a trafficking conviction. Nevertheless, the reported statistics reveal that convicted trafficking offenders frequently avoided imprisonment, creating potential safety problems for victims of trafficking and a weakened deterrence of trafficking offenses.

Germany prohibits all forms of trafficking; sex trafficking is criminalized under Section 232 of the penal code, and forced labor is criminalized under Section 233. Punishments prescribed in these statutes range from six months' to 10 years' imprisonment, and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2011, the last year for which statistics were available, the German state and federal authorities completed 482 sex trafficking investigations, compared with 470 in 2010. Many of these investigations were conducted in tandem with investigations for rape, violence, smuggling, narcotics violations, or other crimes. The government investigated 13 labor trafficking cases in 2011, a decrease from 24 in 2010. Sex trafficking prosecutions in Germany have declined over the past three years. German authorities prosecuted 139 defendants for sex trafficking in 2011, compared with 172 in 2010. The rate of successful prosecutions improved, however, as 117 offenders (84 percent) were convicted in 2011, compared with 115 (66 percent) convicted in 2010. Courts continued to suspend sentences in the majority of cases recorded as trafficking; of the 117 offenders convicted, only 28 were actually imprisoned, receiving sentences between two and 10 years in prison. German authorities prosecuted nine alleged labor trafficking offenders in 2011, a decrease from the 17 prosecuted in 2010. Four of these offenders were convicted, but none received prison sentences. Government officials and NGOs report that Section 233 on labor trafficking was unduly restrictive and difficult to apply in practice. Experts also cited lack of law enforcement officials' awareness that men could be victims of trafficking as an impediment to obtaining successful prosecutions. Officials and NGOs continued to report difficulties in prosecuting cases when victims, particularly those from Romania and Bulgaria, withdrew testimony. Whereas sex trafficking cases are frequently led by prosecutors with experience in leading victims through a difficult trial process, many labor trafficking cases were assigned to financial or economic crime sections with less experience working with human trafficking statutes or victims of violent crimes. NGOs and officials reported mixed experiences with judges; while some understood victims' trauma, others subjected victims to repeated testimonies or prejudice.

The Federal Criminal Police collaborated with several governments, including Switzerland, Bulgaria, Poland, and

Nigeria, as well as with EUROPOL, to investigate trafficking cases. The German Judicial Academy offered anti-trafficking training to prosecutors and judges. The Federal Criminal Police organized several specialized seminars to educate investigating officers and prosecutors on trafficking topics, focusing, for example, on Nigerian trafficking victims. The Government of Germany did not investigate or prosecute government officials suspected of trafficking-related complicity during the year.

Protection

The German government improved its victim protection efforts during the reporting period, strengthening standards for the care of trafficking victims. The Federal Family Ministry funded an umbrella organization representing 39 NGOs and counseling centers in approximately 45 German cities and all of the states that provided or facilitated shelter, medical and psychological care, legal assistance, vocational support, and other services largely for adult female victims. Male victims were offered assistance, but some refused housing. Many state governments provided significant supplemental funding for the support of trafficking victims, but others reduced their financial contributions to the NGOs providing care to trafficking victims, leaving the victim assistance in those states insecure. Authorities registered 640 sex trafficking victims in 2011, compared with 610 sex trafficking victims in 2010. German counseling centers cared for approximately one-third of the victims. The government identified 32 labor trafficking victims, the majority of whom were female. In approximately half of identified trafficking cases, the first contact between police and victims resulted from police measures. The German government offered trafficking victims a reflection period of three months and NGOs confirmed that it was applied in practice. The government offered trafficking victims a specific residence title for the duration of a criminal trial conditional on cooperation with law enforcement; victims were permitted to work during the trial. Most victims of trafficking who faced personal injury or threats to life or freedom in their countries of origin were granted long-term residence permits during the reporting period. German law permits prosecutors to decline to prosecute victims of trafficking who have committed minor crimes during the course of their trafficking experience. Observers reported that, though prosecutors in practice exercise this discretion, victims may have been penalized or deported on occasion before their legal status as victims of trafficking had been clarified.

German authorities encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders by enabling victims to join criminal cases as joint plaintiffs, and by providing them access to civil remedies. The government-funded anti-trafficking NGO umbrella organization published an information flyer on compensation options for victims of trafficking in several key languages; a partially government-funded project supported approximately 17 legal compensation suits throughout Germany during the reporting period.

Prevention

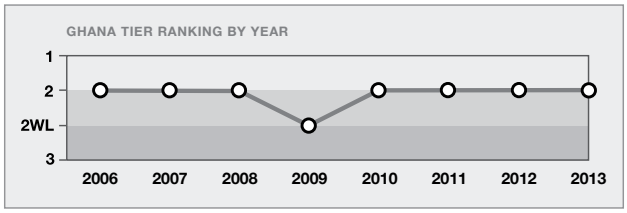
The German government improved efforts to prevent human trafficking throughout the year, including through its increased outreach to the vulnerable community of domestic workers in diplomatic households. The government sustained funding for public awareness campaigns in Germany and abroad. The Federal Foreign Office, in cooperation with an NGO, published an updated version of an information brochure for domestic workers in diplomatic households. The government also updated its guidelines for such workers, providing new minimum wage standards, an annual in-person renewal of protocol identification, and a new model contract. The government also organized a briefing targeted for diplomats' domestic workers to educate them on their rights in Germany.

Government officials observed that, overall, labor trafficking has not been as highly prioritized in Germany as sex trafficking. To address this gap, a labor alliance launched a project, funded in part by the Federal Labor Ministry. The project conducted research, awareness raising, and victim identification training on labor trafficking. The Federal-State Interagency Working Group on Trafficking in Persons, led by the family ministry, reviewed counter-trafficking issues, disseminated best practices, and provided input to new laws and directives. The working group collaborated with a variety of coordination bodies at the state government and local levels; not all of these local coordination agreements formally included labor trafficking. The German Federal Criminal Police continued to promote transparent self-reporting by publishing an annual report on trafficking in persons in Germany, describing law enforcement efforts, victims, trends, and challenges. German authorities collaborated with other European countries to raise awareness on child sex tourism and participated in awareness events against child sex tourism, but there were no reports that any criminal cases involving German offenders were prosecuted during the reporting period. The German government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions.

GHANA (Tier 2)

Ghana is a country of origin, transit, and destination for men, women, and children subjected to forced labor and sex trafficking. The trafficking of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign migrants. Ghanaian boys and girls are subjected to conditions of forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, and agriculture. Ghanaian girls, and to a lesser extent boys, are subjected to prostitution within Ghana. Child prostitution, and possibly child sex tourism, are prevalent in the Volta region and are growing in the oil-producing Western regions. Ghanaian women and children are recruited and transported to Nigeria, Cote d'Ivoire, Burkina Faso, The Gambia, South Africa, Israel, Syria, Lebanon, the United Arab Emirates, Saudi Arabia, Kuwait, Russia, France, the United Kingdom, Germany, and the United States for forced labor and forced prostitution. Women and girls voluntarily migrating from China, Nigeria, Cote d'Ivoire, Burkina Faso, and Benin are subjected to commercial sexual exploitation after arriving in Ghana. Citizens from other West African countries are subjected to forced labor in Ghana in agriculture or domestic service. During the reporting period, there was an emergence of fraudulent recruitment agencies that advertised locally for jobs abroad, generally in the domestic service and retail sectors; as a result, there was an increase in the number of Ghanaian women migrating to the Middle East to work in these sectors, some of whom were subsequently forced into prostitution upon their arrival.

The Government of Ghana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government initiated 75 investigations, conducted five prosecutions, and secured three convictions of trafficking offenders. The government also drafted a new five-year national action plan and continued to conduct information and education campaigns throughout the country. However, the government failed to provide any specialized anti-trafficking training to law enforcement officials and did not provide sufficient funding to properly maintain government-operated shelters.



Recommendations for Ghana: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; ensure the police's Anti-Human Trafficking Unit (AHTU) has adequate resources to conduct law enforcement efforts; train law enforcement personnel to proactively identify trafficking victims among vulnerable populations—such as females in prostitution and children working in agriculture—and refer them to protective services; adopt the legislative instrument to implement effectively the 2005 Human Trafficking Act; increase government funding for protective services to victims, including to the Human Trafficking Fund; ensure the maintenance of government-operated shelters; improve data collection and reporting on victims identified and assisted; reinstate quarterly meetings of the Human Trafficking Management Board and provide adequate resources to the board to implement the National Plan of Action against Trafficking; and accede to the 2000 UN TIP Protocol.

Prosecution

The government maintained anti-trafficking law enforcement efforts during the reporting period. The 2005 Human Trafficking Act—amended in 2009 to align its definition of human trafficking with that of the 2000 UN TIP Protocol—prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment for all trafficking crimes. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government initiated 75 trafficking investigations and secured three convictions; this demonstrates a significant decrease from the previous reporting period, when the government initiated 91 investigations and convicted 29 traffickers. All three offenders were convicted for sex trafficking offenses; two received five-year prison sentences and one received a seven-year sentence. At the close of the reporting period, two prosecutions and 42 investigations remained pending. In October 2012, the Government of Ghana collaborated with the Government of Burkina Faso in an INTERPOL-led operation, which resulted in the rescue of 387 child trafficking victims from various West African nations subjected to forced labor in gold mines and cotton fields in Burkina Faso; the Ghanaian Police sent 16 officers to participate in the operation and assisted in 30 arrests. During November and December 2012, the government began an operation against sex trafficking in close cooperation with the Government of Nigeria's National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP); as a result of this operation, authorities rescued 82 Nigerian and 41 Ghanaian victims and apprehended 10 Nigerian and six Ghanaian suspected trafficking offenders. As a result of these investigative efforts, five prosecutions were completed during the reporting period; one additional case is pending. The government completed the pilot phase of the Ghana Child Labor Monitoring System (GCLMS)—a database concerning forced child labor and trafficking at the community level—in 60 cocoa-producing communities across six districts; however, no arrests or prosecutions resulted from this effort. Government officials cited the need for the enactment of a legislative instrument to implement effectively the 2005 Human Trafficking Act; at the end of the reporting period this instrument was awaiting Ministerial action before moving to Parliament for approval. Officials also stated police and prosecutors lacked the training and resources to prosecute trafficking cases fully; however, neither the government nor any outside entities conducted specialized anti-trafficking training for government officials during the reporting period. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government decreased efforts to protect victims during the year. The AHTU reported identifying 262 victims, but only referring 33 on an *ad hoc* basis to government and NGO-run facilities offering protective care. The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at work sites. The Ghanaian Police Service maintained a 24-hour hotline for reporting crime, including trafficking; the hotline received an unknown number of trafficking-related calls during the reporting period. The Department of Social Welfare (DSW) paid for medical costs associated with caring for identified victims, while international organizations sponsored psychiatric rehabilitation and care. In partnership with an international organization, the government operated one short-term open shelter specifically for trafficking victims; this shelter was equipped to take both child and adult victims, but in practice, adults were often placed in hotels and hostels when space was not available. The DSW also maintained a multipurpose shelter for abused children, which cared for an unknown number of trafficking victims during the reporting period. If reintegration with family members was not possible, children may have been placed in foster families with approval from the courts or a government-run orphanage; it is unknown whether this occurred in 2012. Both shelters only provided short-term care, generally limiting victims' stays to three months, although extensions were granted on a case-by-case basis. It is unknown how much funding the government dedicated to victim protection and assistance, but NGOs and government officials reported the funding was inadequate. Government officials reported that the Human Trafficking Fund, which was established by the 2005 Human Trafficking Act to finance protection efforts, lacked funds; as a result, shelters operated in sub-par conditions without the resources to make basic repairs and government officials had to use their own personal funds to assist victims. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders,

and provided them with protective escorts and legal counsel during trial proceedings. The government continued to offer foreign victims temporary residency during the investigation and prosecution of their cases and, with the interior minister's approval, permanent residency if deemed to be in the victim's best interest; no victims sought temporary or permanent residency during the year. There were no reports that victims were penalized for unlawful acts committed as a direct result of being trafficked.

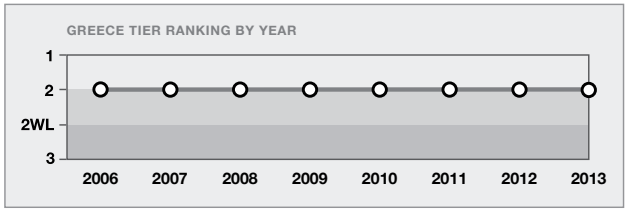
Prevention

The government sustained its anti-trafficking prevention efforts during the reporting period. The Human Trafficking Management Board (HTMB)—an entity chaired by the Minister for Women and Children's Affairs and comprised of government agencies and NGOs—only met twice during the reporting period; officials cited a lack of funding as a reason for not conducting mandated quarterly meetings. The HTMB drafted a new five-year national action plan, which addresses anti-trafficking activities for 2013 through 2018. With support from international organizations and NGOs, the government conducted anti-trafficking information and education campaigns throughout the country, including sensitization programs in the Volta Region and cocoa-producing communities. State-owned radio and television programs also aired anti-trafficking programming. The aforementioned joint operation with Nigeria's NAPTIP was driven in part by the government's attempts to reduce the demand for commercial sex acts. The government took no discernible measures to decrease the demand for forced labor, despite acknowledging the growing number of unlicensed employment agencies that are increasingly facilitating the trafficking of Ghanaian women to the Middle East. The government did not provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions, though such training was provided to Ghanaian troops by foreign donors. Ghana is not a party to the 2000 UN TIP Protocol.

GREECE (Tier 2)

Greece is a transit, destination, and a very limited source country for women and children subjected to sex trafficking and for men, women, and children in forced labor. Women from Albania, Belarus, Bulgaria, Latvia, Lithuania, Moldova, Russia, Romania, Ukraine, Georgia, Nigeria, and some countries in Asia are subjected to sex trafficking in Greece. Victims of forced labor identified in Greece, primarily children and men, are from Albania, Bangladesh, Bulgaria, India, Moldova, Pakistan, Romania, and increasingly boys from Afghanistan. Victims are subjected to debt bondage in agriculture and construction. Hundreds of children, mainly Roma from Albania and Romania, are subjected to forced labor in Greece and made to sell goods on the street, beg, or commit petty theft. There was a reported increase in Roma children from Romania brought to Greece and forced to work. Roma from Bulgaria are increasingly brought to Greece on the promise of employment and subjected to forced begging; children are subjected to forced petty theft. Nigerian women are reportedly transported through the Aegean islands and through the Greek-Turkish border in Evros and instructed to file for asylum as Somalis; they are then subjected to sex trafficking in Athens and other major cities. Traffickers use voodoo curses, spiritual traditions, and threats against family to coerce Nigerian women into exploitation. Traffickers transport victims through Greece for forced labor and sex trafficking in Italy and other EU countries. Small numbers of Greek citizens are identified as victims of trafficking within the country. Asylum seekers from Bangladesh, India, and Pakistan were vulnerable to debt bondage imposed by smugglers and trafficking offenders. Restaurants, nightclubs, yacht rental companies, and other small businesses serve as money laundering fronts for small cells of criminal trafficking networks.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted more trafficking offenders compared to the previous reporting period and made efforts to train police and the judiciary on human trafficking issues during the year. While a lack of proactive investigations continued, there was strong collaboration between NGOs and anti-trafficking police on identified cases of trafficking and formal agreements enabled police to place victims in NGO shelters in spite of a lack of government funding for victim services. There was a continued need for long-term care for victims of trafficking and shelter for male victims. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking offenses, even though there were allegations of low-level police involvement in trafficking.



Recommendations for Greece: Vigorously prosecute trafficking offenders, including officials alleged to be complicit in trafficking; continue to provide training and opportunities for knowledge sharing within the judiciary to ensure trafficking offenders are not prosecuted for lesser crimes with lenient penalties; enhance witness protection for victims and encourage their participation in investigations and prosecutions; improve screening for trafficking among asylum seekers, women in prostitution, and other vulnerable populations; ensure victims of trafficking are transferred out of detention to appropriate shelter and protection; increase the number of official certifications issued to identified victims of trafficking; encourage sustainable funding for anti-trafficking NGOs; reduce barriers to victims' pursuit of restitution or compensation; ensure access to assistance and shelter for male victims of trafficking and labor trafficking victims; ensure all victims are effectively afforded a reflection period in which to recover before deciding whether to cooperate with law enforcement; and strengthen the central authority to coordinate and monitor anti-trafficking efforts through a mandate of accountability within the inter-ministerial process.

Prosecution

The government improved its law enforcement efforts in 2012, convicting an increased number of trafficking offenders and providing specialized training for the judiciary; trials, however, continued to be lengthy—with an average of five years in duration—discouraging victims' participation in criminal

proceedings. Greek Law 3064/2002 and Presidential Decree 233/2003 prohibit both sex trafficking and forced labor and prescribe punishments of up to 10 years' imprisonment with fines the equivalent of approximately $14,000 to $70,000. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Labor actions and work stoppages by judges, prosecutors, and judicial officials during the reporting period exacerbated the problem of already lengthy trials, delaying efforts to hold trafficking offenders accountable. Prohibitively high court fees for victims to retain competent counsel also hampered efforts to bring cases to trial. There were reports of courts failing to provide interpretation services for trafficking cases and of weak witness protection efforts. The anti-trafficking police investigated 46 human trafficking cases in 2012, compared to 41 cases in 2011. Six investigations were for forced begging or labor. In 2012, the government prosecuted 177 defendants for human trafficking, a decrease from 220 in 2011 and 246 in 2010. Of these, 23 were prosecuted for labor trafficking. The government convicted 27 traffickers and acquitted 16, compared to 19 convictions and 14 acquittals in 2011. The resulting sentences ranged from one to 15 years' imprisonment. Courts frequently reduced charges against trafficking offenders to pimping, imposing more lenient penalties of up to five years' imprisonment and enabling traffickers to avoid jail time through payment of fines.

Police academies continued to provide anti-trafficking training, incorporating survivors' voices to promote increased sensitivity. The police maintained strong international collaboration on transnational anti-trafficking investigations and coordinated with Italy, Romania, Russia, Albania, and Bulgaria on trafficking cases. In one such case, 16 Romanians were held in forced labor picking oranges under debt bondage for their smuggling journey, having to pay rent to live in a decrepit barn and forced to buy food from the traffickers at exorbitant prices. High turnover in the anti-trafficking police unit reduced its effectiveness of investigations and NGOs reported that police did not conduct proactive investigations, although police improved efforts in responding to solid leads provided by the public. NGOs reported wide variation between judges' individual knowledge of trafficking and sensitivity in court to victims' symptoms of trauma. There were some reports of corruption among local police and vice officers, who accepted small bribes from traffickers or patronized establishments involved in human trafficking. Despite these reports, the Government of Greece did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government maintained very modest efforts to protect victims of trafficking during the year, despite continued austerity measures. NGOs did not receive any government funding to serve victims of trafficking. The government continued to provide services to victims of trafficking through public health services, a short-term shelter and processing center for victims of trafficking and other forms of abuse, and two long-term shelters. Thirty-four victims stayed in government shelters during the reporting period. Other shelters serving victims of trafficking were run by faith-based NGOs with support from international donors. Victims had the freedom to come and go from shelters. Some small domestic NGOs closed during the reporting period due to lack of funding. Long-term care for victims of trafficking was lacking and there was no shelter available for men. Child victims were served in the government short-term shelter, facilities for unaccompanied minors, orphanages, or in separate units of adult detention centers. Many asylum seekers, including unaccompanied child migrants, were held in substandard facilities and were not assessed for protection needs, leaving them vulnerable to human trafficking. NGOs reported police and immigration officials screened arriving migrants for potential trafficking, but the screenings were poorly implemented and lacked appropriate translation. The government identified 94 victims in 2012, of whom 25 were subjected to forced labor or begging, compared to 97 total victims identified in 2011. Only eight victims, however, received official certification allowing them access to government-provided care. Seventeen women and seven girls were served in government or NGO shelters and 22 victims received repatriation services. Victims who do not stay in shelters have access to legal services, psychological care, and basic social services. Formal agreements between NGOs and law enforcement enabled the government to transfer victims from law enforcement custody to various shelters. The government provided training on identifying victims of trafficking to border police, coast guard, and vice police. NGOs reported positive cooperation with police and the anti-trafficking unit but stressed that victim identification continues to be an area that should be improved. The government did not effectively screen women in prostitution to identify indicators of human trafficking.

The government issued new temporary residency permits to 56 foreign victims of trafficking in 2012, which afforded them the right to obtain employment in Greece—though employment opportunities were scarce. Advocates from NGOs accompanied victims to court to provide them emotional support; however, many victims were unwilling to testify due to fear of traffickers' retribution or their desire to return home before the conclusion of lengthy criminal proceedings. While victims are permitted to file civil suits against traffickers, the high costs and protracted delays involved in processing these suits deterred victims from pursuing restitution or damages. There were no reports of victims being prosecuted for acts committed as a result of their being trafficked during the year. NGOs reported that authorities temporarily placed victims of labor trafficking in jail due to lack of shelter. The government did not effectively grant victims of trafficking a reflection period, time in which to recover before deciding whether to cooperate with law enforcement, and often ordered foreign victims deported.

Prevention

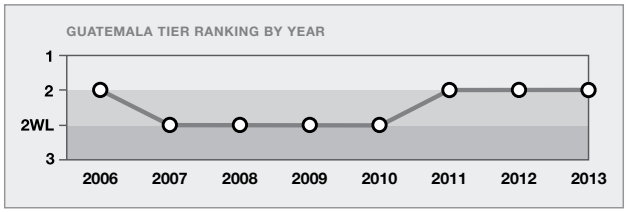
The government maintained its prevention efforts through an anti-trafficking public awareness campaign on national television and radio stations, targeting potential victims of human trafficking. The campaign encouraged victims to seek help and informed them of their rights and available assistance regardless of victims' cooperation with authorities. The campaign also raised awareness and sensitized the public to the issue of human trafficking, and highlighted victim protection and punishment for traffickers. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor. Despite growing anti-immigrant sentiment, authorities distributed cards printed in multiple languages with information on how to seek help to potential victims at border checkpoints and in immigration detention centers. In cooperation with UNHCR, the government distributed a booklet in Greek and English to front-line responders with

guidelines on the protection of women and girls in the asylum process who are at risk of trafficking. In cooperation with UNICEF, the government ran public awareness campaigns on child sex trafficking. The government continued to implement the national action plan against human trafficking; however, the government lacked a central coordinating mechanism to measure accountability for actions to be taken under that plan. The government did not demonstrate efforts to reduce the demand for forced labor during the reporting period.

GUATEMALA (Tier 2)

Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, girls, and boys are exploited in sex trafficking within the country, as well as in Mexico, the United States, and Belize. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service, and particularly in the highland region and near the Mexican border. Guatemalan children are exploited in forced labor in begging and street vending, particularly in the border area with Mexico. Guatemalan men, women, and children also are found in conditions of forced labor in agriculture, the garment industry, and in domestic service in Mexico, the United States, and other countries. Indigenous Guatemalans are particularly vulnerable to human trafficking. Women and children from other Central American countries and Colombia are exploited in sex trafficking in Guatemala. Foreign child sex tourists, predominantly from Canada, the United States, and Western Europe, as well as Guatemalan men, exploit children in prostitution. Organized crime networks continue to be involved in some cases of human trafficking, and gangs recruit children to commit illicit acts, sometimes using force or coercion.

The Government of Guatemala does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year authorities strengthened the anti-trafficking law enforcement infrastructure by creating new, dedicated police and prosecutorial units and by establishing two new specialized courts to handle trafficking cases, along with crimes against women and sexual violence. The government maintained efforts to convict sex trafficking offenders, and increased funding for NGOs that provide care services to girl sex trafficking victims. Officials' complicity in trafficking crimes, however, remained a serious and largely unaddressed problem. Efforts to prosecute and punish forced labor offenders and proactively identify forced labor victims were inadequate. Victim identification and referral efforts were uneven and largely ineffective for adult victims, and services were almost exclusively provided by NGOs to child sex trafficking victims, leaving adult victims vulnerable to re-trafficking.



Recommendations for Guatemala: Vigorously investigate and prosecute trafficking offenses, especially suspected cases of forced labor and domestic servitude, and convict and punish trafficking offenders; improve victim referral mechanisms to ensure that all identified victims, including victims of forced labor and all adult victims, are referred to appropriate services, including shelters; enhance the availability of specialized victim services throughout the country, including through increased funding of and partnerships with civil society, and ensure the security of specialized shelters; proactively investigate and prosecute public officials complicit in trafficking; develop formal guidelines for identifying trafficking victims among vulnerable populations, such as people in prostitution and indigenous workers, and ensure officials implement these guidelines; collect comprehensive data on prosecution efforts and on victim protection; and continue to train officials, including labor and health officials, on how to identify and assist trafficking victims to increase victim identification.

Prosecution

The government increased resources for specialized police and prosecutorial units during the year and continued to prosecute and convict sex trafficking offenders, but corruption remained a serious impediment to law enforcement, and efforts against forced labor were weak. The Guatemalan penal code prohibits all forms of trafficking, and prescribes penalties from eight to 18 years' imprisonment. Such penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The penal code also conflates irregular adoption with human trafficking. The government trained police officers for a greatly expanded specialized unit to handle human trafficking and other crimes, with one sub-unit for sex trafficking and another for forced labor. The government also elevated the anti-trafficking prosecutor's unit to a directorate, creating specialized units to handle sex trafficking and forced labor. In addition, authorities reported creating two new specialized courts in 2012 for crimes against women, sexual violence, and human trafficking. Anti-trafficking police and prosecutors' ability to conduct investigations on a national scale continued to be limited by a lack of funding, staffing, and awareness.

Officials did not report the number of investigations initiated during the year for forced labor or sex trafficking. There were no reports that law enforcement investigated cases of children who may have been forced by gangs to engage in illicit activities as human trafficking. Authorities reported prosecuting at least 23 new sex trafficking cases during the reporting period and convicted seven sex trafficking offenders using the anti-trafficking law; sentences ranged up to 10 years' imprisonment, plus fines. In comparison, during the previous year, the Guatemalan government reported convicting five sex trafficking offenders. There were no reported prosecutions or convictions involving forced labor offenses during this and the previous reporting periods.

Official complicity remained a serious impediment to law enforcement efforts, but authorities did not report efforts to prosecute or convict and punish any public officials for alleged complicity in human trafficking. Two mayors were under investigation for being clients of a sex trafficking network, though they had not been stripped of their immunity, which prevented their arrest. Some judges reportedly dismissed trafficking cases or acquitted trafficking offenders due to a lack of understanding of the crime or complicity with trafficking

offenders. Credible reports from international organizations, NGOs, and several government officials continued to indicate that corrupt public officials impeded anti-trafficking law enforcement efforts and facilitated trafficking activity by accepting or extorting bribes, falsifying identity documents, sharing information about impending police raids to suspected traffickers, and ignoring trafficking activity in commercial sex sites. During the year one judge in a specialized court for crimes against women refused to listen to evidence against an accused trafficking offender and proceeded to release the suspect. It was widely speculated that this was due to the accused trafficking offender's relationship with a prominent member of the Guatemalan bar association. Separately, a request to move a trafficking prosecution to a high-impact court in the capital—because of the high-profile nature of the sex trafficking ring's clients—was denied, allegedly because one of the accused trafficking offenders' defense attorney is the son of a supreme court magistrate.

Guatemalan authorities held training sessions aimed at educating and building capacity among judges, police, prosecutors, immigration officers, and other government officials, and reported training almost half of the judges in the country on trafficking. Most training efforts were conducted in partnership with civil society and with funds from foreign governments or international organizations.

Protection

During the year, government efforts to protect trafficking victims remained inadequate and, due to officials' weak implementation of victim referral protocols, the government-run shelter for adult trafficking victims remained severely underused. NGOs continued to provide specialized services for female sex trafficking victims and authorities increased funding for two NGOs, but services remained inadequate for many victims, particularly outside of the capital. While authorities reported that they had standard operating procedures on how to assist sex trafficking victims, it appeared this protocol was rarely employed, and there were no procedures for identifying forced labor victims among vulnerable populations. Most NGOs remained critical of the government's ability to identify and refer trafficking victims effectively, particularly among detained migrants, and authorities did not maintain comprehensive victim statistics. Trafficking prosecutors reported identifying 41 girls, 14 boys, and 72 women for a total of 127 potential trafficking victims during the year. Authorities reported referring all child victims to NGO-operated shelters, and one of these shelters assisted 85 sex trafficking victims. The government provided two NGOs with total funding equivalent to approximately $660,000 during the year, some of which was used to provide services to trafficking victims; this represents an increase in funding from the previous year. The absence of an effective identification and referral mechanism impeded adult victims' access to specialized services, and it was unclear how many of the adult victims identified by authorities were referred to or received services. During the year, only five adult victims stayed in the government-operated shelter, which has a capacity to care for 20 victims at a time. Authorities considered ceasing operation of this shelter due to low victim referral numbers and security concerns, and while it remained open, it was profoundly underutilized. During the year authorities also ended a program to provide services to victims of trafficking and sexual abuse, which was found to have been ineffective. The government facilitated but did not fund the repatriation of Guatemalan trafficking victims exploited abroad.

Although Guatemalan authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders and, many did so during the year in large part due to legal and psychological support from NGOs, many other victims did not file complaints due to fear of violence or reprisals, lack of faith in the judicial system, and the limitations of the government's witness protection program. Guatemalan law allowed for victim testimony *via* video. Guatemalan law prohibited detaining, fining, or otherwise penalizing identified victims for unlawful acts committed as a direct result of being subjected to human trafficking. NGOs reported, however, that some foreign victims in Guatemala did not have their victim status recognized by Guatemalan authorities before being deported as undocumented foreigners. Guatemalan law provided legal alternatives to removal of foreign victims who may face hardship or retribution upon repatriation.

Prevention

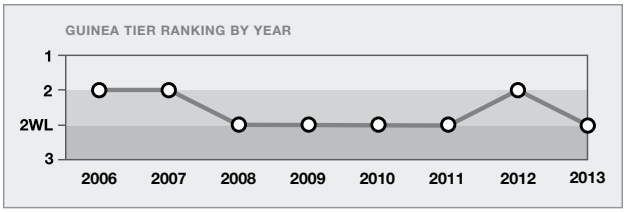
The Government of Guatemala maintained prevention efforts in 2012. The Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) was responsible for coordinating government efforts through the interagency commission. NGOs and some officials reported that this commission was not effective—meeting three to four times in 2012, despite being mandated to meet monthly—and that interagency coordination was uneven, particularly at the local level. With international funds, SVET conducted public awareness activities and made steps to establish a monitoring and statistics unit. There were continued reports of child sex tourism and SVET organized a workshop on the issue with the national tourism institute and civil society. As in previous years, however, there were no reported prosecutions or convictions of child sex tourists. Authorities provided training on human trafficking to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

GUINEA (Tier 2 Watch List)

Guinea is a source, transit, and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. The majority of Guinea's identified trafficking victims are children, and incidents of trafficking are more prevalent among Guinean citizens than foreign migrants residing in Guinea. Girls are often subjected to domestic servitude and commercial sexual exploitation, while boys are forced to beg on the streets, work as street vendors or shoe shiners, or labor in gold and diamond mines. Some Guinean women and men are subjected to forced labor in agriculture. Children are sent to the coastal region of Boke for forced labor on farms and to Senegal for education in Koranic schools, some of which exploit students through forced begging. Some Guinean boys and girls are subjected to forced labor in gold mining in Senegal, Mali, and possibly other West African countries. Guinean women and girls are subjected to domestic servitude and sex trafficking in Nigeria, Cote d'Ivoire, Benin, Senegal, Greece, and Spain. Reports indicate that Chinese and Vietnamese women are subjected to forced prostitution in Guinea and some Guinean women who migrate to the Middle East and Europe are subjected to forced prostitution and domestic servitude. Children from

Mauritania, Costa Rica, Cape Verde, Mali, Gabon, Senegal, and Ghana have been identified as child trafficking victims within Guinea. A small number of girls from Mali, Sierra Leone, Nigeria, Ghana, Liberia, Senegal, Burkina Faso, and Guinea-Bissau migrate to Guinea, where they are subjected to domestic servitude and likely also to commercial sexual exploitation.

The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In August 2012, the government created a new police unit with 30 officers focused solely on the fight against trafficking in persons and child labor, which investigated five cases of alleged trafficking during the reporting period. Despite the creation of a 30-officer anti-trafficking police unit, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous year; therefore, Guinea is placed on Tier 2 Watch List. The government did not prosecute trafficking offenses or convict trafficking offenders and did not provide comprehensive data on its anti-trafficking law enforcement efforts. Additionally, the government failed to provide adequate protection to trafficking victims, and its overall prevention efforts remained weak.



Recommendations for Guinea: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; work towards gaining capacity for the criminal courts to operate; educate prosecutors on trafficking-related statutes that can be pursued through the lower courts until the criminal courts are operating; train law enforcement officials and magistrates on anti-trafficking statues in the child code and the existing penal code; increase prescribed penalties for the sex trafficking of adults; provide specialized training to border officials to recognize both adult and child trafficking victims and to refer them to protective services; investigate allegations of corruption among border officials; appoint a new president of the National Committee to Fight Against Trafficking in Persons and provide adequate resources and training to committee members; implement the 2012-2013 national action plan; develop stronger partnerships with NGOs and international organizations, where possible, care for victims and develop systemic referral practices for victim care; enhance partnership and information-sharing mechanisms among government agencies involved in combating trafficking; and increase efforts to raise public awareness about trafficking, including the trafficking of adults.

Prosecution

The Government of Guinea did not demonstrate sufficient anti-trafficking law enforcement efforts during the reporting period. Guinean law does not prohibit all forms of trafficking, excluding, for example, forced prostitution of adults and debt bondage, which are not criminalized. Article 337 of the 1998 penal code prohibits individuals from entering into agreements that deprive third parties of their liberty, prescribing penalties of five to 10 years' imprisonment and confiscation of any proceeds from the crime. Articles 385-396 of the 2009 Child Code prohibit all forms of child trafficking and prescribe penalties of five to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government initiated five new trafficking investigations, but failed to prosecute or convict any trafficking offenders during the reporting period, representing a decrease compared to the significant anti-trafficking law enforcement efforts demonstrated in 2011. In August 2012, the Office for the Protection of Gender, Children, and Morals (OProGEM) within the Guinean police was restructured, creating a new unit focused solely on the fight against trafficking in persons and child labor. Thirty police officers were assigned to this unit, which purportedly conducted investigations across the country. However, the OProGEM reported that it lacks an adequate headquarters building, working vehicles, and other resources necessary to function effectively. In conjunction with IOM, the government trained 75 police and *gendarmes* on the identification and investigation of human trafficking. The Government of Guinea did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the reporting period; however, generalized corruption within border guard units and the judiciary continued to be a significant problem.

Protection

The government's protection of trafficking victims remained limited and difficult to assess during the reporting period. The government identified an unknown number of child victims of trafficking during the reporting period and no adult victims. The government failed to provide trafficking victims with direct access to legal, medical, or psychological services, and did not provide direct or in-kind support to international or local NGOs that assisted victims. However, the government continued to refer child victims to NGOs on an *ad hoc* basis and worked with NGOs to reunite victims with their families. The number of victims referred by government officials for assistance is unknown. During the reporting period, OProGEM selected a site in the Kipe neighborhood of Conakry for the construction of the first government-funded transition center for the treatment and protection of women and children who are victims of crimes, including child labor, forced labor, and sex trafficking; however, the government did not allocate funds to the construction of this facility.

Although it is legally available, the government did not provide temporary or permanent residence status to any victims from countries where they would face retribution or hardship. The child code contains provisions allowing NGOs to bring cases to court on behalf of victims, and the government reported that a victim could file a civil suit against a trafficking offender provided the victim is older than 12 years of age; however, this did not happen during the reporting period. There was no evidence that the government encouraged trafficking victims to participate in the investigation or prosecution of their traffickers during the year. It is not known whether any trafficking victims were prosecuted or otherwise punished for violations of Guinean laws.

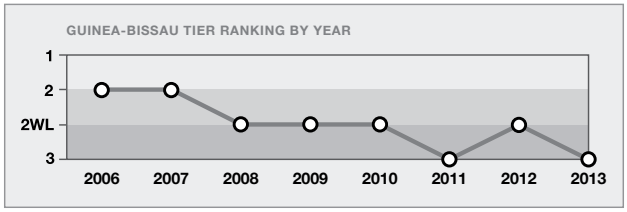
Prevention

The Government of Guinea made minimal efforts to prevent trafficking of children during the reporting period, though it failed to make any efforts to prevent adult trafficking. The National Committee to Fight Against Trafficking in Persons (CNLTP) failed to hold meetings for the majority of the reporting period, as the president of the committee passed away and the CNLTP failed to name a successor; as a result, the government did not conduct any trafficking prevention campaigns. However, it hosted its first joint National Forum on Children with the Government of Mali as part of the implementation of their bilateral accord of cooperation in the fight against child trafficking. The government also relaunched its Steering Committee for Vulnerable Children and Orphans in October 2012, which coordinates government efforts to protect vulnerable and exploited children; this steering committee had been discontinued due to political turmoil in 2008-2009. Despite Guinea's widespread child labor problem, the government did not implement any social programs to prevent children from entering exploitative work situations and, according to NGOs, labor inspectors lacked the capacity to adequately conduct child labor investigations. The government did not take steps to reduce the demand for commercial sex acts.

GUINEA-BISSAU (Tier 3)

Guinea-Bissau is a country of origin and destination for children subjected to forced labor and sex trafficking. The scope of the problem of trafficking in adults for forced labor or forced prostitution is unknown. Some unscrupulous religious teachers, known as *marabouts*, or their intermediaries, recruit boys under the pretense of offering them a Koranic education, but subsequently transport them to Senegal or, to a lesser extent, Mali or Guinea, where they are forced to beg for money. Young boys are increasingly sent to cities within Guinea-Bissau for the same purpose. The principal trafficking offenders are men from the regions of Bafata and Gabu—often former students of the *marabouts*, known as *talibes*—who are generally well-known within the communities in which they operate. Boys reportedly were transported to southern Senegal for forced manual and agricultural labor, girls were forced into domestic service in Bissau, the capital, and both boys and girls were forced to work as street vendors in Bissau-Guinean and Senegalese cities. Bissau-Guinean girls are subjected to domestic servitude in Guinea and Senegal, while a smaller number are subjected to child prostitution in the same countries, including for exploitation by international sex tourists. During the reporting period, three Sierra Leoneans, including one adult and two children, were identified as victims of forced begging in Guinea-Bissau.

The transitional Government of Guinea-Bissau does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In April 2012, the country underwent an unconstitutional change in government. As a result, the government's anti-trafficking efforts have stalled and it is unknown whether the new government will maintain the previous administration's commitments to combating trafficking in persons. Despite enacting an anti-trafficking law and finalizing and adopting a national action plan in 2011, the transitional government failed to demonstrate any notable anti-trafficking efforts during the reporting period. It did not take law enforcement action against suspected trafficking crimes, provide adequate protection to identified trafficking victims, conduct any tangible prevention activities in 2012, or make progress on the implementation of its national action plan.



Recommendations for Guinea-Bissau: Train law enforcement officials and magistrates to use the new anti-trafficking law to investigate and prosecute trafficking offenses; vigorously prosecute and convict trafficking offenders, including unscrupulous *marabouts* who use *talibes* for forced begging; undertake increased efforts to coordinate with NGOs to provide services to trafficking victims, including allocating increased resources to support NGO-run shelters; increase partnership and coordination with local NGOs to advance anti-trafficking efforts; convene regular meetings of the Inter-Ministerial Steering Committee on Trafficking and allocate specific funds for the implementation of the national action plan, including a public awareness campaign warning families about the dangers of trafficking.

Prosecution

The transitional government failed to demonstrate any notable law enforcement efforts during the reporting period. Public Law 12/2011 prohibits all forms of human trafficking and prescribes penalties of three to 15 years' imprisonment and the confiscation of any proceeds from the crime. The 2009 Child Code prohibits all forms of child trafficking and prescribes penalties of three to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, neither these laws nor other existing laws were used to prosecute trafficking cases during the reporting period.

The authorities did not conduct any investigations or prosecutions of trafficking offenses during the reporting period. Guinea-Bissau's judicial system lacks sufficient human and physical capital to function properly and corruption remains pervasive. The transitional government did not provide any specialized training to law enforcement officials on investigating or prosecuting trafficking crimes. It did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period; however, observers report that police and border guards may accept bribes from trafficking offenders and politicians refrain from addressing the issue of trafficking among religious leaders in order to avoid losing influential political support from the Muslim community.

Protection

The transitional government demonstrated overall inadequate efforts to identify and protect victims during the year, though it provided modest financial assistance to one NGO that cared for trafficking victims. It did not make systematic efforts to identify victims proactively and refer them to NGOs or

international organizations for assistance. Although the transitional government did not provide any statistics on the number of victims identified during the reporting period, NGOs reported that 282 victims were identified in 2012. Of these victims, 45 victims were repatriated to Guinea-Bissau from Senegal; the Bissau-Guinean embassy in Dakar worked with the Government of Senegal to return these victims to Guinea-Bissau, though the transitional government did not provide any assistance to the victims after they arrived in the country. During the last year, the central government contributed the equivalent of approximately $10,000 to an NGO that operated two multi-purpose shelters that provided care for an unknown number of victims; these facilities were severely underfunded and understaffed. NGOs also helped three Sierra Leonean victims—one adult and two children—of forced begging return home; the transitional government was not involved in this effort. Child victims were not encouraged to assist in the investigation and prosecution of trafficking offenses. While no such prosecutions were undertaken during the reporting period, the government reported that it encouraged adult family members and neighbors to participate in legal proceedings against suspected child traffickers, although no such prosecutions were undertaken during the reporting period. There was no evidence that the transitional government detained, fined, or jailed trafficking victims for unlawful acts committed as a result of their being trafficked.

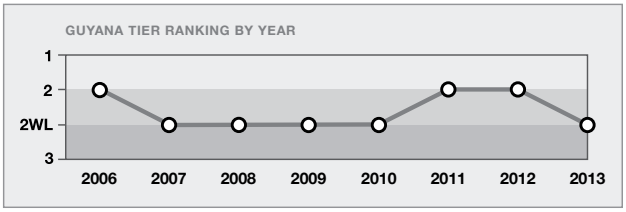
Prevention

The transitional government did not make any tangible efforts to prevent trafficking in persons during the reporting period. There is no evidence that the Inter-Ministerial Steering Committee, which coordinates the government's anti-trafficking efforts, continues to exist or that the government has taken any steps to implement that national action plan adopted by the previous government in 2011. This plan also obligates the government to contribute to anti-trafficking efforts from its general funds each year; however, with the exception of the equivalent of approximately $10,000 allocated to the aforementioned NGO, no additional funds were dedicated to anti-trafficking efforts in 2012. The transitional government took no discernible measures to reduce the demand for commercial sex acts or forced labor during the year.

GUYANA (Tier 2 Watch List)

Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Guyanese and foreign women and girls are subjected to forced prostitution in Guyana. Country experts express concern that exploitative child labor practices, some of which likely include human trafficking, occur within the mining industry, agriculture, and forestry sectors. Traffickers are attracted to Guyana's interior mining communities where there is limited government control. In addition, a lack of economic opportunities in more populated coastal regions of the country draws individuals, some underage, to seek employment in the interior, where they sometimes fall victim to trafficking. According to a media report in November 2012, a child was murdered while working in the mines, and reports linked his death to his attempt to collect wages due to him. Guyanese from rural, economically depressed areas are particularly vulnerable to trafficking in mining areas and urban centers. Indonesian workers were subjected to forced labor on several Guyanese-flagged fishing boats off of the coast of Trinidad and Tobago during the reporting period. There is additional concern that Venezuelan and Brazilian women in prostitution are vulnerable to trafficking in Guyana. Guyanese nationals have been subjected to human trafficking in other countries in the Caribbean region.

The Government of Guyana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, such as the identification and assistance of some trafficking victims, the government failed to demonstrate evidence of increasing efforts to hold trafficking offenders accountable with jail time over the previous reporting period; therefore, Guyana is placed on Tier 2 Watch List. While there have been some efforts to protect victims, the lack of punishment for trafficking offenders creates an enabling environment for continued human trafficking. The government did not provide evidence that it followed through with prosecution for high-profile suspected child trafficking cases reported in the media.



Recommendations for Guyana: Boost efforts to hold trafficking offenders accountable by vigorously and appropriately investigating and prosecuting forced prostitution and forced labor; in partnership with NGOs, develop standard operating procedures to guide and encourage frontline officials, including police, health, immigration, labor, mining, and forestry personnel in the identification and protection of victims of forced labor and forced prostitution, ensuring that victims are not punished for crimes committed as a result of being subjected to human trafficking; offer protection and assistance for victims near mining communities; investigate and hold accountable the perpetrators of forced labor on Guyanese-flagged vessels; and foster a climate of open dialogue on trafficking and encouraging people to come forward to authorities on potential cases.

Prosecution

The government made no discernible progress in holding human trafficking offenders in Guyana accountable during the reporting period. The Combating Trafficking of Persons Act of 2005 prohibits all forms of trafficking and prescribes sufficiently stringent penalties, ranging from three years' to life imprisonment. These penalties are commensurate with penalties prescribed under Guyanese law for other serious crimes, such as rape. The government reported two new labor trafficking investigations and 16 new sex trafficking investigations during the reporting period, and reported the initiation of seven sex trafficking prosecutions. It was unclear if the one prosecution documented in the previous reporting period was included in this figure. The great majority of prosecutions initiated in other reporting periods were dismissed when the prosecutors were unable to proceed, usually because witnesses declined to testify. The government continued to investigate a particularly brutal May 2012 case involving the severe beating, rape, and disfigurement of a

girl connected to a mining camp brothel. At the close of the reporting period, law enforcement and prosecutors were continuing to gather information in order to issue warrants for the arrest of suspected perpetrators and to initiate prosecution. The government reported no convictions of sex or labor trafficking offenders. The government did not report any investigations or prosecutions of government employees for complicity in trafficking-related offenses during the reporting period.

Stakeholders reported that the lack of transparent public standard operating procedures for handling trafficking cases was an obstacle to progress. The Guyana Police Force conducted training programs for police ranks stationed at regional communities of Bartica, Port Kaituma, and Lethem in November 2012. The Guyana Police Force also conducted sensitization training for students, nurses, and regional officials in January and February 2013.

Protection

The government made efforts to protect victims of trafficking during the reporting period by identifying and assisting trafficking victims, but these efforts were hindered by the lack of accountability for perpetrators of human trafficking. The government identified 19 girls, two boys, three women, and two adult men as suspected human trafficking victims during the reporting period, an increase from 13 victims identified the previous year. The government, in a positive step, listed the funding and a synopsis of support provided to suspected victims during the reporting period. Government-provided services consisted of psycho-social support, some medical care, transportation, and some assistance for the reintegration of victims. Regarding a specific inquiry regarding a case of a girl who had been severely beaten, raped, and disfigured during the reporting period, the government reported it had provided assistance such as medical care in a public hospital, initial psycho-social counseling, and assigned a case worker to the girl.

Guyana had a shelter for victims of domestic violence in the capital that reportedly also provided assistance to 10 female trafficking victims during the reporting period. The shelter received a government subsidy of the equivalent of approximately $50,000. The government did not provide specialized care for adult male victims but reported that men received similar access to care services offered to female victims. In areas outside of the capital, NGOs provided shelter and assistance to trafficking victims, often in dangerous conditions, without any funding from the government. Longer term shelter and protection was not available in Guyana, putting victims at risk of traffickers' reprisals since the government also failed to punish most trafficking offenders with incarceration.

Officials reportedly encouraged victims to participate in the prosecution of trafficking offenders; however, backlogs throughout the court system and delays increased the likelihood that victims would become discouraged and cease cooperation as witnesses in trafficking prosecutions. Stakeholders reported that there are no clear, written operating procedures to guide officials in handling human trafficking cases in coordination with NGO partners. The law protects victims from punishment for crimes committed as a result of being subjected to human trafficking and relief from deportation for foreign victims.

Prevention

The government made limited progress in preventing human trafficking during the reporting period. While the government recognizes that human trafficking occurs and affirmed its commitment to preventing and combating cases, public comments that seek to downplay the scope of Guyana's trafficking problem diminished the potential impact of trafficking awareness campaigns. During the reporting period, the Ministry of Human Services operated a hotline for trafficking victims. Officials conducted awareness and sensitization sessions that targeted several vulnerable communities as well as a trafficking awareness workshop for 40 participants. The Ministry of Human Services, funded by United Nations Development Program, also conducted a campaign in Region Nine to educate residents and visitors on the issue of human trafficking. The Region Nine outreach included setting up a booth at the popular annual Rupununi Rodeo. Officials did not report any measures to reduce the demand for commercial sex acts during the reporting period.

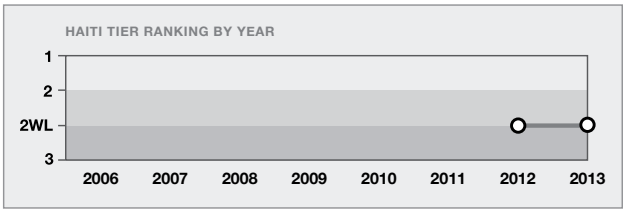
HAITI (Tier 2 Watch List)

Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most of Haiti's trafficking cases consist of the estimated 150,000-500,000 children in domestic servitude in households throughout Haiti. In addition to experiencing forced labor, these children are vulnerable to beatings, sexual assaults, and other abuses by family members in the homes in which they are residing. Dismissed and runaway children from domestic servitude make up a significant proportion of the large population of street children who end up forced into prostitution, begging, or street crime by criminal gangs in Haiti. Children working in construction and agriculture are also vulnerable to forced labor. Children in some unscrupulous private and NGO-sponsored residential care centers are at a high risk of being placed in a situation of forced labor. Women and children living in Internally Displaced Persons (IDP) camps set up as a result of the 2010 earthquake were at an increased risk of sex trafficking and forced labor. Of the estimated 1.5 million Haitians that entered the camps following the earthquake, some 357,785 remain as of March 2013. There have been documented cases of Dominican women in forced prostitution in Haiti. Haitians are exploited in forced labor in the Dominican Republic and elsewhere in the Caribbean as well as the United States. The groups most at risk of trafficking were Haitians without documentation and those from the lowest income backgrounds, especially women and children. One Haitian government report estimated that the births of more than 10 percent of Haitians were not registered.

There have been incidents of foreigners engaged in the commercial sexual exploitation of Haitian children, including incidents of sexual exploitation and abuse reported by the UN Stabilization Mission in Haiti (MINUSTAH). There were also incidences of child sex tourism; in 2013 a U.S. citizen was convicted in the United States of engaging in child sex tourism at a residential facility in Haiti that provided shelter, food, clothing, and school tuition to Haitian children.

The Government of Haiti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, such as the identification and assistance of some children

in domestic servitude, the continued lack of legislation prohibiting all forms of human trafficking that prescribes stringent penalties on par with rape, as well as a lack of formal protections for victims, remained serious problems; therefore Haiti is placed on Tier 2 Watch List. The government took some action to raise awareness about human trafficking during the reporting period, but with insufficient accountability for trafficking offenders the effectiveness of these prevention efforts was limited. The creation of an inter-ministerial group to address human trafficking and officials' stated commitment to passage and implementation of anti-trafficking legislation may lead to improved results in the future.



Recommendations for Haiti: Enact legislation prohibiting sex trafficking and all forms of forced labor, including domestic servitude, with penalties that are commensurate with those for other serious crimes, such as rape; investigate, prosecute, and convict trafficking offenders, including persons abusing domestic servants or prostituting children under 18, using available legal instruments; adopt laws or policies to guarantee victims are not punished for crimes committed as a direct result of being subjected to human trafficking; and in partnership with NGOs, adopt and employ formal procedures to guide officials in proactive victim identification and referral of child and adult victims to appropriate shelters and services.

Prosecution

The government did not make discernible progress in prosecuting trafficking offenders during the reporting period largely because Haiti does not have a law or laws specifically prohibiting trafficking in persons. For another year, draft anti-trafficking legislation that pre-dated the 2010 earthquake remained pending in Parliament. There were some laws that could potentially have been used to prosecute some trafficking offenses, such as the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill-treatment or Inhumane Treatment against Children of 2003, though the government did not report any prosecutions or convictions of any trafficking offenders in Haiti under this law or any other laws during the reporting period. The Haitian government noted its use of laws against kidnapping, rape, prostitution, and other offenses to pursue investigations against traffickers and those that exploit victims. However, there were no reports that these investigations led to any convictions. Some NGOs and international organizations reported possible trafficking investigations and prosecutions, though these reports could not be verified by the government. The Brigade for the Protection of Minors (BPM), despite severely limited resources, recorded 94 cases of child trafficking and arrested and transferred 15 adults to state prosecutors, though there was no information available suggesting any of these cases made it to the prosecution stage—raising serious concerns about accountability for human trafficking in Haiti. The absence of a comprehensive anti-trafficking law also contributed to confusion regarding the differences between the crimes of human smuggling, human trafficking, and illegal adoption among elements of the Haitian government and some of its international donors. In addition to the absence of a solid law, other impediments to combating human trafficking included widespread corruption, the lack of quick responses to cases with trafficking indicators, the slow pace of the judicial branch to resolve criminal cases, and scant funding for government agencies. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. The government's capacity to provide officials with specialized trafficking awareness training, such as training on identifying and assisting trafficking victims or investigating and prosecuting human trafficking cases, was limited.

Protection

The government made limited progress in the protection of trafficking victims during the reporting period. The majority of victim services are provided by NGOs. NGOs that partner with the Ministry of Social Affairs and Labor also refer the majority of victims to the government's social welfare ministry (IBESR), which documents cases and refers them to law enforcement. The government did not systematically track data regarding trafficking victim identification. However, the BPM made progress collating data on human trafficking cases at four posts on the border with the Dominican Republic. From May 2012 to January 2013, the BPM registered 52 trafficking cases at these posts. IBESR removed a total of 95 children from situations of forced labor in 2012 and continued to close harmful residential child care centers, removing 756 children from environments where they were exposed to a high risk of human trafficking. A total of 656 of these children were reintegrated into families or foster families, while the remaining 100 stayed in IBESR transition centers awaiting sustainable reintegration options. The government did not report proactive identification or assistance for any adult victims of forced prostitution or forced labor.

The government did not provide direct or specialized services to trafficking victims; however, the government referred suspected trafficking victims to donor-funded NGOs which provided shelter, food, medical, and psychosocial support. NGOs reported that they had good working relationships with individual government officials, and the leadership of BPM and IBESR expressed commitment to helping child trafficking victims during the reporting period despite extremely limited resources—including lack of transportation to investigate cases. Due to budgetary limitations, officials sometimes used personal funds to provide food for child trafficking victims. The government did not have formal trafficking victim protection policies to encourage victims to assist in the investigation and prosecution of trafficking offenders; the government also did not have legal protections to ensure victims were not punished for crimes committed as a direct result of being subjected to human trafficking. The government also did not have provisions to provide immigration relief for foreign victims of human trafficking facing retribution in the countries to which they would be deported.

Prevention

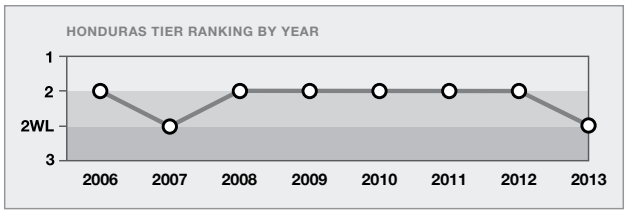
The government made efforts to prevent human trafficking during the reporting period, but the effectiveness of these efforts were also hindered by the lack of a comprehensive law criminalizing human trafficking. In early 2013, the

government created an inter-ministerial working group on human trafficking, which was chaired by the Judicial Affairs Director of the foreign affairs ministry, to coordinate all anti-trafficking executive branch initiatives. In June 2012, IBESR launched a trafficking hotline and conducted a campaign to raise public awareness about child labor, child trafficking, and child sexual abuse among other child protection concerns. An international organization subsidized the hotline's initial start-up costs; however, IBESR funded the operating costs and employed 10 workers to manage both the hotline and child protection database. During the reporting period, senior public officials and BPM and IBESR also made efforts to inform the public about child trafficking and sexual abuse. In December 2012, without government funding, Haitian child protection authorities chaired roundtables on child domestic servitude in Port-au-Prince and in the North, Artibonite, Sud, and Sud-Est departments. The government created a national commission for the elimination of the worst forms of child labor, which facilitated two workshops, launched a public awareness campaign on child labor, and highlighted the national day against *restavèk* abuse. Haitian child protection officials provided substantial assistance to a foreign government's prosecution of a child sex tourism offender who had abused children in Haiti. There were no known measures by the government taken during the reporting period to reduce the demand for commercial sex acts.

HONDURAS (Tier 2 Watch List)

Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Honduran women and children are often subjected to sex trafficking in urban and tourist centers such as Tegucigalpa, San Pedro Sula, and the Bay Islands. Honduran women and children are exploited in sex trafficking in other countries in the region as well, particularly Mexico, Guatemala, El Salvador, and the United States. To a lesser extent, women and girls from neighboring countries are exploited in sex trafficking in Honduras. NGOs reported an increase in victims from the lesbian, gay, bi-sexual, and transgender (LGBT) community. There continue to be reports of rural families "leasing out" their children, who are then exploited in forced labor, including forced begging and commercial sexual exploitation, in urban areas. NGOs report incidents of forced labor in Honduras in agriculture and domestic service. Honduran men, women, and children are also subjected to forced labor in other countries, particularly in Guatemala, Mexico, and the United States. During the year, a large number of indigenous Miskito men and boys from Honduras were found on a fishing vessel in Jamaican waters, and 21 of these boys were identified as potential trafficking victims by Jamaican authorities. NGOs continue to report that young males in urban areas were coerced and threatened by gang members to transport drugs or to be hit men. In addition to anecdotal reports of trafficking incidents in the Bay Islands, Honduran authorities have identified child sex tourists in La Ceiba, San Pedro Sula, and Siguatepeque.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, such as some law enforcement efforts against child sex trafficking offenders and, for the first time funding an NGO providing services to trafficking victims, the government did not increase its overall efforts to address human trafficking since the previous reporting period. Therefore, Honduras is placed on Tier 2 Watch List. The government did not demonstrate progress in investigating or prosecuting forced labor or the forced prostitution of adults. The government continued to rely on civil society organizations to provide the vast majority of shelter and services to victims. Authorities did not report providing services to repatriated children identified as potential victims by a foreign government.



Recommendations for Honduras: Increase efforts to prosecute all forms of trafficking, including forced labor crimes and forced prostitution of adult victims, and increase the number of trafficking offenders convicted and sentenced; ensure that specialized services and shelter are available to all victims of trafficking through dedicated funding, either of government entities or civil society organizations; develop and implement formal procedures for identifying victims among vulnerable populations and referring them to service providers; increase the number of adult victims identified and assisted, including repatriated Honduran victims; increase resources and staff for the dedicated police and prosecutorial units; improve data collection on anti-trafficking efforts; and enhance government planning and coordination mechanisms, in part through funding the interagency commission.

Prosecution

The Government of Honduras maintained limited law enforcement efforts against child sex trafficking offenders, but held no offenders criminally accountable for the forced labor or forced prostitution of adults. The Honduran anti-trafficking law, passed in April 2012, prohibits all forms of trafficking, prescribing penalties ranging from 10 to 15 years' imprisonment, which are sufficiently stringent punishments and commensurate with those prescribed for other serious crimes, such as rape. However, this law also conflates crimes that are distinct from human trafficking, such as illegal adoption, with human trafficking. The government maintained a law enforcement unit dedicated to investigating human trafficking and human smuggling crimes based in the capital. The office of the special prosecutor for children handled all trafficking cases in the capital as well as all crimes against children, with only two prosecutors and four research analysts. Under-resourced local prosecutors were responsible for all other cases. NGOs reported that the government did not provide adequate funding or staff for anti-trafficking police or prosecutors and that law enforcement had a limited ability to investigate trafficking cases outside of the capital. NGOs noted that the criminal justice system often re-victimized child victims. Most trafficking offenders were prosecuted under non-trafficking statutes that prescribe lower penalties, such as those prohibiting pimping.

Data collection on trafficking efforts was uneven. Authorities reported opening 47 trafficking investigations in 2012 and prosecuting and convicting three child sex trafficking offenders under statutes prohibiting commercial sexual exploitation of children. The convicted offenders received sentences ranging

from six to 19 years' imprisonment, plus fines. In comparison, authorities reported prosecuting and convicting six child sex trafficking offenders during the previous year. There were no reported convictions involving the forced labor or sex trafficking of adults, and law enforcement efforts focused almost exclusively on child sex trafficking. There were no reports that law enforcement investigated, as human trafficking, cases of children who may have been forced by gangs to engage in illicit activities. Civil society reported that corruption hampered labor inspections, impeding detection of possible forced labor cases. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. NGOs and international organizations continued to deliver most of the anti-trafficking training available to government officials, and some officials lamented the lack of government-sponsored training for government officials on this subject.

Protection

The Honduran government provided limited funds to one NGO to provide services to vulnerable children. Overall government efforts to identify, refer, and assist trafficking victims were inadequate and almost entirely dependent on civil society organizations. Honduran authorities continued to lack systematic procedures to identify trafficking victims among vulnerable populations, such as people in prostitution or working children. During the year, however, immigration officials received a training manual developed by an NGO on victim identification. Authorities reported identifying 26 trafficking victims in 2012 and referring all of these victims to NGOs. The government did not operate dedicated shelters or services for trafficking victims, and most services were provided by NGOs without funding from the government. The government gave the equivalent of approximately $45,000 to one NGO that provides services to vulnerable children and that runs the country's only specialized shelter for girl victims of commercial sexual exploitation. Although the government could offer child victims limited medical and psychological assistance at three government shelters for at-risk children, officials did not record the number of child trafficking victims who received such services. International organizations reported that these centers did not exist in most of the country, and where they did they were substandard. NGOs have provided services to adult victims of trafficking in Honduras, including repatriated Honduran victims, although government funding of services for adult victims was practically nonexistent. Authorities did not report screening or providing services to the aforementioned Miskito boys repatriated from Jamaica, despite their having been identified as potential victims by Jamaican authorities. The only government-provided shelter accessible to adult male victims was the migrant detention center, which is not appropriate for victims of trafficking.

The government encouraged victims to assist in the investigation and prosecution of trafficking offenders, and some did so during the reporting period. Some trafficking victims, however, declined to cooperate or chose not to report their exploitation, given their distrust of the police and the judicial system and because government protection for victims and witnesses was inadequate. There were no reports of identified victims being penalized for unlawful acts committed as a result of their being subjected to human trafficking. The government could provide foreign victims with a temporary residency status, but reported that no foreign victims applied for this status during the year.

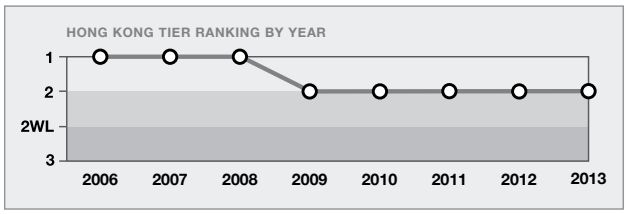
Prevention

The government maintained limited prevention efforts over the year. The overburdened office of the special prosecutor for children coordinated the interagency commission on child trafficking and commercial sexual exploitation, which is composed of government agencies, NGOs, and international organizations. Although legally required to do so, the government did not fund the interagency commission. The government continued partnerships with civil society organizations on awareness efforts, the vast majority of which focused on child sex trafficking. The government maintained a national hotline for trafficking victims to obtain information and assistance; the hotline was administered by the anti-trafficking police unit, and NGOs considered it ineffective. The government reported no investigations, prosecutions, or convictions of child sex tourists during the year. The government did not report efforts to reduce the demand for forced labor or commercial sex acts during the year.

HONG KONG (Tier 2)

The Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China is a destination and transit territory for men, women, and teenage girls from mainland China, Colombia, the Philippines, Indonesia, Thailand, Vietnam, Nepal, Cambodia, and elsewhere in Southeast Asia, subjected to sex trafficking and forced labor. Some migrants are lured to Hong Kong by criminal syndicates or acquaintances with promises of financial rewards and are deceived about the nature of prospective work. Upon arrival in Hong Kong, some of these migrants are forced into prostitution to repay money owed for their passage to Hong Kong. According to an NGO and press reports, some victims of sex trafficking have been psychologically coerced into prostitution by trafficking offenders who threaten to reveal photos or recordings of the victims' sexual encounters. Boys and girls are found in prostitution under the phenomenon of "compensated dating." Some foreign domestic workers in the territory, particularly those from Indonesia and the Philippines, face notable indebtedness assumed in their home countries as part of the terms of job placement, which have the potential to lead to situations of debt bondage. Foreign domestic workers from the Philippines and Indonesia are generally charged the equivalent of approximately $1,950 and $2,725, respectively, by recruiters in their home countries, debts which may comprise more than 80 percent of workers' salaries for the first seven to eight months of employment. During that period, some workers may be unwilling to report abusive employers for fear of losing their jobs. Several of Hong Kong's domestic worker employment agencies have charged fees in excess of Hong Kong law and illegally withheld passports, employment contracts, and bank debit cards of domestic workers until their debt has been paid—factors that could facilitate labor trafficking in the territory.

Hong Kong authorities do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. The authorities made modest progress over previous years in law enforcement efforts against sex trafficking, but secured no forced labor convictions. Authorities' anti-trafficking efforts were limited because of insufficient laws that do not prohibit all forms of trafficking, unequal application of formal victim identification procedures, and lack of provisions that protect victims of trafficking.



Recommendations for Hong Kong: Enact a comprehensive anti-trafficking law that prohibits all forms of trafficking and defines terms according to established international standards as set forth in the 2000 UN TIP Protocol; ensure adequate procedures are in place to guide officials in proactively identifying forced labor and sex trafficking victims among vulnerable populations and referring them to available services; grant victims permission to work and study while participating in trafficking investigations and prosecutions; develop a national action plan to commit resources and develop a clear, overarching strategy to combat trafficking; continue to publicize the availability of these protective service resources among vulnerable populations, such as foreign domestic workers; educate law enforcement, judges, authority officials, and the public on trafficking definitions in line with established international standards; and accede to the 2000 UN TIP Protocol.

Prosecution

Hong Kong authorities made modest progress in their anti-trafficking law enforcement efforts during the reporting period. Anti-trafficking law enforcement efforts were hindered as authorities continued to define trafficking as the movement of people for prostitution and Hong Kong law continued to lack specific criminal prohibition of forced labor. Inconsistent with international norms as detailed in the 2000 UN TIP Protocol's definition of human trafficking, Section 129 of the Crimes Ordinance, which prohibits "trafficking in persons to or from Hong Kong," requires an element of transnationality in the offense and focuses on movement of persons into or out of Hong Kong for prostitution regardless of whether force, fraud, or coercion has been used. Section 129's prescribed penalty of 10 years' imprisonment is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Other sections of Hong Kong's Immigration Ordinance, Crimes Ordinance, and Employment Ordinance were also used to prosecute trafficking offenses. During this reporting period, Hong Kong authorities were in the process of prosecuting three cases under Section 129. Ten offenders were convicted under Crimes Ordinance Section 130, which prohibits forced or organized prostitution, for trafficking-related offenses, compared to six convictions last year. Six of the offenders received an average of six months' imprisonment, while the other four received probation or community service orders, which might suggest that forced prostitution is not treated as a serious crime. No conviction for forced labor was reported. The authorities did not report conducting any trafficking-related law enforcement training. Hong Kong authorities did not report any investigations, arrests, prosecutions, or convictions of government officials complicit in trafficking offenses.

Protection

Hong Kong authorities continued their efforts to protect trafficking victims during the reporting period. Authorities identified seven sex trafficking victims; three were referred to care facilities and one was assisted by the victim's consulate. In November 2012, Hong Kong authorities met with representatives from a coalition of service providers for ethnic minorities to exchange information. Despite NGOs' reports of labor trafficking cases that occurred during the reporting period, the authorities did not identify any labor trafficking victims. Law enforcement and social services officials reportedly followed systematic procedures in identifying the full range of potential trafficking victims, particularly among high-risk populations such as foreigners arrested for prostitution or immigration violations. In 2012, the anti-trafficking working group updated the police's victim identification procedure to enhance the ability of frontline officers to identify and offer protection to trafficking victims. However, these procedures did not seem to be effectively employed, as no trafficking victims were identified among the 551 mainland Chinese, Thai, Filipina, and Colombian women arrested by Hong Kong Police for immigration violations as the result of 5,900 anti-prostitution actions. Similarly, no trafficking victims were reported identified among the 2,681 persons similarly apprehended by the Immigration and Labor Departments. Authorities subsidized six NGO-run shelters and three government-owned and operated shelters that serve victims of abuse, violence, exploitation, and trafficking. Three trafficking victims were provided temporary free accommodation, counseling, and access to hospital services. Authorities claimed to have encouraged trafficking victims to participate in the investigation and prosecution of trafficking offenders, though they did not permit victims to work while remaining in Hong Kong to participate in trials. Hong Kong does not specifically allow for permanent residency status for cases in which repatriation may constitute a risk of hardship or retribution. In 2012, the Immigration Department issued 4,500 visa extensions to former foreign domestic workers during legal proceedings in Hong Kong, but it is unclear how many of these legal proceedings involved labor exploitation.

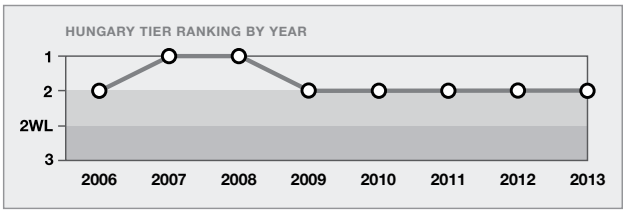
Prevention

Hong Kong authorities sustained previous efforts to prevent trafficking in persons during the reporting period, distributing anti-trafficking pamphlets in six different languages and information packets for foreign domestic workers in eight different languages discussing ways to prevent and report human trafficking. Authorities also provided new foreign domestic workers arriving at the airport with information on their rights in multiple languages. The Labor Department conducted 958 inspections of foreign domestic worker employment agencies and revoked the licenses of two employment agencies that overcharged foreign domestic workers and committed fraud. Hong Kong authorities reported no efforts to prevent or combat child sex tourism of Hong Kong nationals in foreign countries. Hong Kong is not a party to the 2000 UN TIP Protocol.

HUNGARY (Tier 2)

Hungary is a source, transit, and destination country for women and girls subjected to sex trafficking and forced labor. Hungarian women and children are subjected to sex trafficking within the country and in the Netherlands, Switzerland, the United Kingdom (UK), Denmark, Germany, Austria, Italy, Norway, Spain, Ireland, Belgium, Greece, and the United States. Men and women from Hungary are subjected to conditions of forced labor in the UK, Spain, Canada, the Netherlands, and the United States, as well as in agricultural and construction sectors in Hungary. Authorities reported increased detection of forced labor during the year. Sex trafficking victims in Hungary are subjected to exploitation in street prostitution and in brothels disguised as bars or massage parlors, as well as in private apartments or homes. Victims are usually housed in apartments owned by the traffickers or on outbuildings on their property. Experts report that traffickers recruited Roma and other girls from Hungarian orphanages for sex trafficking within the country. Roma women and children are disproportionately represented among trafficking victims in the country.

The Government of Hungary does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government increased its conviction rate for trafficking offenders but remained hampered by a legal system that requires proof of buying and selling of the victim. In 2012, the government amended general victim assistance legislation to ensure that trafficking victims received support, including access to shelter, regardless of their participation in a criminal case. Also in 2012, the government issued a decree introducing a formalized national-level victim identification protocol. During the reporting period, the government increased shelter capacity by providing funding to an additional NGO. Overall, however, the government continued to offer limited assistance to trafficking victims. NGOs continued to report that some victims who refused to testify against their traffickers were vulnerable to being charged and detained by police for committing a crime against sexual morals. Experts reported that the Hungarian government did not proactively address trafficking occurring within the country, and officials continued to treat children in prostitution as perpetrators—as opposed to victims of trafficking. Serious misunderstandings of child sex trafficking continued to hamper the government's ability to effectively address Hungary's trafficking problem.



Recommendations for Hungary: Continue to further expand shelter capacity in Hungary and ensure consistent funding for NGOs providing victim care; bolster protection for trafficking victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve their reintegration in Hungary; provide specialized training for social workers to facilitate reintegration assistance for these victims; expand jurisdiction of the specialized anti-trafficking police unit to investigate local, domestic cases of trafficking without an international link; develop stand-alone procedures based on the new identification degree for authorities to increase detection of trafficking victims exploited within Hungary, including among Roma and local children in prostitution; issue guidance for local police to ensure children in prostitution are not treated as offenders and punished for unlawful acts committed as a direct result of being trafficked; take steps to increase incentives for victims' voluntary cooperation with law enforcement; ensure that the Hungarian anti-trafficking law is fully harmonized with the definition of trafficking under the EU Directive 2011/36/EU by more precisely defining exploitation (including child prostitution, forced prostitution, forced labor, begging, and the exploitation of criminal activities), by ensuring that buying and selling and the transactional basis for trafficking is not required, and by ensuring that means are required to prove an act of adult trafficking; and consider appointing specialized prosecutors and judges to litigate trafficking cases.

Prosecution

The Hungarian government made progress in its anti-trafficking law enforcement efforts in 2012. During the year, authorities continued to investigate trafficking cases and increased convictions for trafficking offenders. Hungary prohibits all forms of trafficking through Sections 175/B of its current criminal code, but the law is both overbroad because it does not require coercive means to prove the basic offense of trafficking in persons, and is too narrow because the courts have interpreted it to require evidence that the victim was bought or sold. Prescribed penalties range from one to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Officials recognize that the narrow judicial interpretation has created overly strict evidentiary requirements for prosecutors to prove the crime of human trafficking—specifically with regards to the transaction requirement and a Supreme Court case requires evidence of direct or recently committed violence. The new Criminal Code adopted by Parliament in June 2012 amended counter-trafficking provisions, effective July 1, 2013. The new regulations introduced an explicit offence for forced labor and raised the maximum sentences for aggravated trafficking acts. However, the new law fails to fully comport with the definition of human trafficking in the EU Directive 2011/36/EU by including the necessary elements of exploitation, such as forced prostitution, child prostitution, or begging. In 2012, police investigated the same number of trafficking cases as in 2011, initiating 18 new investigations. The number of prosecutions, however, declined from 29 cases in 2011 to 12 cases in 2012. Courts convicted 18 trafficking offenders in six trafficking cases in 2012, a significant increase from eight convicted offenders in 2011. In November 2012, a court sentenced two convicted offenders, respectively, to two years' imprisonment suspended for five years and an 18-month prison sentence suspended for three years for sex trafficking of a 16 year old child. Despite the young age of the victim, these convicted offenders received no time in jail. The remaining 16 sentences ranged from one year and six months to seven years' and six months' imprisonment, in comparison to penalties from a one-year suspended sentence to nine years' imprisonment in 2011. NGOs continued to report that police often failed to investigate trafficking cases that involved Roma or other domestic victims. During the year, the government reduced

the number of police investigators in the specialized anti-trafficking unit by five officers, bringing the total number to 11. This specialized unit is charged only with investigation of trafficking crimes that involve organized crime or international elements. In 2012, Hungarian authorities conducted training for 50 police officers on victim protection and identification. The Hungarian government did not report the investigation or prosecution of any public officials for alleged complicity in trafficking-related offenses during 2012. During the year, however, NGOs continued to report concerns about trafficking-related complicity, including victim testimonials indicating traffickers' connections with officials. Furthermore, a previous research report based on interviews with survivors of sex trafficking contained strong indications of government officials' complicity, including reports of officers physically abusing and humiliating trafficking victims and not taking action when victims disclosed the names of their pimps.

Protection

The Hungarian government sustained its efforts to protect trafficking victims in 2012. It improved its capacity to identify and protect victims by adopting a December 2012 decree on victim identification for all front-line responders, as well as enacting the September 2012 amendment to the Victim Support Act, which requires the government to provide shelter for identified trafficking victims exploited either in Hungary or abroad. Victims are eligible to receive support under this act regardless of their intention to assist law enforcement. In 2012, the government identified a total of 122 trafficking victims through its national referral mechanism (NRM), 12 of whom were identified abroad by Hungarian Consular Services. In 2012, IOM assisted in the repatriation of 20 Hungarian victims exploited abroad. Out of the 122 victims identified in 2012, the government's victim support service only reported assisting one foreign trafficking victim; a decline from 14 foreign victims in 2011. Thirty victims referred through the NRM were provided only with information services. Eighteen Hungarian trafficking victims were referred to an NGO-run shelter in 2012 for care, a decline from the 34 Hungarian victims referred in 2011. The government provided the approximate equivalent of $27,000 for the operation of this shelter in 2012, the same amount it provided to it in 2011. However, this funding level was insufficient and the NGO continued to rely on local and international donors to adequately address the specialized needs required by trafficking victims under its care. This shelter had limited capacity of space for a maximum of six victims for a renewable, six-week period; some victims were turned away from the shelter during the year due to lack of space; significantly increasing their risk of re-trafficking. In 2012, the government provided another NGO with the approximate equivalent of $105,000 to purchase and operate a second shelter exclusively for trafficking victims. Effective February 1, 2013, the new shelter can accommodate six female trafficking victims for up to a year. Victims are only permitted to leave the shelter if accompanied by a chaperone.

The government continued to criminalize and punish victims for crimes committed as a direct result of their trafficking. Experts continued to report a deep misunderstanding among Hungarian authorities of child trafficking issues, and NGOs reported authorities did not proactively identify potential trafficking victims among local children and other domestic trafficking victims in the country, instead charging them for violating prostitution laws and other offenses. Furthermore, trafficking victims in Hungary are only considered to be official victims of the crime of trafficking if they testify in court against their traffickers. If they refuse to testify, victims may be prosecuted by police for illegal prostitution, a petty offence. NGOs reported victims in Hungary faced considerable risks of retribution by their traffickers. Experts reported that Hungarian traffickers often remained in contact with victims after they left the country and continued to exert pressure on them from Hungary. The government did not provide adequate incentives for victims to voluntarily participate in the investigation and prosecution of their traffickers in 2012. Although the government had a witness protection law that could be used to protect trafficking victims, it had yet to use it to protect any trafficking victims required to testify against their traffickers. The law provided foreign victims with a 30-day reflection period and temporary residency permit, if they decided to assist law enforcement; however, no foreign victims applied for or received this temporary immigration relief in 2012. Hungarian victims could voluntarily decide whether to assist law enforcement authorities during the criminal investigation but were obliged to testify if summoned by the court.

Prevention

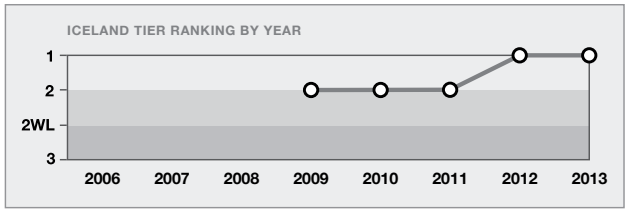
The Government of Hungary demonstrated some limited improvements in its efforts to prevent human trafficking. In August 2012, the government organized a week-long awareness-raising campaign as part of an annual youth music festival to educate young Hungarians about trafficking and screened a Dutch documentary to educate potential clients of prostitution about sex trafficking. In December, the government launched a pilot project to reach secondary school students, and conducted targeted outreach with Hungarians seeking jobs abroad to educate them about their rights to challenge poor working conditions in destination countries. NGOs reported the government did not undertake any anti-trafficking awareness campaigns targeted to internal trafficking in Hungary. Experts report that authorities in Hungary did not acknowledge the problem of human trafficking as it relates to child prostitution within the country. The government undertook only limited measures to reduce the demand for commercial sex acts during the reporting period. The government did not demonstrate transparency in systematically assessing its anti-trafficking efforts and providing reliable trafficking-related statistics in 2012, but maintained a website listing information on its anti-trafficking efforts, indicators of trafficking, and checklists for Hungarians planning on working abroad. The government provided anti-trafficking training to Hungarian troops prior to their deployment abroad on international peacekeeping missions.

ICELAND (Tier 1)

Iceland is a destination and transit country for women subjected to sex trafficking from Eastern Europe, the Baltics, Nigeria, and China. Men and women are subjected to forced labor in massage parlors and restaurants through threats and withholding of documents. Women from Nigeria, who were coerced into prostitution in other European countries through curses and spiritual practices, sought asylum in Iceland. Authorities suspect the involvement of foreign organized crime groups in forced prostitution. Traffickers reportedly exploit the visa-free regime in the Schengen Zone to bring victims to Iceland for up to three months and then

move them out of the country before the point at which they would need to register with local authorities.

The Government of Iceland fully complies with the minimum standards for the elimination of trafficking. The government enhanced support for the police taskforce on organized crime and human trafficking, and continued to develop the expertise of law enforcement to investigate trafficking offenses. The government, however, did not prosecute any trafficking offenses, perhaps reflecting the low number of victims identified, limited success in encouraging victims to cooperate with law enforcement, and lack of legal authority to conduct proactive investigations. The Icelandic government has yet to launch awareness activities to educate the public on how to identify and report possible trafficking.



Recommendations for Iceland: Vigorously investigate, prosecute, and convict trafficking offenders; formalize procedures for all officials and NGOs to identify and refer victims to care; provide specialized training on victim identification to frontline responders and officials in a position to encounter vulnerable populations; conduct public awareness activities focused on increasing identification of sex and labor trafficking victims among vulnerable populations; continue to support trust building with victims of trafficking to provide protection and to encourage their participation in the investigation and prosecution of traffickers; and train national emergency hotline operators on responding to potential trafficking cases.

Prosecution

The Government of Iceland strengthened efforts to investigate suspected trafficking offenders during the reporting period, but failed to initiate any prosecutions for trafficking offenses or obtain any convictions. Iceland prohibits both sex trafficking and forced labor under Article 227a of its criminal code, which prescribes penalties up to 12 years' of imprisonment. This penalty is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Police initiated six human trafficking investigations during the reporting period, an increase from two investigations in 2011. However, the government did not prosecute or convict any suspected offenders. Only one trafficking victim agreed to cooperate with law enforcement during the year. Icelandic authorities conducted one ongoing transnational investigation with Norwegian law enforcement counterparts. While NGOs lauded the anti-trafficking efforts of the Sudurnes police district, which dedicated personnel to proactively identify possible trafficking victims in the area or arriving at the international airport, law enforcement reportedly was not responsive to information relayed by NGOs. Law enforcement efforts were hindered by Law Number 88/2008 that limits proactive police investigations. An investigative taskforce on organized crime and human trafficking held weekly meetings to share information on current cases, and the government provided the equivalent of approximately $400,000 in 2012 and $200,000 in 2013 to strengthen the operations of the taskforce and increase training. The Icelandic government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. It paid for police to attend multiple anti-trafficking training courses abroad in 2012. The core curriculum of the national police college continued to cover identifying and investigating trafficking cases. The Sudurnes police district hosted a seminar for police from around the country and the government trained staff at the social service centers in Reykjavik on human trafficking.

Protection

The government increased efforts to provide support and protection for victims of trafficking, though identification efforts remained insufficient. The government identified six female sex trafficking victims and one male labor trafficking victim during the reporting period, compared with a total of three victims identified in 2011; all victims identified in 2012 were referred to care. NGOs reported identifying a total of 10 victims. A lack of official statistics on the number of identified victims likely obscures the actual number of victims subjected to trafficking in Iceland. The government did not fully formalize procedures for social service workers, health officials, and labor inspectors to identify and refer victims to care. The government administered a questionnaire with care providers and multi-disciplinary partners, who expressed a desire for more training on trafficking victim identification. The government provided the approximate equivalent of approximately $83,300 in 2012 to fund the NGO operations of a long-term shelter for sex trafficking victims and women exiting prostitution, compared with the equivalent of approximately $79,100 provided in 2011. The shelter has the capacity to house six women; four stayed in the shelter during the reporting period. The government allocated the equivalent of approximately $345,700 in the 2013 state budget to the country's only domestic violence shelter that is also available to victims of trafficking and the equivalent of approximately $536,000 to the NGO that runs the long-term shelter for psychological and other services. Any potential trafficking victims coming to the domestic violence shelter were referred to the NGO that runs the long-term shelter. Victims were free to come and go from the shelters. There was no specialized shelter for male victims of trafficking, though they had access to general social services. Child protection services were responsible for unaccompanied child victims of trafficking. Victims had the right to access free medical care and legal services provided by the government, although the government did not report how many victims of trafficking, if any, utilized these services. Potential victims of trafficking without legal status in Iceland could obtain a six-month residency permit for a reflection period—time in which a victim may recover and decide whether to cooperate with law enforcement. An additional one-year renewable residency permit is available to victims of trafficking who cooperate with law enforcement or who face compelling circumstances, such as retribution or hardship in their home countries; victims with temporary residency are able to work legally in the country. The government, however, did not issue any temporary residence permits to potential victims of trafficking during the reporting period, and one victim was left without a legal status in the country. There were no reports of victims being punished for acts committed as a direct result of their being subjected to human trafficking.

Prevention

The government did not demonstrate progress in efforts to prevent trafficking through educating the public, including potential victims, about human trafficking. The government did not conduct any anti-trafficking awareness activities in Iceland in 2012. The government continued to fund an anti-trafficking field project in another country through the OSCE, continued support to an OSCE project in collaboration with Moscow State University on human trafficking and the role of the media, expanded an existing project to combat human trafficking in Belarus, and helped to fund the Council of the Baltic Sea States' anti-trafficking taskforce. The government accomplished the majority of its goals from the 2009 to 2012 national anti-trafficking action plan; a 2013 to 2015 national action plan was pending adoption at the end of the reporting period. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor by enforcing legislation banning the purchase of sex and the operation of strip clubs.

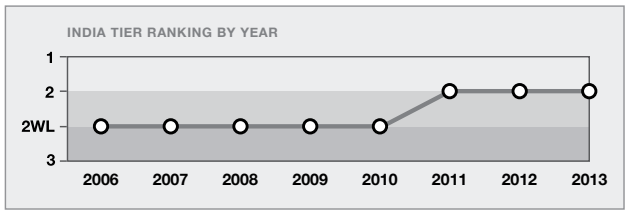
INDIA (Tier 2)

India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Some NGOs observe that the level of human trafficking is increasing in the areas in which they work. The forced labor of an estimated 20 to 65 million citizens constitutes India's largest trafficking problem; men, women, and children in debt bondage are forced to work in industries such as brick kilns, rice mills, agriculture, and embroidery factories. A common characteristic of bonded labor is the use of physical and sexual violence as coercive means. Ninety percent of trafficking in India is internal, and those from India's most disadvantaged social strata, including the lowest castes, are most vulnerable. Trafficking between Indian states is rising due to increased mobility, rapid urbanization, and a growth in a number of industries that use forced labor such as construction, textiles, cable, biscuit factories, and floriculture. An increasing number of job placement agencies lure adults and children for sex trafficking or forced labor, including domestic servitude, under false promises of employment. Activists estimate 20 percent of domestic workers who are rescued from Delhi homes complain of sexual abuse, either by the employer or those in job placement agencies. In addition to bonded labor, children are subjected to forced labor as factory workers, domestic servants, beggars, agricultural workers, and, in some areas of rural Uttar Pradesh, as carpet weavers. Begging ringmasters sometimes maim children as a means to earn more money. Boys from Nepal and Bangladesh are subjected to forced coal mining in the state of Meghalaya. Some NGOs noted a small reduction of the forced labor of boys from Bihar, within that state. However, Indian boys from Bihar are increasingly subjected to forced labor in embroidery factories in Nepal. Some Indian females have been subjected to forced labor in Bhutan. An NGO noted that Burmese Rohingya refugees were increasingly vulnerable to human trafficking in India.

Sex trafficking of women and girls within the country is widespread. Religious pilgrimage centers and cities popular for domestic tourism continue to be vulnerable to child sex tourism. A large number of Nepali and Bangladeshi females—the majority of whom are children—and an increasing number of women and girls from Uzbekistan, Ukraine, Russia, Azerbaijan, Serbia, Kazakhstan, and Afghanistan are also subjected to sex trafficking in India. There are increasing reports of women and girls from northeastern states and Odisha being sold or coerced into forced marriages in states with low female-to-male gender ratios, including Haryana and Punjab, some of whom are subsequently forced into prostitution or labor by their new "families." Indian women and girls are also subjected to transactional sexual exploitation in the Middle East under the guise of temporary marriages. Women and girls—including those in child marriages—fleeing domestic violence from their husbands are particularly vulnerable to human trafficking. The Naxalites, or Maoist armed groups, forcibly recruited children into their ranks. Sex trafficking establishments continue to move from more traditional locations—such as brothels in densely populated urban areas—to locations that are harder to find, such as to residential areas in cities and to rural areas. Sex traffickers increasingly procure false identification documents for child victims to evade detection by police. Traffickers are increasingly better organized and adapting to state government crackdowns on well-known establishments or routes of human trafficking.

Some of the Indian migrants who willingly seek work as construction workers, domestic servants, and other low-skilled laborers in the Middle East and, to a lesser extent, Southeast Asia, the United States, Europe, Southern Africa, the Caribbean, and other regions, subsequently face conditions of forced labor. In many cases, this form of transnational debt bondage is facilitated by recruitment fraud and usurious recruitment fees charged by Indian labor brokers and manpower agencies. Indian laborers are vulnerable to forced labor in the construction and hydropower industries in Bhutan. Nationals from Bangladesh and Nepal are increasingly transported through India for forced labor and commercial sexual exploitation in the Middle East. Some Bangladeshi migrant workers are subjected to forced labor in India through recruitment fraudulent and debt bondage.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In April 2013, the government amended the penal code in a manner that greatly improves the country's laws, broadening the types of crimes considered to be trafficking and establishing more stringent sentences for traffickers. The Ministry of Home Affairs (MHA) continued to establish Anti-Human Trafficking Units (AHTUs), which were responsible for combining law enforcement and rehabilitation efforts. Some of these local-level units were criticized as being ineffective or only established on paper. The government provided no information on investigations or prosecutions of trafficking offenses or on convictions or punishments of trafficking offenders. In many areas, protection services provided by the government were inadequate. The complicity of some government officials in human trafficking remained a serious and unaddressed problem which impeded efforts to adequately fight the crime. A variety of sources noted the Indian central government approached human trafficking in an uncoordinated, piecemeal fashion, it's prioritization of anti-trafficking efforts decreased over the year, and some officials' inertia and indifference impeded efforts.



Recommendations for India: Cease the penalization of victims of human trafficking; increase prosecutions and convictions of all forms of trafficking, including bonded labor, respecting due process, and report on these law enforcement efforts; prosecute officials allegedly complicit in trafficking, and convict and punish those found guilty; fully capacitate AHTUs by providing dedicated, trained staff, clarifying the role of AHTUs *vis-a-vis* other police units; encourage AHTUs to address all forms of trafficking, including forced labor of adults and children; improve protections for trafficking victims who testify against their traffickers; improve central and state government implementation of protection programs and compensation schemes to ensure that identified trafficking victims receive benefits, release certificates, and rehabilitation funds; promptly disburse government funding for anti-trafficking shelter homes and develop monitoring mechanisms to ensure quality of care; develop and implement standard operating procedures to harmonize victim identification and repatriation, and prosecution of suspected trafficking offenders when trafficking crimes cross state lines; provide funding for states to establish fast-track courts that deal with all forms of human trafficking; and require state governments to comply with the October 2012 Supreme Court judgment on bonded labor.

Prosecution

The government's law enforcement progress in the reporting period was unknown as the government did not provide anti-trafficking data. Furthermore, official complicity remained a major and unaddressed concern. In April 2013, the government adopted the Criminal Law Amendments Act of 2013, which introduced a number of changes to the Indian Penal Code (IPC). The amended Section 370 prohibits and penalizes all forms of labor trafficking and most forms of sex trafficking, and prescribes sufficiently stringent penalties, ranging from seven years to life imprisonment which are commensurate with the penalties prescribed for other serious crimes, such as rape. The new Section 370 does not, however, provide that the prostitution of a child under the age of 18 is an act of human trafficking in the absence of coercive means, the standard of the Palermo Protocol. Section 370 criminalizes government officials' involvement in human trafficking, prescribing sentences up to life imprisonment. India also prohibits many forms of forced labor through the Bonded Labor System Abolition Act (BLSA), the Child Labor (Prohibition and Regulation) Act, the Juvenile Justice Act and other provisions of the IPC; however, these provisions were unevenly enforced, and their prescribed penalties are not sufficiently stringent. India prohibits most forms of sex trafficking under the Immoral Traffic Prevention Act (ITPA) and various provisions of the IPC. However, the ITPA also criminalizes other offenses, including prostitution, and is often used to prosecute sex trafficking victims. An expert estimated 85 percent of all prosecutions under the ITPA were against the women in prostitution rather than the traffickers. The government did not effectively enforce anti-trafficking laws, particularly labor trafficking laws such as the BLSA; and another expert asserted weak implementation of trafficking laws lead to trafficking offenders' ability to act with impunity.

The Government of India did not report comprehensive law enforcement data on human trafficking. Information publicly released as human trafficking data by the National Crimes Record Bureau actually contained aggregated data under the ITPA (which included statistics on the government's penalization of trafficking victims), and a limited number of IPC provisions which only addressed sex trafficking of girls rather than a broader range of human trafficking crimes; in addition, the data provided did not specify the number of investigations, prosecutions, and convictions. Furthermore, an expert noted that some AHTU statistics purportedly on human trafficking actually encompassed a wider range of crimes. Reports by NGOs, the media, and individual government officials noted that the government investigated many cases, but the number of prosecutions and convictions remained low, in part due to the overburdened court system. As a result of a combination of factors, including intimidation by police and traffickers, lengthy trials, and lack of knowledge of or faith in the justice system, many victims relied heavily on NGOs to assist in the pursuit of prosecutions. Some observers continued to criticize the categorization of trafficking crimes as "bailable offenses," which allowed defendants to be released on bail pending trial and in some cases resulted in the defendants absconding before trial. Prosecutions of inter-state trafficking offenses imposed financial and logistical burdens on repatriated victims who were required to return to the state in which they had been exploited to testify in trial. However, one NGO reported that victims who were exploited in New Delhi but resided elsewhere were able to use funds from victim compensation schemes to travel for testimony. Due to inadequate implementation, victims frequently had to wait a year or more to receive victim compensation funds. Furthermore, poor victim-witness protections generally discouraged victims from testifying against their alleged trafficking offenders.

Official complicity in trafficking was a serious problem that remained largely unaddressed by the government. Some corrupt law enforcement officers facilitated the movement of sex trafficking victims, protected suspected traffickers and brothel keepers from enforcement of the law, took bribes from sex trafficking establishments and sexual services from victims, and tipped-off sex and labor traffickers to impede rescue efforts. Some owners of brothels, rice mills, brick kilns, and stone quarries who engaged in trafficking were politically connected. Corrupt politicians, police, and border security forces on both sides of the India-Bangladesh border reportedly recognized a token used by human traffickers to evade arrest if caught at the border. In a highly publicized case of sexual and physical abuse—including both sex and labor trafficking—of women and children in Apna Ghar shelter for mistreated victims in the state of Haryana, police allegedly raped some of the inmates and destroyed evidence once an investigation into the home commenced. A police officer was subsequently arrested for destruction of evidence. The Government of India did not report on investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. In October 2012, the Delhi Police Special Protection Unit for Women and Children provided notice it would begin conducting random checks of police officers' homes to inspect for hiring of children under 14 years

old, but there is no information on whether this occurred. The government did not report on steps taken to investigate an Indian consular official accused of forcing a domestic worker to work for him in the United States without adequate compensation for three years and subjecting her to physical and mental abuse, as noted in the 2012 TIP Report. There was no information on the status of arrests and investigations of a border security officer, a former member of parliament, and an Indian administrative services officer—as noted in the 2011 and 2012 TIP Reports—for their involvement in human trafficking.

There was little information about the progress made by the federal anti-trafficking unit under the Central Bureau of Investigation, which was established during the previous reporting period. The government continued to implement its three-year nationwide anti-trafficking effort by disbursing funds to state governments to establish approximately 100 new Anti-Human Trafficking Units in local-level police departments during the reporting period, for a total of approximately 300 AHTUs. Some NGOs believed that units were more focused on sex trafficking and child labor rather than on other forms of trafficking, especially labor trafficking of children and adults, and some units dealt with other offenses such as kidnapping, sexual abuse, and forced marriage. An NGO reported that the quality of AHTUs, including the training of AHTU police, declined over the past year. During the reporting period, some NGOs continued to assert that AHTUs did not function because they lacked a dedicated, trained staff and because their role was not clearly defined. For example, NGOs in Andhra Pradesh noted that AHTUs in the state did not meet during the reporting period and were dysfunctional or not constituted at all, and NGOs in Assam reported that while the state did establish AHTUs in each of its 27 districts, most of them existed only on paper. However, other regions' AHTUs, including some in Mumbai and West Bengal, were active and helpful in investigation and assistance. The government funded police officers to participate in a six-month anti-trafficking course at the Indira Gandhi National Open University. Some state governments conducted training for the judiciary and police, and the Karnataka government conducted trainings on bonded labor and the implementation of the BLSA. Various state government agencies provided in-kind contributions, such as facilities, to trainings organized by NGOs and international organizations. In October 2012, the Supreme Court issued a judgment which described noncompliance by state governments of numerous prior judgments regarding the implementation of the BLSA. It directed state governments to comply with these previous judgments and to take a number of other measures to enforce the bonded labor law.

Protection

India made efforts to protect and assist trafficked victims, but the penalization of trafficking victims remained a serious concern. A 2009 MHA non-binding directive advises state government officials to use standard operating procedures (SOPs) to identify trafficking victims proactively and refer them to protection services; however, there is no information that these SOPs are in use, and the government did not provide comprehensive information on the number of trafficking victims it identified. Some NGOs reported delays in obtaining release certificates for rescued bonded laborers, which are required to certify that they were held in bondage and make them entitled to compensation under the law, and distribution of rehabilitation funds was uneven across states. An Odisha-based NGO reported that, after providing immediate relief payments with relief certificates, state government officials rarely followed up on cases or provided other legally mandated relief funds. Children in bonded labor were usually not provided release certificates.

There were numerous reports that trafficking victims—mostly children subjected to sex trafficking and forced labor—were rescued, most often in partnership between police and NGOs. Rescued victims often received limited and delayed assistance and resources from central and state governments, though NGO advocacy expedited this process for beneficiaries. Some rescued victims were denied rehabilitation services to which they were legally entitled. NGOs provided the vast majority of rehabilitation services and legal aid for trafficking victims, and advocated for victims by pursuing government officials until victim compensation was disbursed. The Government of India continued to fund the Swadhar program—which helps female victims of violence, including sex trafficking—and the Ujjwala program—which seeks to protect and rehabilitate female sex trafficking victims—generally through shelter homes. However, long delays in financing these two programs, as well as corruption in securing licenses and funds, led to the closure of many of these homes and also prevented NGOs from opening new homes. The lack of government oversight and monitoring of these care facilities led to much criticism of the Swadhar and Ujjwala programs, particularly as several cases of abuse were discovered in these and other private trafficking victim care homes in the reporting period. In one of these private shelters to which police referred vulnerable females, women and children were subjected to severe abuse, including sex trafficking, bonded labor, forced abortions, gang rape, torture, and the sale of children for unknown purposes. The government raided and closed these shelters. While there were prosecutions in the prominent Apna Ghar shelter case, there is little information on other prosecutions. Both NGO and government shelters faced financial shortages and an insufficient number of trained personnel, particularly medical and psychological counselors. A number of government shelters under these programs were overcrowded and unhygienic, offered poor food, and provided limited services. The lack of adequate security in a government-funded Ujjawala home in Hyderabad made it possible for a nine-member gang to break in and kidnap four trafficking victims; two previous kidnap attempts took place in the preceding months. Some shelters did not permit adult victims to leave, purportedly for security reasons, contrary to international principles on the protection of victims. In some cases, traffickers continued to re-recruit trafficking victims by approaching shelter managers and pretending to be family members to get the victims released to them. India does not provide care for adult male trafficking victims. NGOs report that government processes to refer identified victims to care facilities are not followed. In investigations, police sometimes treated victims as suspected criminals and subjected them to aggressive questioning. Some Indian diplomatic missions in the Middle East provided services to Indian migrant laborers, some of whom were likely victims of trafficking. The Ministry of Overseas Indian Affairs (MOIA) provided discretionary funds to Indian embassies and consulates to assist with medical care, rehabilitation, repatriation, and legal assistance to Indian citizens living in countries of the Persian Gulf, some of whom may be trafficking victims. Some officials noted few embassies made use of these funds. The MOIA also funded and operated an Indian Workers Resource Center in Dubai, which provided

legal, medical, and financial support to Indian migrant laborers and operated a 24-hour toll-free helpline for Indian workers in distress. NGOs across India agreed that victim repatriation across state lines was sometimes more difficult than across international borders due to the lack of SOPs and chains of command on trafficking issues. State and district governments responsible for the implementation of directives continued to apply them unevenly. Some state governments provided additional services geared to protect victims. For instance, from April to December 2012, the Tamil Nadu government funded programs in shelters to provide training for printing, embroidery, tailoring, and other trades. The Andhra Pradesh government provided immediate financial support to rescued trafficking victims of approximately the equivalent of $185.

There were many reports of trafficking victims being penalized for acts committed as a result of being trafficked. Section 8 of the ITPA (solicitation) and Section 294 of the IPC (obscenity in public places) were often used to prosecute and convict sex trafficking victims. Foreign victims were often detained under the Foreigners' Act for their undocumented status or for document fraud. The MHA issued a non-binding directive in May 2012 urging state governments to avoid prosecuting foreign female sex trafficking victims for undocumented migration under the Foreigners Act; however, the practice continued, and NGOs reported that police were not aware of this directive. An NGO reported cases in which trafficking victims, detained in police stations, were pressured by police to return the monetary advance provided by the trafficker to lure victims. Some child trafficking victims were charged under sections of the IPC and kept in juvenile detention centers. Some foreign nationals, particularly Bangladeshis, subjected to sex trafficking in India were detained in government aftercare homes for several years, pending their repatriation, due to poor bilateral coordination on repatriation. Following the 13th annual dialogue between the Indian and Bangladeshi home secretaries in October 2012, the Indian and Bangladeshi governments issued a joint statement agreeing to increased cooperation on a number of issues, including human trafficking.

In general, Indian cities and states performed better in protecting trafficking victims when there was a presence of strong NGOs. The government did not encourage trafficking victims to participate in investigations or prosecutions against their alleged traffickers. In most cases, NGOs assisted rescued victims in providing evidence to prosecute suspected traffickers. Foreign victims are not offered legal alternatives to their removal to countries where they may face hardship or retribution.

Prevention

The Government of India continued its efforts to prevent human trafficking. The MHA's Anti-Trafficking Cell continued bimonthly inter-ministerial meetings on trafficking, which also included participation of anti-trafficking officers from state governments. The MWCD's inter-ministerial anti-trafficking committee held routine meetings regarding the government's policy directives on trafficking. The MHA recognized certain state governments for their efforts on human trafficking. The state governments of Assam and Andhra Pradesh were each given awards of approximately the equivalent of $3,500. The MOIA continued to conduct safe emigration awareness campaigns. Some state government organized public awareness events. For instance, West Bengal organized a dance drama performed by trafficking victims.

The Ministry of Labor and Employment continued its project to prevent bonded labor in Tamil Nadu, Andhra Pradesh, and Odisha, but there was no information on the results of this project. The government made efforts to reduce the demand for commercial sex acts by prosecuting of clients of prostitution in bars, brothels, lodges, and hotels. Section 370A of the April 2013 Criminal Law Amendments Act appears to criminalize the "sexual exploitation in any manner" of trafficking victims, including those trafficked for sexual exploitation and for forced labor, with penalties ranging from a minimum sentence of three years' imprisonment (for exploiting adult victims) to five years' imprisonment (for exploiting child victims). Despite India being a source of sex tourists domestically and to South Asian, Southeast Asian, and Gulf countries, the government did not take measures to reduce the participation of its nationals in child sex tourism. There was no information on whether the Indian government provided human trafficking training to its nationals who were deployed abroad on international peacekeeping missions.

INDONESIA (Tier 2)

Indonesia is a major source country and to a much lesser extent a destination and transit country for women, children, and men who are subjected to sex trafficking and forced labor. Each of Indonesia's 33 provinces is a source and destination of trafficking, with the most significant source areas being the provinces of West Java, Central Java, East Java, West Nusa Tenggara, East Nusa Tenggara, and Banten. A significant number of Indonesian migrant workers face conditions of forced labor and debt bondage in Asia and the Middle East, particularly Saudi Arabia, the United Arab Emirates, Qatar, Taiwan, Singapore, Oman, and Hong Kong. The government estimates that there are six million Indonesians working abroad. Government officials reported there was an overall reduction in the number of workers mistreated or found vulnerable to trafficking as a result of targeted policies, such as a moratorium on permits to work abroad for domestic workers to Saudi Arabia, Kuwait, Syria, and Jordan. Malaysia and Saudi Arabia remain the leading destinations for newly departing migrant workers registered with the Indonesian government. Some 70 percent of all overseas Indonesian workers are female. Indonesian trafficking victims are found in all of the Gulf countries, Malaysia, Brunei, Taiwan, Chile, New Zealand, the Philippines, Egypt, and the United States, among others.

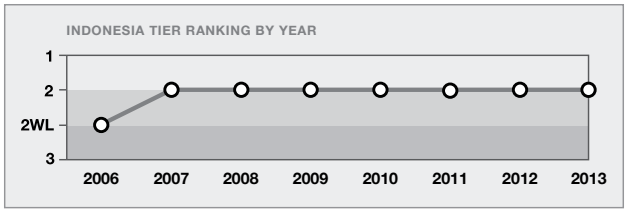
The government and NGOs reported an increase in university and high school students using social media to recruit and offer other students, including those under the age of 18, for commercial sex. Women and girls are trafficked for commercial sexual exploitation at mining operations in Maluku, Papua, and Jambi Provinces. There were reports of an increasing number of children exploited in prostitution in Batam district of the Riau Islands province and children from North Sulawesi province being exploited in prostitution in West Papua province. Some women from Uzbekistan and Colombia are subjected to forced prostitution in Indonesia.

Government and non-governmental sources continued to report an increase in the number of undocumented Indonesian workers travelling abroad. As the government continues to expand its use of biometric travel documents, false documents are becoming more difficult and expensive to obtain. As

a result, more undocumented workers are traveling by sea, primarily from Batam and the Riau Islands, and by land, from Kalimantan to Malaysia where they remain or transit to a third country. Undocumented workers are at a higher risk of becoming trafficking victims than documented workers. According to press and NGO reports, over 1,000 undocumented Burmese fishermen are stranded on the remote Indonesian island of Tual. According to IOM, labor recruiters are responsible for more than 50 percent of the Indonesian female workers who experience trafficking conditions in destination countries. Some recruiters work independently, while others work for Indonesia-based international labor recruitment companies called PJTKIs. Some PJTKIs operate similarly to trafficking rings, leading male and female workers into debt bondage and other trafficking situations. Some traffickers operate with impunity and escape punishment because of endemic corruption among law enforcement officials and the government's lack of effectiveness in upholding the rule of law. Trafficking victims often accumulate debts with labor recruiters that make victims vulnerable to debt bondage. Licensed and unlicensed companies used debt bondage, withholding of documents, and threats of violence to keep Indonesian migrants in situations of forced labor.

Indonesian women migrate to Malaysia, Taiwan, and the Middle East and are subsequently subjected to forced prostitution; there are also reports of women subjected to forced prostitution and forced labor in Indonesia. Children are trafficked internally and abroad primarily for domestic servitude and forced prostitution. Many trafficked girls work 14 to 16 hours a day at very low wages, often under perpetual debt due to pay advances given to their families by Indonesian brokers. Debt bondage is particularly pronounced among sex trafficking victims, with an initial debt of the equivalent of approximately $600 to $1,200 imposed on victims. With the accumulation of additional fees and debts, women and girls are often unable to escape this indebted servitude even after years in prostitution. Traffickers employ a variety of means to attract and control victims, including promises of well-paying jobs, debt bondage, community and family pressures, threats of violence, rape, false marriages, and confiscation of passports. Country experts reported a trend of recruitment of Indonesian migrant workers in Malaysia for Umrah, a religious pilgrimage to Mecca, Saudi Arabia continued during the year; once in Saudi Arabia, Indonesian migrants are trafficked to other places in the Middle East. Some Indonesian children are recruited into sex trafficking through social networking websites. Internal trafficking is a significant problem in Indonesia, with women and girls exploited in domestic servitude, commercial sexual exploitation, and in forced labor in rural agriculture, mining, and fishing. Many victims were originally recruited with offers of jobs in restaurants, factories, or as domestic workers before they were coerced into prostitution. Child sex tourism is prevalent in the Riau Islands bordering Singapore and is reported to occur in Bali and other locations around Indonesia.

The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government's anti-trafficking law enforcement efforts yielded fewer prosecutions, though it undertook new efforts to improve protections for Indonesian migrants, particularly through Government Order 03/2013 on the Placement and Protection of Overseas Workers. The government did not make progress in curbing trafficking-related complicity of Indonesian security personnel and other government officials or increasing the effectiveness of law enforcement and judicial officials in upholding the country's anti-trafficking laws. The Minister for Women's Empowerment and Child Protection is the designated lead in inter-ministerial programs and activities, but a decentralized government structure exacerbates the challenges of coordinating a national strategy. Nonetheless, during the reporting period the Attorney General's Task Force on Terrorism and Transnational Crime created the first database for tracking trafficking convictions throughout Indonesia to improve the centralized collection of data on prosecutions and victim protection from local governments.



Recommendations for Indonesia: Improve the collection, analysis, and public reporting of comprehensive data on legal proceedings against traffickers taken under the 2007 law; undertake greater efforts to criminally prosecute and punish labor recruitment agencies and corporations involved in trafficking; increase efforts to prosecute and convict public officials who are involved in trafficking; undertake efforts to prosecute and punish those who obtain commercial sexual services from children; create a national protocol that clarifies roles and responsibilities for prosecuting trafficking cases when the crime occurs outside a victim's province of residence, particularly with regard to responsibilities for funding the involvement of victims as witnesses in proceedings; increase government funding to support trafficking victims' participation in legal proceedings; and increase efforts to combat trafficking through awareness-raising campaigns targeted at the public and law enforcement personnel at all levels of government in primary trafficking source regions.

Prosecution

The Indonesian government's anti-trafficking law enforcement efforts diminished in effectiveness during the reporting period. Through a comprehensive anti-trafficking law passed in 2007 and implemented in 2009, Indonesia prohibits all forms of trafficking in persons, prescribing penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. While Indonesian National Police (INP) investigators used the 2007 law to prepare cases for prosecution, some prosecutors and judges still use other, more familiar laws to prosecute traffickers. Police and other law enforcement officials complained about the difficulty of coordinating among police, prosecutors, witnesses, and courts to obtain successful convictions.

There are two trafficking-specific data-gathering mechanisms in Indonesia: in 2012 the Attorney General's Task Force on Terrorism and Transnational Crime created the first database for tracking trafficking convictions throughout Indonesia, and statistics on prosecutions and convictions at the district and provincial levels were collected by the INP. These databases were not interoperable. Police data indicated the initiation of 138 new trafficking investigations involving 169 suspects and the referral to local prosecutors of 86 cases, of which 61

were accepted for prosecution. The attorney general reported that from January to October 2012, 102 cases resulted in convictions under Law No. 21/2007. More than half of the 208 cases reportedly resulted in prosecutions under No. 21/2007 in 2011. One conviction in November 2012 included restitution for a victim of child sex trafficking, the second time that an Indonesian court awarded restitution to a trafficking victim. NGOs and government officials reported that endemic corruption among members of Indonesian security forces and government officials remained an impediment to increased effectiveness in anti-trafficking law enforcement efforts.

Protection

The Indonesian government continued its provision and coordination of modest and uneven efforts to protect victims of trafficking during the year. The government's Centers for Integrated Service for the Empowerment of Women and Children provided multi-purpose shelters and trauma clinics to trafficking victims through 187 centers at the provincial and district level, which increased in number by six since the previous year. The government provides limited funding to other organizations for the provision of services to trafficking victims but since 2005 has increasingly channeled support through the center. The centers also receive private funding. The national police operated approximately 306 women and child service units in police stations around the country, which provided emergency protection and medical services to victims of violence, including victims of trafficking. The government continued to rely significantly on international organizations and NGOs for the provision of services to victims, particularly for repatriated Indonesian victims of trafficking abroad. The Ministry of Health is responsible for covering the costs of health care for trafficking victims, and all Indonesian National Police hospitals across the country are obligated to provide medical care at no cost to victims, though NGOs and government officials reported that some hospital staff remained unaware of this duty or were unwilling to provide care without compensation. Although the government did not collect or report comprehensive data on victims identified throughout the country, an international NGO reported that from January to November of 2012 it identified and, jointly with the government, provided support to a total of 187 trafficking victims. Officials in Yogyakarta Special Region reported assisting one transnational trafficking victim, a student who was trafficked to Malaysia. In March 2012, the Berline Labor Court approved a settlement between a Saudi Arabian diplomat and an Indonesian domestic worker for unpaid wages and damages.

The central government largely funds provincial governments through block grants, and provinces have significant discretion in the use of these funds, including decisions on trafficking-related programs. As a result, provincial governments' funding of victim protection services varied greatly. Some provinces have not established anti-trafficking taskforces and provide only minimal funding for the protection of trafficking victims. The Ministry of Foreign Affairs (MFA) reported that it continued to train its diplomats on identifying trafficking victims. Additionally, it was reported that the MFA established 24 citizen service centers in its foreign missions. According to Indonesia's honorary consul in Trinidad and Tobago, 154 trafficked Indonesian fishermen were found stranded off the northwestern coast of Trinidad in October 2012. Indonesian officials traveled to Trinidad to interview and repatriate the rescued fisherman. The first group of fishermen was repatriated in November 2012, while the second group was repatriated in January 2013. Upon return to Indonesia the fishermen were referred to IOM for medical recovery, follow-up assistance to return to their home villages, and enrollment in a reintegration program. The INP, Attorney General's Office, Ministry of Law and Human Rights, Department of Immigration, the witness protection program, the National Commission on Women, and a number of NGOs actively cooperated in an IOM-led taskforce to revise the 2007 edition of "Guidelines for Law Enforcement and the Protection of Victims of Trafficking in Handling Trafficking in Persons Cases." The final draft awaited funding for publishing for the second consecutive year.

In December 2012 the government abolished the requirement that workers returning to Indonesia through Jakarta's Soekarno-Hatta International Airport exit the airport through a terminal designated for incoming migrant workers. Advocates for the rights of migrant workers maintained that returning workers were vulnerable to abuse and exploitation if segregated in the designated terminal and that they enjoyed the right to travel freely without the stigma of being segregated. IOM reported that the number of workers using the terminal has declined to 300-700 people per day compared to a previous 700-2,000 per day.

Prevention

The Indonesian government made modest progress in preventing human trafficking during the reporting period, particularly through improved oversight of labor migrants and the licensed recruiting agencies sending them abroad. Most other prevention work was conducted at the district and province levels; 25 provincial level anti-trafficking taskforces, up from 21 in 2012, and 77 district or municipal anti-trafficking taskforces, up from 73 in 2012, coordinated local anti-trafficking efforts with a wide variety in levels of funding, staffing, and energy. While the West Java provincial taskforce includes 66 government and civil society representatives that meet regularly and fund victim protection activities, during the reporting period they met two times. The taskforce in Riau Islands province—a major transit area for trafficking victims from throughout the country—did not meet during 2012. The Coordinating Minister for Social Welfare nominally chaired the government's national anti-trafficking taskforce, and the Ministry of Women's Empowerment and Child Protection (MWECP) provided active direction. The national taskforce met quarterly in 2012 with 21 ministries, departments, and agencies represented; the national anti-trafficking taskforce does not have a budget and is funded by the participating ministries and departments. The government also added 17 civil service inspectors within the Agency for the Placement and Protection of Overseas Workers (BNP2TKI) to investigate trafficking cases. The government engaged in public awareness campaigns delivered via conferences, radio, newspapers, billboards, pamphlets, school programs, and neighborhood meetings.

The government continued to support BNP2TKI in its efforts to monitor outbound Indonesian workers and protect them from fraudulent recruitment and human trafficking. Indonesia's president in January 2013 issued Government Order 03/2013 on the Placement and Protection of Overseas Workers. The order clarifies and extends protections granted to workers under Law No. 39/2004 on the Placement and Protection of Workers. Specifically, the order makes explicit the government's responsibility to protect the rights of workers from the time

they consider an offer of employment overseas, while they are working overseas, until they return to Indonesia. Additionally, BNP2TKI launched an initiative to include fishermen in the same registration process that it applies to other workers going abroad. The initiative requires fishermen to apply for a work permit to work abroad and mandates companies employing fisherman who will work in international waters to register with the agency.

The government continued partnerships with NGOs and international organizations to increase public awareness of trafficking. In October 2012, the Indonesian government signed a memorandum of understanding (MOU) with Taiwan, creating a "partnership in immigration affairs and the prevention of human trafficking and smuggling" intended to provide better protection to the estimated 180,000 migrant workers in Taiwan. To improve coordination of anti-trafficking programs, a number of provinces signed inter-provincial MOUs in 2011 that included guidelines for cooperating in the provision of care to trafficking victims located outside of their home provinces.

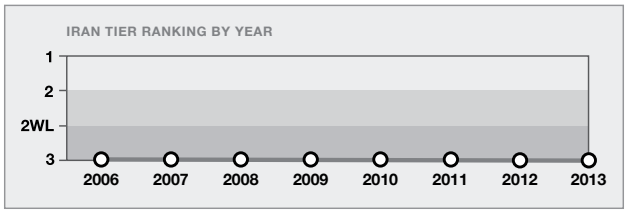
There were reports of individuals from Australia, Canada, China, France, Germany, Italy, Japan, Korea, Malaysia, Singapore, Taiwan, the Middle East, the Netherlands, the United Kingdom, and the United States coming to Indonesia as child sex tourists. A UK citizen arrested in November 2011 in the Riau Islands province for sexually exploiting children was in jail awaiting trial; at the time of the publication of this report further updates on this case were unavailable. The government provided Indonesian military personnel with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. There were no reports of Indonesian peacekeeping troops engaging in trafficking-related offenses. The government did not report efforts to reduce the demand for forced labor or commercial sex acts during the year.

IRAN (Tier 3)

Iran is a presumed source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian and Afghan boys and girls residing in Iran are allegedly forced into prostitution within the country. In Tehran, there has reportedly been a recent significant increase in the number of teenage girls in prostitution. Iranian women, boys, and girls are purportedly subjected to sex trafficking in Iran, as well as in Pakistan, the Persian Gulf, and Europe. Azerbaijani women and children are also believed to be subjected to sex trafficking in Iran. According to some estimates, there are 35,000-50,000 children forced by their parents or other adults to beg in the streets of Tehran or to work in sweatshops; some of these children are also reportedly forced into prostitution in Iran and abroad.

Afghan migrants and refugees are reportedly subjected to forced labor in Iran. Pakistani men and women migrate voluntarily to Iran for low-skilled employment such as domestic work and construction. Some are suspected of being subsequently subjected to conditions of forced labor, including debt bondage, and experience restriction of movement, nonpayment of wages, and physical or sexual abuse. NGO reports indicate criminal organizations, sometimes politically connected, play a significant role in human trafficking in Iran. Unconfirmed reports indicate that some religious leaders and immigration officials are involved in human trafficking.

The Government of Iran does not comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not share information on its anti-trafficking efforts with the international community during the reporting period; this impedes the collection of information on the country's human trafficking problem and the government's efforts to curb it. Publicly available information from NGOs, the press, international organizations, and other governments indicate that the Iranian government is not taking sufficient steps to address its extensive trafficking challenges.



Recommendations for Iran: Share anti-trafficking data with the UN and develop partnerships with international organizations; institute victim identification procedures to proactively identify victims of trafficking, particularly among vulnerable populations such as persons in prostitution, children in begging rings, and undocumented migrants; offer specialized protection services to victims of trafficking, including shelter and medical, psychological, and legal assistance; take measures to ensure sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor; increase transparency in government anti-trafficking policies and activities through public reporting; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Iran made no discernible law enforcement efforts against human trafficking during the reporting period. A 2004 law prohibits trafficking in persons by means of threat or use of force, coercion, abuse of power or of a position of vulnerability of the victim for purposes of prostitution, slavery, or forced marriage. The prescribed penalty under this law reportedly is up to 10 years' imprisonment, which is sufficiently stringent, but not commensurate with penalties prescribed under Iranian law for other serious crimes, such as rape. The Constitution and labor code both prohibit forced labor and debt bondage; the prescribed penalty of a fine and up to one years' imprisonment is not sufficient to deter these serious crimes. In addition, the labor code does not apply to work in households. NGOs reported that these laws remained unenforced due to a lack of political will and widespread corruption. There were no reports of investigations or prosecutions of trafficking cases or convictions of trafficking offenders. It was reportedly extremely difficult for female trafficking victims to obtain justice; Iranian courts accorded legal testimony by women only half the weight accorded to the testimony by men, and women who were victims of sexual abuse were liable to be prosecuted for adultery, which is defined as sexual relations outside of marriage and is punishable by death. The government did not report efforts to investigate or punish government employees complicit in trafficking-

related offenses. There were reports that government officials were involved in the sex trafficking of women and girls; some officials that operated shelters for runaway girls reportedly forced them into prostitution rings.

Protection

The Government of Iran made no discernible efforts to protect victims of trafficking during the reporting period. There is no evidence that the government has a process to identify trafficking victims among vulnerable populations found in the country. Iran has deported large numbers of undocumented Afghans without attempting to identify trafficking victims among them. The government also has reportedly punished victims of sex trafficking for unlawful acts committed as a direct result of being subjected to human trafficking, for example, adultery and prostitution. There were reports that government officials raped individuals held in detention, some of whom may have been trafficking victims. There were no reports that the government referred trafficking victims to protective services. Some welfare organizations unrelated to the government may have helped Iranian trafficking victims. The government reportedly opened several shelters for street children in Tehran, though it is unclear what type of services were available to children in these shelters or if the shelters served any child victims of trafficking. There is no information to indicate the government provided assistance to repatriated Iranian victims of trafficking. The Iranian government did not provide foreign victims of trafficking with a legal alternative to removal to countries in which they may face hardship or retribution.

Prevention

There were no reports of efforts by the Government of Iran to prevent trafficking during the past year, such as campaigns to raise public awareness of trafficking, to reduce demand for commercial sex acts, or to reduce demand for child sex tourism by Iranians traveling abroad. There was no apparent improvement in the transparency of the government's reporting on its own anti-trafficking policies or activities and no apparent efforts to forge partnerships with international organizations or NGOs in addressing human trafficking problems. Iran is not a party to the 2000 UN TIP Protocol.

IRAQ (Tier 2)

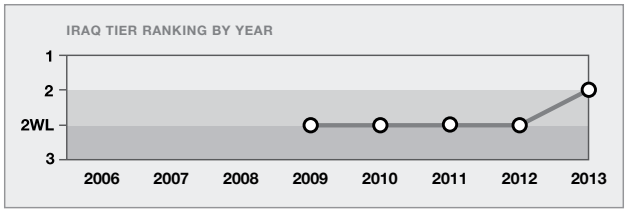
Iraq is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Iraqi women and girls are subjected to sex and labor trafficking within the country and in Syria, Lebanon, Jordan, Kuwait, the United Arab Emirates, Turkey, Iran, Yemen, and Saudi Arabia. An international organization reported cases of forced prostitution in the city of Tikrit; sex traffickers sell girls and women from Baghdad, Kirkuk, and Syria for the approximate equivalent of $1,000-5,000. Criminal gangs reportedly prostitute girls from outside of the Iraqi Kurdistan Region (IKR) in the provinces of Erbil, Dahuk, and Sulaymaniyah. An Iraqi official revealed that criminal networks have been involved in sex trafficking of boys and girls. An NGO reported that sex traffickers rape women and girls on film and blackmail them into prostitution or recruit them in prisons by posting bail and then forcing them into prostitution via debt bondage. An international organization alleged that police officers and other members of the security forces kidnapped women and girls and forced them into prostitution in Kirkuk and Salah ad-Din Provinces. Some women and children are pressured into prostitution by family members to escape desperate economic circumstances. NGOs report that women are prostituted in private residences, brothels, restaurants, and places of entertainment. Some women and girls are subjected to sex trafficking within Iraq through the use of temporary marriages (*muta'a*), by which the family of the victim receives money in the form of a dowry in exchange for permission for the woman or girl to be married for a limited period of time, during which she is subjected to labor and sex trafficking. Women are also subjected to forced domestic service through forced marriages and the threat of forced divorce, and women who flee such marriages or whose husbands divorce them are often vulnerable to further forced labor or sexual servitude. Criminal gangs reportedly subject children to forced begging and other types of forced labor.

The large population of internally displaced persons and refugees in Iraq are particularly at risk of being subjected to forced labor and sex trafficking. An international organization observed that Syrian refugees in the Domiz refugee camp in Dahuk, Iraq, are particularly vulnerable to trafficking. Specifically, women may begin commercially dependent relationships with Iraqi men, men enter into employment without contracts, and children are increasingly pressured to engage in begging. In previous years, some Iraqi refugees in Syria reportedly contracted their daughters to work as maids in Syrian households, where some of them were reportedly raped, forced into prostitution, or subjected to forced labor. In other instances, Iraqi refugees' children remained in Syria while their parents departed the country in search of improved economic circumstances, leaving the children vulnerable to trafficking. Previously, Iraqi sex trafficking victims deported from Syria on prostitution charges were vulnerable to re-trafficking by criminal gangs operating along the border. Iraqi refugees who involuntarily return to Iraq from Syria are highly vulnerable to exploitation and trafficking, due in part to the fact that female and child returnees typically do not have a support network or community to which they return.

Iraq is also a destination for men and women who migrate from Bangladesh, India, Indonesia, Nepal, the Philippines, Sri Lanka, Thailand, Pakistan, Georgia, Jordan, Ethiopia, and Uganda and are subsequently subjected to involuntary servitude as construction workers, security guards, cleaners, handymen, and domestic workers. Women from Iran, China, and the Philippines reportedly are subjected to forced prostitution in Iraq. Some foreign migrants are recruited for work in other countries such as Jordan or the Gulf States, but are forced, coerced, or deceived into traveling to Iraq, where their passports are confiscated and their wages withheld, ostensibly to repay labor brokers for the costs of recruitment, transport, food, and lodging. Other foreign migrants are aware they are destined for Iraq, but once in the country, find the terms of employment are not what they expected or the jobs they were promised do not exist, and they are forced to live in work camps with substandard conditions. The Government of Nepal continues to ban its citizens from migrating to Iraq for work.

The Government of Iraq does not fully comply with the minimum standards for the elimination of trafficking, but it is making significant efforts to do so. The government conducted some investigations and at least one prosecution under the 2012 anti-trafficking law. The government also

established an anti-trafficking department in the interior ministry, which collected human trafficking law enforcement data and operated the newly established anti-trafficking hotline. The inter-ministerial Central Committee to Combat Trafficking in Persons was active in furthering the government's anti-trafficking efforts throughout the reporting period. The committee met multiple times, publicized its meetings to raise awareness about trafficking, and included participants from international organizations, foreign governments, and NGOs. Despite modest improvements in law enforcement efforts, the government failed to investigate or punish government officials complicit in trafficking-related offenses. Moreover, the government demonstrated minimal efforts to identify and assist victims of forced labor and sex trafficking, including those incarcerated for prostitution violations. The government continued to arrest, detain, and prosecute victims of forced prostitution and prohibit NGOs from operating shelters to protect sex trafficking victims. Nonetheless, law enforcement officials worked, on a limited basis, with NGOs and international organizations to refer some victims to protection services. The government also established a location for a temporary and permanent shelter for trafficking victims and drafted shelter guidelines.



Recommendations for Iraq: Continue to use the anti-trafficking law to prosecute human trafficking offenses and convict trafficking offenders, including government employees complicit in trafficking-related offenses; institute guidelines for police, labor inspectors, and other officials to proactively identify and refer trafficking victims to protection services, including non-governmental services; open a shelter for trafficking victims at the established location and adequately train shelter staff on victim identification and protection; implement a policy to provide protection to trafficking victims from punishment of crimes committed directly related to being subjected to human trafficking, including forced prostitution and immigration violations; establish a legal framework for NGOs to operate shelters that provide assistance to victims of all forms of trafficking; continue to encourage victims to assist in prosecuting offenders and offer legal alternatives to removal of foreign victims of trafficking; regulate recruitment practices of foreign labor brokers to prevent practices facilitating forced labor; take steps to end the practice of forced and temporary marriages that entrap girls in sexual and domestic servitude; and undertake a public awareness campaign to raise awareness of sex trafficking and forced labor.

Prosecution

The government demonstrated some improved law enforcement efforts against trafficking in persons during the reporting period. Iraq's anti-trafficking law, which was adopted in April 2012, appears to prohibit some but not all forms of human trafficking. Inconsistent with international standards, the law does not establish facilitating child prostitution as an act of human trafficking, and it is not clear if buying and selling (a transaction) is required for human trafficking to occur. The law prescribes punishments that appear to be sufficiently stringent and commensurate with those prescribed for other serious crimes such as rape. Additionally, an article in the penal code addresses the forced prostitution of a child; the penalty is up to 10 years' imprisonment, which is sufficiently stringent to deter this activity, though not commensurate with the penalties prescribed for rape. For the first time, the government collected data on investigations and prosecutions of trafficking offenders. Authorities reported at least seven sex trafficking investigations, five forced child begging investigations, and one domestic servitude investigation during the reporting period. The government also initiated five forced child begging prosecutions using kidnapping and terrorism statutes. An international organization reported that there were at least two more sex trafficking prosecutions under the anti-trafficking law. A forced labor prosecution from the previous reporting period remained active, in which the investigative judge authorized that the victims' testimonies be taken in Ukraine for use in the trial. The government reportedly initiated at least one sex trafficking prosecution under the anti-trafficking law; this was noteworthy, as the "clients" who frequented the sex trafficking venue allegedly included some government officials. In September 2012, security forces arrested and detained a group accused of kidnapping Iraqi women and girls and forcing them into prostitution in brothels in Baghdad, as well as forcing them into prostitution in neighboring countries. The primary suspect was charged with human trafficking under the anti-trafficking law, as well as with multiple other offenses. The case was referred to criminal court in February 2013. In October 2012, an international organization reported a recruitment company trafficked multiple Ugandan women to Iraq under false promises of work and subsequently forced them into domestic servitude by confiscating their passports, withholding their wages, and verbally, physically, and sexually abusing them. At the end of the reporting period, the government reported initiating an investigation of this company. Notwithstanding these efforts, the government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period, despite multiple allegations of complicity. A local NGO alleged that some law enforcement officials knowingly patronized brothels in Baghdad where women were forced into prostitution; and an international organization alleged that security officials forced women and girls into prostitution in Kirkuk and Salah ad-Din provinces. Additionally, Kurdistan Regional Government (KRG) ministry officials reported that some KRG officials accepted bribes or ignored labor violations, some of which may include trafficking offenses.

The government established an anti-trafficking department within the Ministry of Interior during the reporting period; the department issued orders to every police station to identify a point of contact for trafficking cases in order to streamline procedures and ensure information-sharing of cases. Because many judicial investigators continued to view women and children in forced prostitution as criminals, the inter-ministerial committee sent a request to the Higher Judicial Council to inform judicial officials to proactively use the anti-trafficking law to protect victims from being prosecuted for trafficking offenses. While the government did not fund anti-trafficking training efforts, it provided facilities and in-kind assistance for anti-trafficking awareness and victim identification and assistance trainings that were funded by international organizations, NGOs, and foreign

governments. Participants in multiple trainings throughout the year included officials from the inter-ministerial committee, law enforcement agencies, and the judiciary.

Protection

The Iraqi government demonstrated progress in its efforts to protect victims of trafficking during the reporting period, including identifying and referring some trafficking victims to NGO protection services, as well as identifying the location for a temporary and permanent shelter for trafficking victims and drafting shelter guidelines; however, victim punishment and maltreatment of NGOs were serious deficiencies. The government did not provide funding or in-kind assistance to NGOs providing victim protection services, and the government prohibited NGOs from running shelters that provided protective services to sex trafficking victims. As a result, these shelters remained vulnerable to prosecution and unprotected from threats of violence by extremist groups. The government identified at least 20 trafficking victims in this reporting period, an improvement from previous years when the government did not report proactively identifying any trafficking victims. Similarly, the Ministry of Human Rights retroactively identified 16 sex trafficking victims among 49 women previously convicted and imprisoned on prostitution charges. The ministry recommended to the Higher Judicial Council that their cases be reopened under the framework of the anti-trafficking law; at the end of the reporting period, the disposition of these victims' cases was unclear.

The government drafted a national trafficking victim referral mechanism, though it was not finalized at the end of this reporting period and, as a result, government authorities did not employ systematic procedures to guide law enforcement officials to identify proactively victims of trafficking among vulnerable groups, such as women arrested for prostitution and foreign workers. Nonetheless, NGOs reported that some government officials and police cooperated with NGOs on a limited basis, including *ad hoc* referral of sex and labor trafficking victims for protection services. While government officials acknowledged for the first time the problem of sex trafficking in Iraq, some still viewed women and children in forced prostitution as criminals, rather than victims of trafficking. Victims of trafficking were incarcerated, fined, or otherwise penalized for unlawful acts such as engaging in prositution, committed as a direct result of being subjected to human trafficking. An international organization reported that sentences for prostitution violations were excessively harsh, such as 15 years' to life imprisonment. Officials initially arrested and charged with prostitution some of the women and girls subjected to sex trafficking; however, some were later referred to protection services or released from custody, and criminal charges against them were dropped. A government official reported that police commonly mistreated or abused detainees during interrogation, including both perpetrators and victims of trafficking. Detained sex trafficking victims were also at risk of being re-trafficked, as prisons were a common source for recruiters of prostitution rings. Upon release from prison, female victims of forced prostitution had difficulty finding assistance, especially in cases where the victim's family had sold her into prostitution.

Authorities placed child trafficking victims in protective facilities, orphanages, foster care, or in juvenile detention centers. International organizations and NGOs reported that victims of forced labor reportedly were arrested, fined, jailed, given lengthy prison sentences, or deported for immigration violations as a result of being subjected to human trafficking. The government did not provide them with protection services, including medical services. However, in January 2013, the Ministry of Health officially instructed every governorate to establish victim support units in government-run health facilities to oversee the provision of medical and psychological assistance to trafficking victims, and in March 2013 the first two victim support units were established in Baghdad.

The 2013 federal budget, passed in March 2013, allocated funding designated for victim protection and assistance. During this reporting period, the government identified a former orphanage in Baghdad to be used as the first temporary shelter for trafficking victims; it drafted internal guidelines for the management and operation of the facility and training manuals for shelter staff, as well as provided security to protect the shelter. The government similarly located a site for a permanent trafficking shelter, though the construction of this facility had not begun at the end of this reporting period. The KRG continued to operate women's shelters in the IKR that provided some protection and assistance for victims of gender-based violence, including female victims of trafficking, though space was limited and service delivery was poor. It was unclear how many trafficking victims, if any, the shelters assisted in this reporting period. Elsewhere in the country, local NGOs and international organizations continued to provide all available care for trafficking victims, including shelter. Sixteen family protection units continued to operate in police stations around the country to assist women and children who were victims of trafficking and abuse, yet the units did not have a referral system to provide victims with adequate protective services, such as legal aid or shelter; the number of victims assisted by these units, if any, was unclear. The government encouraged some victims to assist in investigations and prosecutions. For example, in one case it sent a prosecutor to Ukraine to collect victim testimony. The government did not offer foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. The government deported some forced labor victims during the reporting period.

Prevention

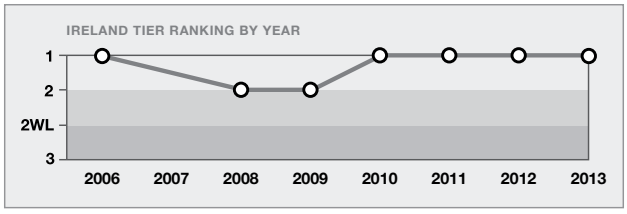
The Government of Iraq made improved efforts to prevent human trafficking through establishing an inter-ministerial committee and an anti-trafficking hotline during the year. In May 2012, the government formed the inter-ministerial committee to serve as the national coordinating body on trafficking and to oversee implementation of the anti-trafficking law; the committee met eight times in the reporting period. The committee also televised three of its meetings to raise awareness about trafficking among the public, and it invited international organizations, foreign governments, and NGOs to participate in meetings, as well as a representative of the KRG to be a permanent committee member. The committee also co-chaired an international anti-trafficking working group, in cooperation with an international organization, to coordinate assistance on anti-trafficking efforts with the international community. KRG officials reported that law enforcement officials shut down some businesses and labor brokers in the IKR that were implicated in alleged forced labor offenses, though it did not prosecute any such labor brokers for fraudulent recruitment or forced labor offenses. In an effort to improve understanding of forced prostitution in Iraq, the Ministry of Human Rights conducted and made

public a study on the applicability of the anti-trafficking law in cases involving forced prostitution that included interviews with women convicted on prostitution charges, some of whom were identified trafficking victims. The government established an anti-trafficking hotline to report trafficking offenses, which was advertised on state television and various ministries' websites. An international organization reported that the hotline was operational and calls were routed directly to the anti-trafficking department. The Ministry of Human Rights also reported that it issued new guidelines to its human rights hotline operators on referring trafficking cases. The government did not conduct any anti-trafficking public awareness or education campaigns. The government did not take measures to reduce the participation of Iraqi nationals in child sex tourism in Iraq or abroad.

IRELAND (Tier 1)

Ireland is a destination, source, and transit country for women, men, and children subjected to sex trafficking and forced labor. Foreign trafficking victims identified in Ireland are from Nigeria, Cameroon, the Philippines, Poland, Albania, Bulgaria, Brazil, Romania, Pakistan, and other countries in Africa, Asia, and Eastern Europe. There has been an increase in identified Irish children subjected to sex trafficking within the country. Victims of forced labor in domestic service and restaurant work are subjected to excessively long hours from employers who withhold personal documents. Some domestic workers employed by foreign diplomats on assignment in Ireland work under poor conditions and are at risk of labor trafficking.

The Government of Ireland fully complies with the minimum standards for the elimination of trafficking. The government continued to provide a wide range of protective services to victims, including legal aid. Although government funding for NGOs providing services to victims decreased during 2012, total government funding for anti-trafficking activities increased during the year. Law enforcement took steps to improve coordination with NGOs and the provision of services and protection to potential victims of sex trafficking. However, in some cases authorities failed to make prompt determinations of potential victims' eligibility for services. Victims could face challenges accessing services due to confusion between NGOs and officials on procedures in the national referral process, particularly outside of Dublin.



Recommendations for Ireland: Vigorously implement Ireland's 2008 anti-trafficking law to ensure sex trafficking and forced labor offenders are held accountable through convictions and dissuasive sentences; ensure trafficking investigations efficiently move forward to prosecution; implement a government-wide victim services database and case management system to improve the tracking of efficient delivery of services across multiple government agencies; continue to enhance and formalize the role of NGOs in identifying potential victims in cooperation with law enforcement and through proactive screenings in asylum and immigration settings; improve training and communication on the national referral process for NGOs to improve referral of potential victims to law enforcement and ensure authorities make prompt determinations of potential victims' eligibility for services, irrespective of criminal proceedings; ensure that all trafficking victims are, in practice, able to access available legal services; consider policy or legal changes to ensure all potential trafficking victims are afforded a reflection period, regardless of immigration status, to recover before making an informed decision about whether to assist law enforcement; ensure labor inspectors refer identified forced labor cases for criminal investigation and refer potential victims to services; consider amending the law to authorize asylum seekers who are also identified trafficking victims to obtain work authorization; consider increasing funding for victim services; enhance training for social workers responsible for trafficked children, including meeting the needs of unaccompanied migrant or asylum seeking children who are victims of trafficking; and consider establishing a national rapporteur to enhance anti-trafficking efforts and to better assess needed improvements in victim identification.

Prosecution

The Government of Ireland sustained efforts to prosecute trafficking offenders; however, the number of new trafficking investigations it undertook during the year declined. The government prohibits all forms of trafficking through its 2008 Criminal Law (Human Trafficking) Act, which prescribes penalties up to life imprisonment; these penalties are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Authorities initiated 32 new trafficking investigations in 2012, compared with 53 new investigations in 2011, and continued 97 investigations begun in prior years. Law enforcement referred 22 trafficking suspects, including two labor trafficking suspects, to the Director of Public Prosecution in 2012, none of whom went to trial during the reporting period. In 2011, nine defendants were prosecuted for human trafficking offenses. The government reported four convictions under Section 3 of the Criminal Law (Human Trafficking) Act 2008 in this reporting period, as compared to one conviction in the previous reporting period. Conviction statistics in Ireland conflate possession or creation of child pornography and trafficking in persons, owing to the structure of the relevant Irish anti-trafficking law. One trafficker was sentenced under trafficking-related statutes to three years' imprisonment and one was sentenced under the Criminal Law (Human Trafficking) Act 2008 to 12 years' imprisonment. A report by the OSCE Special Representative for Combating Trafficking noted the number of prosecutions under the anti-trafficking law was low, especially those relating to labor trafficking, in relation to the number of investigations. The government did not report any new investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period, though it continued its investigation of a former Irish police officer for trafficking-related complicity. In 2012, authorities initiated an investigation of an Ireland-based foreign diplomat for alleged trafficking of three potential victims in domestic servitude. The government continued to train national police on human trafficking awareness in coordination with NGOs and international organizations. The government also funded

the development of "train-the-trainer" courses for officials on human trafficking.

Protection

The government maintained adequate protection efforts for trafficking victims, though potential victims faced challenges in accessing available services. Some NGOs noted a lack of proactive identification efforts among law enforcement personnel and an over-reliance on immigration authorities to identify potential trafficking victims may have resulted in a low number of victims accessing assistance. Police also did not take into account more subtle forms of coercion that compel victims to remain in a situation of forced labor, resulting in low numbers of identified labor trafficking victims. The government provided identified non-EU national trafficking victims with a 60-day reflection period—time in which the victim may recover before deciding whether to assist law enforcement. NGOs consistently raised the issue that some potential victims referred to law enforcement never received a determination of whether the government considered them to be "potential victims" eligible for the reflection period and services. The absence of an adequate database hindered the government's ability to track the prompt provision of services to victims across the many government support agencies. Law enforcement identified 48 potential trafficking victims in 2012, compared with 57 in 2011. Of these 48 victims, six were subjected to forced labor, 17 were male, and 23 were children, including 19 Irish national children who were found in commercial sex. The government encouraged victims to assist in the investigation and prosecution of traffickers through the provision of residency permits, shelter, individual care plans, and legal aid; however, many victims reportedly were unwilling to come forward to law enforcement, possibly due to a perceived risk or lack of knowledge of available services. All victims identified by law enforcement during the reporting period assisted authorities in investigations. NGOs criticized a cumbersome referral process, citing confusion over who the appropriate points of contact were to investigate trafficking in areas outside of Dublin. In 2012, the government provided the equivalent of approximately $1.1 million in combined funding for government-provided programs and services, inclusive of funding to NGOs for their direct services.

The government made available free legal aid to all potential trafficking victims. Only a very small number of eligible potential victims availed themselves of such services; only nine received legal services in 2012. Under the national referral mechanism, potential victims must be referred to law enforcement before shelter, health, and legal services will be provided. NGOs reported that, in some cases, authorities took up to a year from the time an NGO referred a potential victim to law enforcement to make an eligibility determination, severely obstructing identification and access to services. NGOs reported not knowing how to proceed in assisting victims without an update on the outcome of law enforcement's determination of whether the person is an eligible "potential victim." NGOs reported concerns over the low quality of housing for potential victims and the practice of moving victims to different hostels. Long-term shelter is provided to foreign trafficking victims through asylum reception centers. Law enforcement referred 18 trafficking victims to shelter in the asylum centers and the government provided them with care plans. A report by the OSCE Special Representative noted increased coordination with NGOs was needed to enhance and individualize services to trafficking victims in asylum centers. During the year, two victims were issued new six-month temporary residency permits and 18 victims received renewed temporary residency, of whom five received long-term residency in Ireland. Two victims were in the asylum process. Although victims of trafficking seek legal employment while in temporary residency status, there is a statutory prohibition preventing asylum seekers from working. The government's failure effectively to track referrals of and case management services for victims prevented social workers from verifying whether the full range of services and supports for which victims were eligible were actually provided.

A report by the OSCE Special Representative noted recent efforts by the government to strengthen the child protection system and encouraged authorities to take further action to ensure durable and safe solutions for children using a child-sensitive and child rights-based approach to all aspects of anti-trafficking policy. In 2012, the government expanded nationally a formal protocol between national police and child protection services on unaccompanied migrant children to reduce the number of children who go missing from care. An NGO report published during the reporting period noted positively the government's transition to placing most unaccompanied migrant children, including trafficked children in foster care, with a small number of older children placed in residential centers, an improvement over past use of hostels. The report called for consistent support from designated local social workers to respond to the complexity of issues and needs of trafficked children placed in private contracted foster care outside of Dublin.

There were no reports of trafficking victims punished for acts committed as a direct result of their being trafficked. NGOs praised the government's victim-centered approach during a joint operation with law enforcement counterparts in Northern Ireland against organized prostitution, raiding 140 sites; police treated women as potential victims and witnesses to crimes, not as criminals. The government provided guidelines to frontline staff in the Department of Social Protection on how to identify and report trafficking concerns.

Prevention

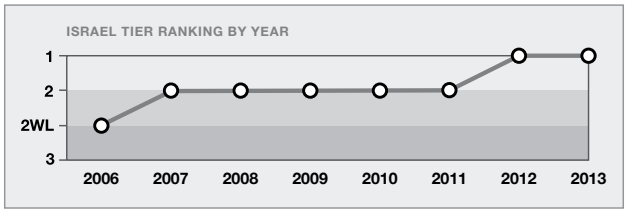
The government sustained its anti-trafficking prevention efforts. In coordination with the Belfast Department of Justice, the government ran a photography and video competition for university students as a means of raising awareness on human trafficking. Irish secondary schools included in their curriculum a course on how students can combat human trafficking in Ireland. The government held a joint training session with border control and law enforcement officials in Great Britain and Northern Ireland focused on raising awareness of trafficking indicators. As part of the Government of Ireland's 2012 Chairmanship in the Office of the OSCE, the government organized an international seminar on human trafficking in Vienna. The government conducted a review of the 2009 to 2012 national action plan against trafficking and planned to publish the report in 2013. The government conducted a year-long study and period of public comment considering changes to the 1993 prostitution law and whether to criminalize purchasers of commercial sex acts. The government did not demonstrate additional efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to Irish defense forces prior to their deployment abroad on international peacekeeping missions.

ISRAEL (Tier 1)

Israel is a destination country for men and women subjected to forced labor and sex trafficking. Low-skilled workers from Thailand, China, Nepal, the Philippines, India, Sri Lanka, and to a lesser extent, Romania, migrate voluntarily and legally to Israel for temporary contract labor in the construction, agriculture, caregiving, and fishing industries. Some subsequently face conditions of forced labor, including through such practices as the unlawful withholding of passports, restrictions on movement, limited ability to change or otherwise choose one's employer, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. Many labor recruitment agencies in source countries or brokers in Israel require workers to pay exorbitant recruitment fees to secure jobs in Israel—ranging from the approximate equivalent of $8,000 to $30,000—a practice that contributes to forced labor once migrants are working in Israel.

Hundreds of victim testimonies collected in Israel document African migrants, refugees, and asylum-seekers entering Israel irregularly from Egypt's Sinai Peninsula. Many of these vulnerable migrants were kidnapped along the Eritrea-Sudan border or within Sudan and subsequently subjected to abuses in Egypt's northern Sinai before reaching Israel, some of which amounted to human trafficking. Although the numbers of migrants arriving irregularly in Israel has decreased significantly—from 17,000 in 2011 to 10,000 in 2012—following the construction of the border fence along the Israel-Egypt border and other deterrence measures, international organizations report that the abuses committed in Egypt against this vulnerable group of migrants, refugees, and asylum seekers—some of whom are trafficking victims—continue to increase. Women from the former Soviet Union, China, and South America are subjected to forced prostitution in Israel, although the number of women affected continues to decline. Some women arrive on tourist visas for the purpose of working in prostitution for a short period of time before returning to their home country; some of these women may be subjected to conditions indicative of forced prostitution. Some Israeli women and girls may be subjected to sex trafficking in Israel.

The Government of Israel fully complies with the minimum standards for the elimination of trafficking. The Israeli government sustained strong law enforcement actions against sex and labor trafficking and strong overall prevention efforts during the year, although courts did not sentence convicted offenders to prison terms commensurate with the gravity of the offense. The government continued to refer victims to and fund two NGO-run shelters for trafficking victims; it opened additional facilities to accommodate an increasing number of identified trafficking victims. It continued to improve its efforts to identify trafficking victims proactively among vulnerable populations, including exploited foreign workers and migrants from the Sinai. Nonetheless, due to insufficient shelter capacity and trained personnel in detention facilities, identified trafficking victims frequently remained in detention awaiting shelter and other protection services. NGOs noted that conditions in detention centers were substandard, citing a lack of access to medical, legal, and social services.



Recommendations for Israel: Impose stricter sentences on convicted trafficking offenders; continue to increase the number of labor inspectors and interpreters in the agriculture, construction, and homecare sectors, ensuring that they are adequately trained in identifying trafficking cases; further increase enforcement of foreign worker labor rights; further evaluate employers and recruitment agencies for histories or indicators of abusive practices before referring migrant workers to them for new employment; continue to strengthen trafficking victim identification among migrants, refugees, and asylum seekers arriving from Egypt's Sinai Peninsula; continue to accord all trafficking victims protections, shelter, and medical and psychological treatment, and ensure those trafficking victims are not penalized for unlawful acts committed as a direct result of being trafficked, such as immigration violations, including by being detained; increase the number of social workers and interpreters in detention centers and improve psychological services provided to victims in trafficking shelters and detention facilities; increase training for regional district police units in victim identification, victim sensitivity, and enforcement of labor and sex trafficking laws; and increase investigations of forced prostitution of Israeli nationals.

Prosecution

The Government of Israel sustained strong law enforcement efforts against sex trafficking during the reporting period, though sentences given to convicted sex traffickers remained low. It also continued to make progress against labor trafficking. The government prohibits all forms of human trafficking through its Anti-Trafficking Law of 2006, which prescribes penalties of up to 16 years' imprisonment for the trafficking of an adult, up to 20 years' imprisonment for the trafficking of a child, up to 16 years' imprisonment for slavery, and up to seven years' imprisonment for forced labor. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government conducted at least 28 investigations of sex trafficking and seven investigations of forced labor. Israel reported prosecuting nine sex trafficking defendants and 10 forced labor defendants; it convicted 17 sex traffickers and four forced labor offenders, some of whom were charged under the trafficking statute, but convicted under related statutes. Despite this, trafficking offenders were given sentences that were not sufficiently serious to deter the crime; sentences ranged from community service or imprisonment of eight months' to three years' imprisonment. In September 2012, Israeli authorities cooperated with INTERPOL to investigate an Israeli national suspected of trafficking two Ukrainian women for forced prostitution. A local NGO observed that the majority of women in prostitution were Israeli citizens and some were restricted from leaving the brothels. In February 2013, the government indicted an Israeli who allegedly locked an Israeli woman in an apartment and forced her to engage in prostitution.

Since the specialized anti-trafficking unit was disbanded in July 2011, regional districts have been provided specialized training in human trafficking and are responsible for enforcing trafficking crimes and handling trafficking investigations, overseen by an Israel National Police headquarters component. NGOs reported that as a result of the disbanding, some police units handling trafficking cases lacked experience, interpreters, familiarity with migrant workers' communities, and sensitivity. Through the government's anti-trafficking unit, the government continued to provide numerous anti-trafficking trainings, workshops, and seminars for law enforcement, prison, immigration, and judicial officials, labor inspectors, social workers, and NGOs. The government did not report efforts to investigate or prosecute public officials for alleged complicity in trafficking-related offenses.

Protection

The Government of Israel sustained its protection of trafficking victims over the reporting period, including its efforts to employ effective procedures to identify and protect some trafficking victims among vulnerable populations, including migrant workers and vulnerable migrants from the Sinai. Despite these procedures, some unidentified victims may have been penalized for unlawful acts, such as immigration violations, committed as a direct result of their being trafficked. Israeli law enforcement authorities employed systematic procedures to identify foreign sex trafficking victims among high-risk persons. The police continued a pilot program with an NGO to help identify sex trafficking victims during police raids of brothels and refer them to NGO protection services. During the reporting period, police did not identify any children in prostitution, though there continued to be reports of Israeli nationals in prostitution, including prostitution of underage girls in Tel Aviv. Some victims who were subjected to trafficking in the Sinai and later entered Israel remained in detention for several months before being transferred to trafficking shelters. The Ministry of Industry, Trade, and Labor increased the use of interpreters accompanying labor inspectors in the field. However, NGOs remained concerned about a lack of Thai interpreters during inspections in the agriculture sector, which left inspectors unable to communicate with and receive complaints from the predominantly Thai migrant workers in this sector. The government continued to provide robust victim identification training and workshops to judges, social workers, law enforcement and prison officials, labor inspectors, and NGOs.

The government continued to fund the 35-bed *Maagan* shelter for primarily foreign female trafficking victims and the 35-bed *Atlas* shelter for foreign male trafficking victims, both of which allowed shelter residents to leave freely. These shelters offered job training, psychosocial support, medical treatment, language training, legal assistance, and other rehabilitative services; however, NGOs reported that the shelters lacked adequate psychological care. During 2012, the government opened transitional apartments to house 18 additional trafficking victims, as needed. Observers claimed, however, that the shelters and apartments were insufficient to treat the scale of trafficking victims not accorded official victim status in Israel, particularly those victims among migrants, refugees, and asylum seekers arriving from the Sinai. Law enforcement and judicial officials referred 33 women to the *Maagan* shelter and 53 men to the *Atlas* shelter in 2012, which was a significant increase compared to referrals in 2011. In 2012, the shelters housed 58 trafficked women, 53 men, and nine children. Two minors who were among victims of trafficking that arrived from the Sinai were referred to the shelters this year, and the children of some adult trafficking victims were housed in the shelter with their parents. The shelter staff maintained contact with trafficking victims after they had left the shelter to assist victims with reintegration into Israeli society, and to ensure future work conditions were not exploitative. For example, the men's shelter assisted 75 forced labor victims with short-term housing and assistance with work visas and legal aid. The legal aid branch of the Ministry of Justice continued to provide free legal aid to trafficking victims and included a special representative with expertise in handling human trafficking cases. In 2012, the branch granted legal aid to 101 victims of trafficking, including victims of sex trafficking and forced labor, as well as to 186 victims who entered from the Sinai and may have experienced conditions of forced labor and sex trafficking in Egypt. The government encouraged victims to assist in the investigation and prosecution of trafficking but did not require their participation as a condition for receiving assistance. Though government policy allowed trafficking victims to work during the period of investigation and prosecution of their traffickers, in practice, victims experienced long delays in receiving work visas from the Ministry of Interior (MOI). NGOs reported that, in particular, some identified Eritrean trafficking victims who entered Israel from the Sinai did not receive work authorization paperwork for several months. In 2012, the government issued 44 and extended 301 temporary B1 visas to trafficking victims that allowed victims to work legally and without restriction; these were not contingent on their participation in investigations or prosecutions. Identified victims of trafficking who suffered abuses in Egypt were not, however, accorded B1 visas in Israel, but were instead provided work authorization paperwork from the MOI.

Though the numbers of foreign migrants, refugees, and asylum seekers arriving in Israel from Egypt significantly decreased by the end of the reporting period, the Israeli government continued to grapple with policies to address the group's vulnerabilities, some of whom were subjected to trafficking prior to their entry into Israel. The amended Prevention of Infiltration Law, which went into effect in June 2012, defines all irregular border crossers as "infiltrators" and permits authorities to detain illegal migrants, including asylum seekers and their children, indefinitely; trafficking victims were among those detained—sometimes for several months—until being released to a shelter or guardian. Notwithstanding this detention, the Israeli government improved its system of identifying and providing medical treatment for trafficking victims who were severely abused prior to arriving in Israel. The government adopted new identification procedures in 2012 that required all prison staff in detention facilities to notify a social worker of suspected trafficking victims in detention, who were in turn required to notify the police and legal aid; these procedures significantly increased the number of victims identified in detention facilities to 156. Nonetheless, there continued to be an inadequate number of interpreters and psychological services in detention facilities for victims who experienced abuse and trafficking in Egypt. The government also identified 17 male and 21 female child trafficking victims and after placing them in a detention facility, transferred them to a government-run boarding school. Advocates, however, expressed concern that the child victims were released to boarding schools or guardians without proper rehabilitative care. The government continued to indicate it did not have the capacity to provide assistance to the large numbers of trafficking victims among the migrants arriving from Egypt. As

a result, 35 female and 11 male trafficking victims remained in detention awaiting space in the government-funded trafficking shelters at the end of the reporting period. While Israeli authorities reported that Israel refrained from the practice of "hot returns" of migrants and asylum seekers back to Egypt, several NGOs reported that the practice resumed during the reporting period. NGOs reported that the Israeli military prevented some illegal migrants, including possible asylum seekers, from arriving in Israel from the Sinai without determining whether they were victims of trafficking. Until the Prevention of Infiltration Law went into effect in June, Eritrean and Sudanese migrants, refugees, and asylum seekers, some of whom may have been victims of trafficking in the Sinai, received a "conditional release" visa that did not allow them to work legally in Israel. Therefore, NGOs reported that many of these migrants informally found work in the agriculture sector under harsh conditions; some of them may have experienced conditions indicative of forced labor.

Prevention

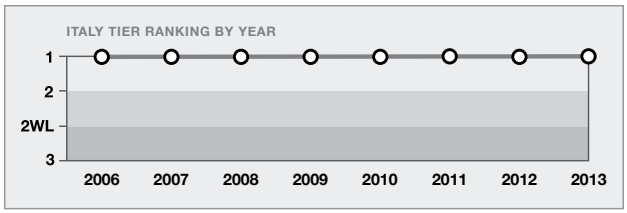
The Israeli government sustained progress in preventing human trafficking over the reporting period. The anti-trafficking unit within the Ministry of Justice continued to hold meetings with government ministries, NGOs, and the Knesset, as well as conduct trainings, research trafficking trends, and coordinate Israel's response to the vulnerable group of migrants, refugees, and asylum seekers arriving from the Sinai. The unit's coordinator, however, left the position in October 2012, and it remained unfilled at the end of the reporting period. In December 2012, the government held its fifth annual ceremony to present awards to individuals or organizations that had made a significant contribution against human trafficking. The Knesset Subcommittee on Trafficking in Women held frequent public meetings during the reporting period. The Authority for the Advancement of the Status of Women in the Prime Minister's Office raised awareness of sex trafficking among students; the Ministry of Education incorporated awareness of sex and labor trafficking into school curricula, which reached 75,000 teachers and 100,000 students. The government also continued to implement anti-trafficking awareness campaigns through media outlets. As a continuation of the government's efforts from the previous reporting period, the country's anti-trafficking unit published an annual summary of the Israeli government's anti-trafficking efforts.

The government investigated labor violations that created vulnerabilities for human trafficking, including inflated brokerage fees and violations of foreign caregivers' rights, though concerns remained over new legal amendments that restrict foreign caregivers' abilities to change employment. The MOI also added 75 new labor inspectors trained in human trafficking, and the government enacted labor laws that enabled the Ministry of Industry, Trade, and Labor to impose administrative sanctions, including financial penalties, on employment violators; the government opened 150 investigations under this law during the year. In 2012, a set of amendments to the Foreign Workers Law entered into force, which prohibited illegal employment of foreign workers and allows the MOI to close a business or limit the use of the premises on which violations were committed. Under these amendments, the MOI investigated and fined 1,700 employers of foreign workers and cancelled numerous permits for employers and a manpower company to employ foreign workers. The government continued to operate a 24-hour hotline for foreign workers to lodge complaints; in 2012, the hotline referred 516 complaints from foreign workers to law enforcement. In an effort to reduce the demand for commercial sex acts, police opened 40 investigations for the offense of publishing prostitution services, and conducted investigations which led to the closing of some premises used for prostitution.

ITALY (Tier 1)

Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims subjected to human trafficking in Italy originate from Nigeria, Romania, Morocco, Tunisia, Moldova, Slovakia, Ukraine, China, Brazil, Peru, Colombia, Pakistan, Bangladesh, Ecuador, Poland, Bulgaria, Pakistan, Egypt, and India. Men are subjected to forced labor in agriculture in southern Italy and in construction and service industries in the north of the country. Children subjected to sex trafficking in Italy are from Romania, Nigeria, Brazil, Morocco, and Italy, specifically Roma and Sinti boys who may have been born in Italy. Transgender children from Brazil are subjected to sex trafficking in Italy. Nigerian children are subjected to labor trafficking through debt bondage and coercion through voodoo rituals. Roma children from Italy are subjected to forced labor in begging or petty theft. Disabled victims of trafficking from Romania are subjected to forced begging by Romanian transnational criminal networks. Men and women from Central Asia arriving in Italy through Russia, Turkey, and Greece are subjected to forced labor. Unaccompanied children, mainly boys from Bangladesh, Egypt, and Afghanistan, are at risk of trafficking.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. The government provided comprehensive protection and assistance to a significant number of trafficking victims in 2012. The government continued to prosecute and convict offenders vigorously under the anti-trafficking law. The government did not always proactively screen for trafficking among vulnerable migrants, including asylum seekers arriving at Italian ports who were returned without adequate protection.



Recommendations for Italy: Collect and disseminate disaggregated law enforcement data to demonstrate efforts to combat both sex trafficking and forced labor; formalize standard procedures for police and other officials to systematically identify and refer victims of trafficking to services and protection, and ensure procedures are applied consistently; improve efforts to screen irregular migrants and asylum seekers to identify possible human trafficking victims and protect them from deportation that may contribute to re-trafficking; establish an autonomous national rapporteur to enhance anti-trafficking efforts and share Italy's best practices on victim protection with other countries; and increase efforts to identify victims of domestic trafficking,

specifically among children within the country who are vulnerable to forced labor and sex trafficking.

Prosecution

The government continued to vigorously investigate, prosecute, and convict trafficking offenders during the reporting period. Italy prohibits all forms of human trafficking though its 2003 Measures Against Trafficking in Persons law, which prescribes penalties of eight to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Authorities investigated 2,471 suspects for trafficking in 2011—the most recent year for which law enforcement statistics were available—an increase from 2,333 in 2010. Italian prosecutors brought to trial 224 defendants in 2011, compared with 621 in 2010. Trial courts convicted 179 trafficking offenders in 2011; 174 were convicted in 2010. The average sentence imposed on convicted traffickers in 2011 was 6.5 years in prison; those convicted for exploitation of children in prostitution were sentenced to an average of 3.8 years' imprisonment and a fine, and those convicted of slavery were sentenced to an average of 1.5 years' imprisonment and a fine. The Government of Italy did not disaggregate data on convictions for sex trafficking and forced labor. In April 2012, authorities arrested a former *Carabinieri* police officer for recruiting and exploiting foreign women in prostitution; prosecution continued against this official at the end of the reporting period. Prosecution continued against former Prime Minister Berlusconi for the alleged commercial sexual exploitation of a Moroccan minor. The government continued to incorporate specialized training on victim identification and investigation of trafficking crimes in regular curriculum for law enforcement.

Protection

The government continued robust protection for victims of trafficking, but did not always proactively identify victims of trafficking among vulnerable migrants. The government and NGOs assisted 2,018 foreign victims of trafficking during the reporting period. About 70 percent of victims were women and one and a half percent were transgender. About 10 percent of victims were children. Forty percent of victims were subjected to labor trafficking. Observers reported that procedures for referring victims of trafficking to services—and the quality of services—varied by region; police did not consistently apply guidelines for victim identification and referral. NGOs reported that screening for trafficking was inadequate among the large number of refugees and migrants coming from Libya and Tunisia; it is possible authorities missed opportunities to identify victims of trafficking among these groups. There were reports of asylum seekers and unaccompanied children arriving to Italy's Adriatic ports via Greece who were summarily returned to Greece under the EU Dublin II regulation without proper screening for protection needs, trafficking victimization, or age and best interest determinations for children. In 2012, the government issued temporary residence permits to 466 victims of trafficking; 74 of these victims were subjected to labor exploitation. Victims were not required to cooperate with law enforcement to obtain a residence permit. The government provides victims with three to six months' assistance, shelter for an additional 12 months, and reintegration assistance. Victims may obtain a subsequent work or study permit, which can lead to permanent residency, if the victim finds employment or is enrolled in a training program through designated NGOs. Lack of specialized assistance for male victims of trafficking limited their access to these permits. Tightening of migration policies made it more difficult for victims of trafficking to obtain temporary residence permits and procedures on issuance of permits varied among provincial police headquarters. Despite dire economic circumstances and the Eurozone crisis, government funding for victim assistance remained stable at the equivalent of approximately $10.4 million in 2012.

Prevention

The government decreased anti-trafficking prevention efforts in 2012. The government reduced funding of public awareness programs in an effort to concentrate resources on victim assistance. NGOs funded by the government, and in cooperation with municipalities, police, and social services, carried out campaigns at the local level targeted to reduce demand for commercial sex acts. The government did not demonstrate efforts to reduce demand for forced labor. The government continued to operate an active hotline for victims of trafficking. In 2012, the government launched an initiative in Angola to prevent child trafficking and provide basic assistance to unaccompanied children. The Ministry for Equal Opportunity coordinates an anti-trafficking committee of relevant ministries and the national anti-mafia prosecution unit. The government did not publish a systematic evaluation of its anti-trafficking efforts. The government's first draft national anti-trafficking action plan remained pending approval with the Council of Ministers. The Italian armed forces continued to provide anti-trafficking training to civilians and military personnel before their deployment abroad on international peacekeeping missions.

JAMAICA (Tier 2)

Jamaica is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. The exploitation of local children in the sex trade within Jamaica, a form of sex trafficking, remains a serious problem. Sex trafficking of children and adults likely occurs on the street, in night clubs, bars, and in private homes throughout Jamaica, including in resort towns. In addition, massage parlors in Jamaica reportedly often lure women into prostitution under the false pretense of employment as massage therapists and then withhold their wages and restrict their movement—key indicators of human trafficking. People living in Jamaica's poverty-stricken garrison communities, territories ruled by criminal "*dons*" effectively outside of the government's control, are especially at risk. NGOs also expressed concern that children from poor families sent to better-off families or local "*dons*" with the intent of a chance at a better life are highly vulnerable to prostitution and forced labor, including domestic servitude. Other at-risk children are those working in the informal sector, such as on farms, or in street vending, markets, and shops, as well as those engaging in begging. NGOs and the government remain alarmed at the high number of missing children and are concerned that some of these children are falling prey to forced labor or sex trafficking. There is evidence that foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. Numerous sources report that many Jamaican citizens have been subjected to sex trafficking or forced labor abroad, including throughout the Caribbean, Canada, the United States, and the United Kingdom. Child sex tourism reportedly occurs in Jamaica.

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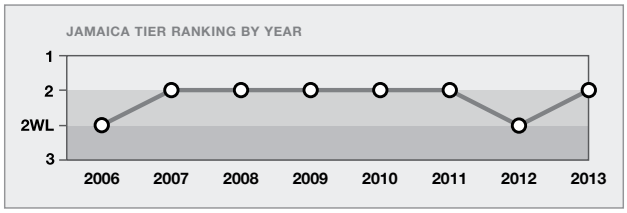
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The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. For another year, the government did not convict trafficking offenders or officials complicit in human trafficking, but the government made efforts to raise awareness about human trafficking and demonstrated a proactive, victim-centered approach in identifying and assisting suspected forced labor victims aboard a fishing boat, which was an important accomplishment for the region as forced labor on fishing boats often occurs undetected. Few Jamaican trafficking victims were identified or received government assistance during the reporting period.



Recommendations for Jamaica: Vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in forced labor or sex trafficking; ensure that prescribed penalties for human trafficking are commensurate with penalties for other serious crimes, such as forcible sexual assault; ensure officials are trained on the fundamental principles of international human trafficking law, including that movement of a victim is not necessary for trafficking to occur; implement standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local, as well as foreign, victims of forced labor and sex trafficking—including children under age 18 in prostitution in night clubs, bars, and massage parlors—and in their referral to adequate service providers; and use the government shelter in cooperation with NGOs to provide a safe and welcoming place for Jamaican children under 18 in prostitution and other trafficking victims that need protection.

Prosecution

The government initiated two new prosecutions, but serious concerns about impunity for perpetrators of human trafficking in Jamaica remained. The government prohibits all forms of trafficking through its comprehensive Trafficking Act of Jamaica, which went into effect in 2007. Punishments prescribed for human trafficking under the Act extend up to 10 years' imprisonment, which are sufficiently stringent but do not appear to be commensurate with penalties prescribed for other serious crimes, such as rape. The government reported initiating 205 sex trafficking investigations and at least one labor trafficking investigation during the reporting period. Authorities also reported four arrests on human trafficking charges. There were two new human trafficking prosecutions in 2012. The government remained active on only two out of 10 prosecutions of human trafficking offenses carried over from previous reporting periods. For another year, the government reported no convictions of trafficking offenders. While no government officials were investigated, prosecuted, or convicted for alleged complicity in trafficking-related offenses during the reporting period, allegations persisted from previous reporting periods that some Jamaican police officers were complicit in prostitution rings, some of whom were suspected of recruiting children under 18 and coercing adults into the sex trade, both of which are forms of sex trafficking.

The Jamaican Constabulary Force reported that it conducted 44 human trafficking awareness training sessions for over 749 police officers and over 1,000 school officials, students and members of the public. The government also provided in-kind support to IOM-led capacity building and technical skills training workshops for government officials.

Protection

The government made efforts in the protection of trafficking victims during the reporting period. Authorities identified 23 suspected victims of trafficking, including 21 Honduran children they rescued from forced labor on a fishing boat. Jamaican authorities involved in the fishing boat case demonstrated a strong commitment to the proactive identification of trafficking victims and implementation of victim protection principles. The government confirmed identifying only two Jamaican victims of trafficking during the reporting period; both were victims of sex trafficking. As part of a joint project with ILO, Jamaican authorities removed at least 130 children from child labor situations, some of whom were likely victims of trafficking, though the government did not confirm if any of the children were in forced labor. The small number of Jamaican trafficking victims identified, especially given the large number of investigations, raised concerns that some front-line responders, such as police, child protection officials, labor officials, and health workers, did not adhere to standard operating procedures for proactive identification of human trafficking and referral of suspected cases for assistance.

The government's shelter for trafficking victims remained vacant during the reporting period. Authorities referred the children from the fishing boat case to a church shelter and the two Jamaican victims to the Child Development Agency and the Victims Support Unit. The government reported spending the equivalent of more than approximately $131,000 on anti-trafficking measures and victim assistance and provided counseling, medical care, food, repatriation assistance, and translation services to the victims identified over the past year.

In coordination with Jamaica's anti-trafficking law, the government provided formal guidance for immigration officials, advising them not to deport foreign victims, and it provided temporary immigration relief to the 21 foreign child victims identified during the reporting period. The government worked with IOM to provide safe repatriation for the foreign victims identified and funded a charter flight for their return home. Jamaican officials encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders, and the Trafficking Act of Jamaica guaranteed that trafficking victims were immune from prosecution for immigration or prostitution violations committed as a direct result of their being trafficked. There were no allegations of victims being punished for crimes committed as a direct result of being subjected to human trafficking during the reporting period.

Prevention

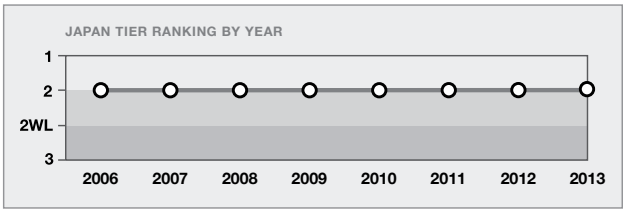
The government made efforts to prevent human trafficking during the reporting period. Officials organized a series of events to raise awareness about human trafficking, including appearances on television, a public forum in coordination with the Nurses Association of Jamaica, and a nationwide broadcast on one of Jamaica's most popular radio shows. Speakers at each of these events included representatives from Jamaica's anti-trafficking taskforce, the Ministry of National Security, the Ministry of Justice, and the Jamaica Constabulary Force. The campaign targeted potential victims and aimed to educate them on ways to identify and avoid potential traffickers. The Prime Minister expressed public commitment to address "modern-day slavery" in a speech to the UN General Assembly. Jamaica's anti-trafficking taskforce developed a national plan of action during the previous reporting period. A government-operated general crime victim hotline offered specialized assistance to persons reporting human trafficking. The government did not report any child sex tourism investigations or efforts to reduce the demand for commercial sex acts, child sex tourism, or forced labor.

JAPAN (Tier 2)

Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking. Male and female migrant workers from China, Indonesia, the Philippines, Vietnam, Poland, and other Asian countries are sometimes subject to conditions of forced labor in Japan. Some women and children from East Asia, Southeast Asia, South America, and, in previous years, Russia and Central America, who travel to Japan for employment or fraudulent marriage are forced into prostitution upon arrival. During the reporting period, Japanese nationals, particularly teenage girls and foreign-born children of Japanese citizens who acquired nationality, were also subjected to sex trafficking. In addition, traffickers continued to use fraudulent marriages between foreign women and Japanese men to facilitate the entry of these women into Japan for forced prostitution. Japanese organized crime syndicates (the *Yakuza*) are responsible for some trafficking in Japan, both directly and indirectly. In recent years, the emergence of small-scale traffickers, mainly Japanese nationals, has been reported. Traffickers strictly control the movement of victims, using debt bondage, threats of violence or deportation, blackmail, and other coercive psychological methods to control victims. Victims of forced prostitution sometimes face debts upon commencement of their contracts, and most are required to pay employers additional fees for living expenses, medical care, and other necessities, leaving them predisposed to debt bondage. "Fines" for misbehavior are added to victims' original debt, and the process brothel operators use to calculate these debts was not transparent. The phenomenon of *enjo kosai*, also known as "compensated dating," continues to facilitate the prostitution of Japanese children. NGOs report that sophisticated and organized networks target vulnerable Japanese women and girls by creating a false sense of intimacy to introduce them into prostitution. Japan is also a transit country for persons in trafficking situations traveling from East Asia to North America. Japanese men continue to be a significant source of demand for child sex tourism in Southeast Asia and, to a lesser extent, Mongolia.

The Government of Japan has not, through practices or policy, addressed the existence of forced labor within the Industrial Trainee and Technical Internship Program (TTIP), a government-run program that was originally designed to foster basic industrial skills and techniques among foreign workers but has instead become a guest worker program. The majority of technical interns are Chinese nationals, some of whom pay up to the equivalent of approximately $5,000 for their jobs and are employed under extortionate contracts that mandate forfeiture of the equivalent of thousands of dollars if workers try to leave. Although banned since 2010, fees, deposits, and "punishment" contracts continue to be reported, and some companies confiscated trainees' passports and other travel documents, and controlled the movements of the interns to prevent escape or communication.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite limited law enforcement gains during the year, the Japanese government did not develop or enact legislation that would fill key gaps in facilitating anti-trafficking prosecutions, as recommended by this Report for the last four consecutive years. The government also failed to develop trafficking-specific assistance measures, continuing instead to rely on inadequate prefectural-level domestic violence shelters. The TTIP continued to lack effective oversight or means to protect participants from abuse; despite some reforms, observers report recruitment practices and working conditions have not changed for interns. The government did not prosecute or convict forced labor perpetrators despite reports of labor trafficking in the TTIP. The number of identified victims, especially foreign trafficking victims, decreased, and no male victims of either forced labor or forced prostitution were identified.



Recommendations for Japan: Accede to the 2000 UN TIP Protocol; draft and enact a comprehensive anti-trafficking law prohibiting all forms of trafficking; significantly increase efforts to investigate and prosecute forced labor cases, and punish offenders with jail time; increase the enforcement of bans on deposits, punishment agreements, withholding of passports, and other practices that contribute to forced labor in the TTIP, and establish an oversight mechanism to ensure accountability; expand and implement formal victim identification procedures for front line officers to recognize both male and female victims in forced labor or prostitution situations and to ensure that victims are not detained for unlawful acts committed as a direct result of being trafficked; aggressively investigate, prosecute, and punish Japanese nationals who engage in child sex tourism.

Prosecution

The government of Japan demonstrated a limited increase in its law enforcement efforts during the reporting period. Japan's criminal code, as amended in 2004, only prohibits the "buying and selling of persons," an overly narrow definition that does

not conform to international standards. As a result, prosecutors must bring charges under statutes that do not capture all the elements of the trafficking crime. These laws, such as articles 226 and 227 of the Penal Code and the Prostitution Prevention Law, prescribe punishments ranging from one to 10 years' imprisonment, which are sufficiently stringent and generally commensurate with penalties prescribed for other serious crimes, such as rape. During this reporting period, the government did not report any prosecutions or convictions under its trafficking statutes. In 2012, the government reported 44 investigations for offenses related to human trafficking. The prosecutions resulted in convictions of 30 people, though these convictions were obtained using non-trafficking statutes, and so it was unclear if any involved proving elements of human trafficking offenses. Of the 30 convicted defendants, only two served prison sentences; six defendants received fines. In January 2013, Tokyo police investigated three individuals for violations of the Immigration Control Act, in connection with allegations of forced labor in the TTIP; this case remains pending in court at the end of this reporting period. The government investigated 695 individuals for child prostitution during this reporting period and referred 579 cases for prosecution. The police identified 471 victims of child prostitution.

The National Police Agency (NPA), Ministry of Justice, Bureau of Immigration, and the Public Prosecutor's office continued to conduct anti-trafficking training for senior investigators and police officers from prefectural and municipal police departments, prosecutors judges, and immigration bureau officers on identifying trafficking victims and investigating trafficking cases. The government did not report investigations, prosecutions, convictions, or jail sentences against any official for trafficking-related complicity during the reporting period.

Protection

Hampered by its overly narrow definition of human trafficking, the government of Japan sustained previous minimal efforts to protect victims during the reporting period. The government has not identified a forced labor victim in the TTIP, despite substantial evidence of debt bondage, passport confiscation, and confinement in the program. Only 27 adult female sex trafficking victims were identified in 2012, a decrease from 45 in 2011. Out of the 27, 11 were Japanese nationals, and the rest were foreign nationals. The government continued to provide general funding for Japan's Women's Consulting Center shelters (WCCs), which provide care for Japanese domestic violence victims but also served 17 foreign trafficking victims during the reporting period. Japanese national victims in WCC shelters are provided full medical expenses and psychological care, while foreign victims receive partial medical coverage. Although the 2009 action plan calls for male victim protection policies, Japan has no dedicated shelters or clear sheltering resources for male victims. No assistance to victims of forced labor or abused interns in TTIP was reported. Some victims were reluctant to seek government assistance due to the perception of a lack of protective services available to identified trafficking victims, though victims were successfully identified by law enforcement subsequent to arrest or detention. The government-funded Legal Support Center provided *pro bono* legal services to destitute victims of crime for both criminal and civil cases; it was unclear whether any trafficking victims applied for such services. While victims were encouraged to participate in the investigation and prosecution of their traffickers, they were not allowed to work during those processes. Because victims cannot work during that period unless they obtain a different visa status, only 27 victims provided limited assistance to police and most chose to repatriate before their trials began. No trafficking victims received long-term residency visas during the reporting period, although such immigration benefits were legally available to persons identified as trafficking victims who fear returning to their home country.

Prevention

The government of Japan demonstrated modest efforts to prevent trafficking in persons during the reporting period. The government negotiated memoranda of understanding on trafficking prevention with several Southeast Asian countries during the reporting period, leading to increased cooperation, including cooperation with Thailand that resulted in the arrest of Japanese and Thai trafficking offenders in Japan . The NPA and the Immigration Bureau updated information on multilingual emergency contact mechanisms and distributed the materials with a hotline number to local immigration offices and governments of source countries, conducted an online campaign and publicized trafficking arrests to raise awareness of trafficking. The Ministry of Foreign Affairs added a human trafficking curriculum to existing consular officer training. The government reported increasing outreach to TTIP employers and immigration and labor inspections at TTIP companies and requiring that copies of all contracts be provided to allow for closer scrutiny to ensure they did not include deposits or "punishment" clauses. Observers reported these efforts instead led to the emergence of an additional layer of brokers to circumvent the system. In an effort to reduce demand for commercial sex, the Cabinet Office distributed 33,000 posters and 54,000 leaflets nationwide to display warning messages to potential consumers of sexual services. Japan serves as a source of demand for child sex tourism, with Japanese men traveling and engaging in commercial sexual exploitation of children in other Asian countries—particularly Thailand, Indonesia, Cambodia, the Philippines, and, to a lesser extent, Mongolia; the government did not investigate or prosecute any potential offenders of child sex tourism. Japan is the only G-8 country that is not a party to the 2000 UN TIP Protocol.

JORDAN (Tier 2)

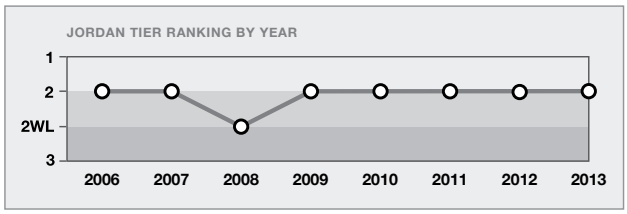
Jordan is a destination and transit country for adults and children subjected to forced labor and, to a lesser extent, sex trafficking. Women from Sri Lanka, Indonesia, and the Philippines voluntarily migrate to Jordan for employment as domestic workers; some are subjected to conditions of forced labor after arrival, including through unlawful withholding of passports, restrictions on movement, nonpayment of wages, threats of imprisonment, and physical or sexual abuse. Jordan's sponsorship system binds foreign workers to their designated employers without adequate access to legal recourse when they face abuse and without the ability to switch employers, thereby placing a significant amount of power in the hands of employers and recruitment agencies. Migrant workers are further vulnerable to forced labor due to indebtedness to recruiters, negative societal attitudes toward foreign workers, and legal requirements that foreign workers rely on employers to renew their work and residency permits. Sri Lankan, Indian, Chinese, Malagasy, Bangladeshi,

Burmese, Nepali, and Vietnamese men and women continue to migrate for work in factories in Jordan's garment industry; approximately 3,000 Burmese workers were recruited to work in the garment industry in 2012. Some of these workers encounter conditions indicative of forced labor, including unlawful withholding of passports, delayed payment of wages, forced overtime, unsanitary living conditions, and verbal and physical abuse; female factory workers are also vulnerable to sexual harassment. Workers in the garment sector continue to protest forced labor conditions. Egyptian migrant workers may experience forced labor in the construction and building maintenance sectors, while Egyptians and, to a lesser extent, Syrian workers also face conditions of forced labor in the agricultural sector.

Ongoing violence in Syria has caused thousands of Syrians, as well as third country nationals living in Syria, to flee to neighboring countries, including Jordan. An increased number of Syrian refugees, particularly women and children, are working in the Jordanian economy in undocumented status, making them vulnerable to trafficking. Anecdotal reporting suggests that Syrian refugee children in Za'atri refugee camp in Jordan peddle goods, and there are increasing numbers of Syrian refugee children begging in Jordanian cities. Additionally, unconfirmed media reports suggest that Syrian women and girls are forced into marriages with men from Jordan and the Gulf.

Moroccan, Tunisian, and Eastern European women are subjected to forced prostitution after migrating to Jordan to work in restaurants and night clubs. Moreover, some out-of-status Indonesian, Filipina, and Sri Lankan domestic workers are reportedly forced into prostitution. NGO reporting suggests that some Egyptian women receive marriage offers from Jordanian men as second wives, but are then subjected to conditions of forced labor, forced begging, or forced prostitution. Small numbers of Jordanian adults are subjected to forced labor as low-skilled workers in Qatar and Kuwait, while Jordanian children employed within the country as mechanics, agricultural laborers, and beggars may be exploited in situations of forced labor. Some Jordanian girls are forced to drop out of school to perform domestic service under conditions of forced labor; these "homebound girls" are confined to the home and denied their constitutionally protected right to complete their education. NGOs reported that administrators at several rehabilitation institutions for persons with disabilities allegedly forced disabled residents to work on farms or as domestic workers without compensation.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government did not convict any trafficking offenders, and its legal framework for addressing trafficking remained flawed. Police facilitated an international organization's repatriation of some victims and continued to identify and refer some trafficking victims to NGO-run shelter services. The government did not, however, fund or provide adequate shelter services for victims of trafficking despite a provision in the anti-trafficking law authorizing the establishment of shelters, and victims continued to face punishment.



Recommendations for Jordan: Amend the forced labor statute to increase prescribed penalties for forced labor offenses; increase efforts to prosecute, convict, and punish trafficking offenses with jail time using the anti-trafficking statute; strengthen efforts to proactively identify victims of forced labor and forced prostitution; enhance protective services for trafficking victims to include the availability of adequate shelter; ensure identified victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; ensure that identified trafficking victims are promptly referred by law enforcement, social services, and labor officials to protection services using a standardized procedure; issue regulations governing work in the agricultural sector; and implement an awareness campaign to educate the general public and foreign migrant workers in all sectors on human trafficking, particularly forced labor and the proper treatment of domestic workers under Jordanian law.

Prosecution

The government made limited law enforcement efforts in responding to Jordan's multi-faceted human trafficking problem. The 2008 Anti-Human Trafficking Law prohibits all forms of trafficking and prescribes penalties of six months to 10 years' imprisonment for forced prostitution, child trafficking, and trafficking of women and girls; these penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Penalties prescribed for labor trafficking offenses against men that do not involve aggravating circumstances are limited to a minimum of six months' imprisonment and a fine—penalties that are not sufficiently stringent and do not reflect the heinous nature of this serious crime. Jordan's labor law assigns administrative penalties for labor violations committed against Jordanian or foreign workers, yet these penalties also are not sufficiently stringent to deter the crime of human trafficking. The government acknowledged that it had difficulty tracking human trafficking cases as they passed from the police and the labor inspectorate to the court system and social services. In 2012, the Public Security Directorate's (PSD) anti-trafficking unit reported two sex trafficking investigations and 19 forced labor investigations, three of which involved domestic servitude. The Ministry of Justice (MOJ) reported prosecuting eight cases of trafficking in 2012 under the anti-trafficking law; however, because the MOJ was unable to provide additional information on these prosecutions, it was unclear whether these cases involved sex or labor trafficking. The government did not report convicting any trafficking offenders in 2012, a decrease from the four convictions in the previous reporting period. In response to the allegations of forced labor of disabled residents by government rehabilitation institution administrators, the Ministry of Social Development replaced these administrators; the case remained under investigation at the end of the reporting period. There was no evidence that any employers in the garment sector were investigated or prosecuted. The government did not report

any investigations or prosecutions of government employees for alleged complicity in trafficking–related offenses during the reporting period.

In December 2012, the Higher Judicial Council authorized the creation of a committee of judges responsible for overseeing judicial activities related to human trafficking, including analyzing cases that have entered into the judicial system since the anti-trafficking law was enacted, amending training materials, and coordinating judicial trainings. The government did not fund anti-trafficking training for Jordanian officials in this reporting period, though the PSD anti-trafficking unit provided training to other regional governments, including Saudi Arabia, in cooperation with Prince Nayef University.

Protection

The government made insignificant progress in protecting victims of trafficking during the reporting period, and its lack of proactive protection provisions continued to be harmful to victims. It did not provide any specialized services to trafficking victims, nor did it adequately ensure that identified victims were not penalized for unlawful acts committed as a direct result of being trafficked. It continued, however, to identify and refer trafficking victims to donor-funded shelter services, and it helped an international organization repatriate hundreds of identified victims of trafficking sheltered within foreign embassies. The anti-trafficking unit identified and referred 30 potential female trafficking victims to a local NGO-operated shelter, a slight increase compared to the previous reporting period. Despite this, the inter-ministerial National Screening Team, which is responsible for identifying trafficking victims, was inactive for most of the reporting period and did not seek to interview potential victims among high-risk populations. While the anti-trafficking law contains a provision for the opening of shelters, the country continued to lack adequate shelter services for female or male victims of trafficking. Shelters run by foreign embassies continued to fill with female domestic workers who fled abusive employers and who, in the event that their employer did not keep their legal status current, cannot leave Jordan without an exit permit and the payment of overstay fees. In April 2012, the Cabinet approved bylaws under which the government could establish a shelter for victims of trafficking, but the government took no steps to either construct a government shelter or solicit NGO proposals to operate a trafficking shelter. The government paid for five male trafficking victims to reside at a hotel during the reporting period. The anti-trafficking unit's eight female officers performed limited duties for victims and did not conduct interviews for the purpose of an investigation. The government did not attempt to identify trafficking victims among detained foreign domestic workers and out-of-status migrant workers, even those who claimed abuse; domestic workers often sought refuge at their respective embassies.

Pursuant to a directive from the former prime minister in August 2012, the government granted a one-time amnesty for out-of-status domestic workers, waiving their overstay fines and granted exit permits for Sri Lankan, Indonesian, and Filipina women and girls—some stranded for at least eight months in their embassies—many of whom were domestic workers who fled abusive employers, and some were identified as trafficking victims. This directive allowed over 750 women to return to their country of origin during the reporting period. At the end of this reporting period, however, domestic workers continued to flee abusive employers and sought shelter at their embassies. Additionally, in January 2013, the government instructed the PSD to disregard flight notifications of those at border crossings, thus allowing for individuals to be repatriated at will without punishment. Per this directive, an international organization and some foreign governments repatriated 1,250 women at the end of this reporting period. In December 2012, the Ministry of Labor announced a short-term amnesty for third-country domestic workers whose immigration documents had expired, which granted them waivers of their accumulated overstay fines and new work permits. This amnesty program regularized the status of 6,000 domestic workers. However, observers noted that women whose employers had filed "flight notifications" with the government were not able to benefit from this program, as they were barred from leaving the country. It is unknown how many of these workers were trafficking victims, as there was no effort to identify and assist trafficking victims among this large group of domestic workers. The anti-trafficking unit also assisted NGOs to repatriate some Moroccan and Egyptian trafficking victims.

Victims continued to be vulnerable to arrest and detention—sometimes for extended periods of time—if found without valid residency documents, and some foreign domestic workers fleeing abusive employers were incarcerated after their employers filed false claims of theft against them. For example, in September 2012, the PSD anti-trafficking unit led an effort to round up Filipina women to check for valid residency and work permits; those who could not produce their legal documents were immediately detained until their sponsors could claim them. In so doing, the PSD made no effort to proactively identify trafficking victims among those they temporarily detained. NGOs reported that police forcibly returned potential labor trafficking victims to their employers during this reporting period. The fining of foreign workers without valid residency documents—including identified trafficking victims—served as a strong disincentive to remain in Jordan and pursue legal action against traffickers. The government did not actively encourage victims to participate in the investigation or prosecution of trafficking offenses committed against them. Labor regulations prevented the three-person labor inspectorate dedicated to addressing abuses against domestic workers from investigating abuses in private homes, which continued to isolate domestic workers and "homebound girls." Additionally, the government lacked specific regulations to govern the agriculture sector, which left labor abuses and trafficking victims in this sector largely undetected.

Prevention

The government's efforts to prevent trafficking stagnated during the reporting period. The government distributed anti-trafficking brochures to foreign migrants at border crossings, police stations, and in the garment sector. The anti-trafficking committee was required by law to meet quarterly, but it was unclear if it met during the reporting period. The government made minimal efforts to rectify weaknesses in the bylaws that provide standards for employing domestic workers. However, the labor inspectorate continued to enforce a directive that requires employers of domestic workers to deposit their salaries into bank accounts. In 2012, the labor inspectorate investigated the practices of 39 recruitment agencies, recommended closing six agencies, and effectively closed two. The Ministry of Labor (MOL) Inspection Department only had 120 labor inspectors for the entire country, which government officials and NGOs agreed was insufficient to fulfill its mandate. The

PSD signed a memorandum of understanding with the MOL to establish a joint unit focused on combating trafficking, which consisted of police officers, MOL officers, and labor inspectors. The MOL continued to operate a hotline to receive labor complaints, which included interpretation services available in some source-country languages; however, the hotline did not maintain complete records of calls received and it was only operational during daytime hours. The government did not undertake any discernible measures to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided an optional anti-trafficking training for its nationals being deployed abroad for peacekeeping operations.

KAZAKHSTAN (Tier 2)

Kazakhstan is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to sex trafficking and forced labor. There is also a large domestic trafficking problem. Kazakhstani women and girls are subjected to sex trafficking in the United Arab Emirates, Russia, and Turkey. Women and girls from Uzbekistan, Kyrgyzstan, Tajikistan, and rural areas in Kazakhstan, as well as Russia and Ukraine, are subjected to sex trafficking in Kazakhstan. Sex trafficking occurs in small hotels in big cities and resort areas, and in rented apartments and multi-business establishments (such as a single facility that operates as a restaurant, hotel, and gas station). Kazakhstani men, women, and children as well as men and children from Uzbekistan, Kyrgyzstan, Tajikistan, and Mongolia, are subjected to conditions of forced labor in domestic service, cattle breeding, and pasturing and in the harvest of some agricultural products in Kazakhstan. There is some forced labor on cotton farms and in brick kilns in southern Kazakhstan, as well as in multi-business establishments. In 2012, a civil society group reported two transit cases of trafficking from Uzbekistan, through Kazakhstan, to Turkey. Some children are forced to beg and others may be coerced into criminal behavior or pornography.

Traffickers commonly confiscated victims' identity documents, prohibited victims' freedom of movement, withheld their wages, and used blackmail, threats, inflated debts, physical violence, and isolation to compel the victims' service. Single, unemployed mothers, adolescents in orphanages or those who had parents with substance abuse problems, foreign migrant workers and their children, and homeless Kazakhstani citizens are vulnerable to human trafficking.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government maintained its prior level of law enforcement efforts against human trafficking and continued to protect identified victims and fund awareness campaigns. Government officials' complicity and involvement in trafficking, however, remained a serious but unaddressed problem. Furthermore, the government failed to proactively identify potential victims of trafficking, despite substantial law enforcement training. Although Kazakhstan is a destination country for foreign victims of forced labor, officials only identified one foreign victim of labor trafficking. The government did not use a victim-centered approach when investigating and prosecuting potential crimes.



Recommendations for Kazakhstan: Improve efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance; increase efforts to vigorously investigate and prosecute suspected trafficking cases, respecting due process; investigate and prosecute police officers suspected of complicity in trafficking-related offenses; increase the number of dedicated anti-trafficking police; include victim identification and referral in the job description of the migration and other police units and, at the ministerial level, provide clear instructions to all police on victim identification and referral of victims to protective services; train police officers, prosecutors, and the judiciary on professional ethics in order to ensure effective assistance is provided to trafficking victims; improve training for the Labor Inspectorate to better identify victims of forced labor and report potential trafficking cases to the police; continue to increase the number of victims who receive government-funded assistance by funding additional trafficking shelters; promptly provide foreign trafficking victims and homeless Kazakhstani trafficking victims with their identity documents; maintain robust trafficking investigations with foreign law enforcement agencies once a victim has been repatriated from Kazakhstan; and strengthen the capacity of police, prosecutors, and judges to investigate trafficking cases.

Prosecution

The Government of Kazakhstan maintained progress in its anti-trafficking law enforcement efforts during the reporting period, but did not address the large problem of official complicity in trafficking and did not take a victim-centered approach. Kazakhstan prohibits trafficking in persons for both labor and sexual exploitation through Articles 128, 133, 125(3b), 126(3b), 270, and 132-1 of its penal code, which prescribe penalties of up to 15 years' imprisonment—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In December 2012, the Kazakhstan Supreme Court issued a decree to clarify and unify judicial interpretation of trafficking in persons under the law. Police investigated 89 trafficking cases in 2012, compared with 111 investigations in 2011. Authorities prosecuted 70 cases in 2012, a decrease from 82 cases prosecuted in 2011. A total of 37 trafficking offenders were convicted in 2012, compared with 30 offenders convicted the previous year. The government convicted 33 offenders for sex trafficking offenses and four individuals for forced labor offenses in 2012. The 33 convicted sex traffickers received sentences that ranged from 3.6 months' to 14 years' imprisonment; seven of them received suspended sentences. The four convicted labor trafficking offenders received sentences ranging from three to 13 years' imprisonment. The government extradited two alleged trafficking offenders to Uzbekistan.

The government continued to provide specialized training courses in the recognition, investigation, and prosecution

of trafficking crimes for police, prosecutors, and judges and funded police participation in anti-trafficking events in three countries. In the reporting period, the government expanded the types of police officers who received anti-trafficking training, although these other police units are not obligated to identify trafficking crimes. Police jointly investigated 10 trafficking cases with officials from four countries. Civil society groups emphasized that law enforcement officials do not take a victim-centered approach in investigating and prosecuting trafficking crimes and that, despite repeated training, officers do not structure investigations well or conduct investigations in a professional manner. Some trafficking victims have complained police officers did not take their assertions of being trafficked seriously.

Government officials' complicity in human trafficking remained a serious but unaddressed problem. Trafficking victims complained that some police officers protected traffickers, raped trafficking victims, and facilitated trafficking by transporting girls to brothels. Victims reported they regularly saw government officials visiting brothels in which they were being subjected to forced prostitution. Some local police are in close contact with employers who use forced labor, particularly when the employer is a family member of a local government leader. However, the government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking—related offenses during the reporting period.

Protection

The Government of Kazakhstan maintained modest efforts in protecting trafficking victims, but did not proactively identify trafficking victims among vulnerable populations, including undocumented migrant workers, which led to the deportation and penalization of those unidentified victims. A recent report by an international organization highlighted the failure to systematically identify trafficking victims among vulnerable populations, noting the reluctance of victims to contact law enforcement due, in part, to distrust of police. Specialized anti-trafficking police screened for sex trafficking victims in brothel raids, conducting four such raids that resulted in the identification of approximately half the number of victims identified in 2012. However, these raids may have taken a narrow view of sex trafficking, excluding those who are registered as prostitutes with the government and those who are engaged in street prostitution, as potential sex trafficking victims. At borders or in work sites, enforcement operations of migration police focused on the irregular status of migrants rather than their potential for being victims of trafficking. The division of responsibilities among the Labor Inspectorate, anti-trafficking police, and migration police hampered victim identification. Civil society groups noted police do not understand more nuanced signs of trafficking—such as psychological coercion—and only identify forced labor cases where there are overt signs of force.

The December 2012 Supreme Court decree established that trafficking victims are to be exonerated when they have committed crimes as a direct result of being trafficked. Victims not identified by authorities were deported or prosecuted for immigration or other violations, and some child sex trafficking victims were placed in detention centers. When police had additional funds, they occasionally kept foreign trafficking victims in rented apartments during the course of an investigation instead of sending them to protective services; in these apartments, victims were not provided with services and reported feeling unable to leave due to the lack of formal immigration status. In 2012, the government reported that it had identified 84 victims of trafficking, including 17 victims of forced labor; in 2011, the government had identified 84 victims of trafficking, including 13 labor trafficking victims. Of those victims identified in 2012, 11 were foreign nationals—including one victim of forced labor. While the victim referral process was informal, the government provided at least the equivalent of approximately $53,000 in funding for the provision of food, shelter, clothing, transportation, and other services for all identified victims in 2012, an increase compared with 2011. In 2012, civil society groups and government-funded programs assisted a total of 153 trafficking victims, 79 of whom were victims of forced labor. The government continued to fund fully one NGO-run shelter for trafficking victims in Astana, which assisted 22 victims in 2012. The government did not, despite its stated intentions, establish additional trafficking shelters, due in large part to the lack of a policy on shelter standards, the promulgation of which has been under development since 2009. Shelters are open to all trafficking victims and provide legal, psychological, and medical assistance. However, some foreign victims of trafficking were unable to get access to medical assistance because they do not have identification documents, health insurance, or temporary residency permits. Adult trafficking victims were permitted to enter and leave the shelters freely. In 2012, the government allocated the equivalent of approximately $14,000 to an NGO to operate and advertise the Ministry of Internal Affairs' anti-trafficking hotline; 11 of the 1,125 phone calls were directly related to human trafficking, and two of these resulted in criminal cases. The government encouraged victims to participate in investigations and prosecutions by providing witness protection during court proceedings and access to pre-trial shelter services. Foreign victims who agreed to cooperate with law enforcement were requested to remain in Kazakhstan for the duration of the criminal investigation but were not permitted to work. The government did not provide any foreign victims temporary residence permits in 2012. The government did not offer legal alternatives to foreign victims' removal to countries where they faced retribution or hardship; all victims were forcibly repatriated, either after a short recuperation period or after their service as a prosecution witness was completed.

Prevention

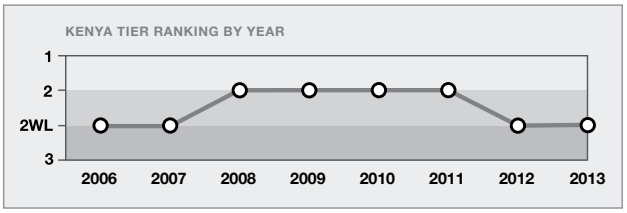
The government continued its prevention efforts during the reporting period. The Interagency Trafficking in Persons Working Group, chaired by the Minister of Justice, met quarterly; each responsible agency reported on its anti-trafficking activities assigned under the 2012-2013 Trafficking in Persons National Plan. The national government continued to support some anti-trafficking efforts, including information and educational campaigns, such as funding radio and television programs on trafficking. In particular, the government gave funding in the equivalent of approximately $17,000 to at least three NGOs for their implementation of prevention activities. The government also provided in-kind contributions to awareness-raising activities organized by NGOs. In August 2012, the Ministry of Education and Science issued Order Number 398 which allows the children of migrant workers, including seasonal workers, to attend educational institutions with the same rights as citizens of Kazakhstan; this will help prevent migrant laborers' children from being subjected to forced labor.

KENYA (Tier 2 Watch List)

Kenya is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within the country, Kenyan children are forced to labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Children are also exploited in prostitution throughout Kenya, including in the coastal sex tourism industry, in eastern khat cultivation areas, and near Nyanza's gold mines. Women, "beach boys," and sometimes a child's own parents push children into prostitution in coastal areas to receive payments from tourists. Kenyans voluntarily migrate to other East African nations, South Sudan, Europe, the United States, and the Middle East—particularly Saudi Arabia, but also to Qatar, Kuwait, the United Arab Emirates (UAE), Lebanon, and Oman in search of employment, where they are at times exploited in domestic servitude, massage parlors and brothels, or forced manual labor. Gay and bisexual Kenyan men are lured from universities with promises of overseas jobs, only to be forced into prostitution in Qatar and the UAE.

Children from Burundi, Ethiopia, South Sudan, Tanzania, and Uganda are subjected to forced labor and prostitution in Kenya. The security situation in Dadaab—Kenya's largest refugee camp complex that is host to hundreds of thousands of refugees and asylum seekers—did not allow for full humanitarian access, assistance, or protective services. Somali refugees living in the Dadaab complex have reported the presence of al-Shabaab recruiters; a 2012 survey by a local NGO found that fear of recruitment into this armed group, particularly among children, was a key concern in the camps. Some children in Kenya-based refugee camps, the majority of whom are Somali, may encounter exploitation in prostitution while others are taken outside the camps and forced to work on tobacco farms. Vehicles transporting *khat* to Somalia return carrying Somali girls and women, who often end up in brothels in Nairobi or Mombasa.

The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government's "children's officers"—social welfare officials who address children's issues—continued efforts to identify and protect child trafficking victims throughout the country. Kenya's Counter-Trafficking in Persons Act went into effect in October 2012; however, the government did not launch and implement its national plan of action, convene the Counter-Trafficking in Persons Advisory Committee, take tangible action against trafficking complicity among law enforcement officials, provide shelter and other protective services for adult victims, monitor the work of overseas labor recruitment agencies, or provide wide scale anti-trafficking training to its officials, including police, labor inspectors, and children's officers. It held few traffickers accountable for their crimes in comparison to the significant number of child trafficking victims identified. Therefore, Kenya is placed on Tier 2 Watch List for the second consecutive year as it did not demonstrate evidence of increased efforts to combat human trafficking. The government's efforts remained uncoordinated and lacked strong oversight, creating an environment conducive to trafficking.



Recommendations for Kenya: Use the anti-trafficking law to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including government officials suspected of complicity in human trafficking; continue to use the anti-trafficking law or Section 14 of the Sexual Offenses Act to prosecute and punish child sex tourists; provide additional training to all levels of the government, particularly law enforcement officials, on identifying and responding to trafficking crimes; establish an official process for law enforcement officials to refer trafficking victims for assistance; continue to increase oversight of and accountability for overseas recruitment agencies; increase protective services available to adult trafficking victims, particularly those identified in and returned from the Middle East; establish and convene the Counter-Trafficking in Persons Advisory Committee to coordinate the government's anti-trafficking efforts and oversee full implementation of the Counter-Trafficking in Persons Act of 2010; establish the board of trustees to oversee the National Assistance Trust Fund for Victims of Trafficking and allocate money to endow this fund; and launch and implement the national plan of action.

Prosecution

The government maintained its anti-trafficking law enforcement efforts during the reporting period, though corruption and lack of understanding of human trafficking issues among police and other public officials continued to prevent trafficking offenders from being brought to justice. Following the Minister of Gender, Children Affairs, and Social Development's signing of the Counter-Trafficking in Persons Act of 2010 and its publication in the Kenya Gazette in September 2012, the law can now be used to prosecute suspected trafficking offenses. Section 1 of the Counter-Trafficking in Persons Act prohibits all forms of trafficking and Section 3(5) prescribes a sufficiently stringent minimum punishment of 15 years' imprisonment, which is commensurate with those for other serious crimes, such as rape. Sections 14, 15, and 17 of the Sexual Offenses Act of 2006 prohibit the facilitation of child sex tourism, child prostitution, and forced prostitution, and prescribe penalties of six to 20 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious offenses. However, prosecutors do not widely use these sections.

The Kenyan Police Service's anti-trafficking unit did not provide information on its efforts to investigate trafficking crimes during the reporting period. The government reported initiating 15 child trafficking prosecutions in 2012, some of which are being prosecuted under the Counter-Trafficking in Persons Act in Mombasa, Kisii, Kajiado, Nairobi, and Kisumu, but it provided no additional information to substantiate that they involved human trafficking offenses rather than other types of crimes. According to press reports, corruption among law enforcement authorities and other public officials continued to stymie efforts to bring traffickers to justice; the

government made no efforts to investigate or prosecute such public officials. Although the government provided anti-trafficking training to 30 officers from the police, immigration, and relevant ministerial legal departments, this remained inadequate in light of Kenya's considerable human trafficking problem. Some corrupt Kenyan police officers sought to take advantage of the government directive for refugees to return to camps by threatening to arrest Somalis on false human trafficking charges in order to solicit bribes.

Protection

The government's efforts to identify and protect child trafficking victims continued during the year, but commensurate protection for adults was unavailable, including for the increasing number of victims in the overseas migrant worker population. Neither the Ministry of Gender nor any other ministry received a specific budget allocation for anti-trafficking activities. As guidelines for implementing the victim protection provisions of the anti-trafficking statute have yet to be developed, the government continued to lack a formal mechanism for identifying victims of trafficking among vulnerable populations. Government officials reported the identification of and provision of services to 413 child trafficking victims. The Ministry of Gender, Children, and Social Development's children's officers rescued child trafficking victims, provided them with counseling and referrals to service providers, and participated in investigations.

The Ministry of Gender and a local NGO continued to operate jointly a national 24-hour toll-free hotline for reporting cases of child trafficking, labor, and abuse, which received nearly 164,000 calls over the course of the year. The hotline's main call center is located in a government-owned building in Nairobi and staffed, in part, by three children's officers who facilitated rescues and made referrals to appropriate district officials and health and legal aid organizations in other provinces. During the reporting period, the hotline received 59 reports of child trafficking, 21 reports of child prostitution, and 646 reports of child labor. The hotline's local call centers in Eldoret and Garissa connected children with locally available services in western and eastern Kenya, respectively. The Ministry of Gender's Children's Department continued to operate four drop-in referral centers in Eldoret, Garissa, Malindi, and Mombasa that provided counseling, guidance, and referrals to other centers for victimized children who could not be returned home. This department also funded and operated rescue centers in Garissa, Malindi, Thika, and Machakos where child victims of violence could stay for three months before returning home or being referred to NGO facilities. The government did not provide data on how many trafficking victims were afforded such services during the year.

While efforts to assist and care for child trafficking victims remained strong, the government provided relatively few services to trafficked adults identified within the country or abroad. Although new diplomats received anti-trafficking in persons training from the Kenya Police Service and IOM before being posted overseas, most of Kenya's diplomatic missions failed to provide adequate assistance to trafficked Kenyan nationals. The Kenyan embassy in Riyadh repatriated 708 Kenyans during 2012 but lacked adequate shelter and other assistance for the number of Kenyans who sought help. The Kenyan media reported that Kenyan nationals waiting to be repatriated slept on the floor of the embassy or in a shipping container and were provided inadequate food. The government publicly called for a draft labor agreement between Saudi Arabia and Kenya to require binding contracts stipulating working hours, time off, remuneration, and the expectations of both employees and employers as a means of addressing the numerous complaints by domestic workers in Saudi Arabia; it is unclear if these additions were made to the draft agreement. Following several high profile cases of abuse, the National Assembly held multiple hearings during 2012 on cases involving the mistreatment of Kenyan domestic workers in Saudi Arabia.

While the government reported that it encouraged Kenyan victims' cooperation in the investigation and prosecution of trafficking crimes during the reporting period, it did not provide information on such instances. There were no reports that the government inappropriately incarcerated or otherwise penalized Kenyan victims for unlawful acts committed as a direct result of being trafficked. Under the 2010 anti-trafficking law, the Minister of Gender may grant permission for foreign trafficking victims to remain indefinitely in Kenya if it is believed they would face hardship or retribution upon repatriation; the government did not use this provision during the year.

Prevention

The government demonstrated modest efforts in preventing human trafficking. The National Steering Committee to Combat Human Trafficking, chaired by the Minister of Gender, only met once during the reporting period. The five-year national plan of action on human trafficking—drafted, finalized, and printed in previous reporting periods—remained unused as it had not been officially launched. In October 2012, the government announced the establishment of the Secretariat of the Counter-Trafficking in Persons Advisory Committee but has yet to convene the committee itself or set up the National Assistance Trust Fund for Victims of Trafficking as mandated by the anti-trafficking act. In June 2012, the Ministry of Foreign Affairs (MFA) banned labor recruitment agencies from sending domestic workers to the Middle East until all agencies could be vetted; the ban was still in place at the end of the reporting period. The Kenyan government intended the ban to prevent Kenyans from experiencing abuse in the Middle East; however, it resulted in an increase in unscrupulous agencies circumventing the ban by recruiting Kenyan girls directly from villages and sending them to Saudi Arabia and other countries in the Middle East through Tanzania and Uganda. Following the implementation of the ban, the MFA must approve the travel of any person seeking employment of any kind in a Middle Eastern country. The Ministry of Labor (MOL), which is required by law to monitor the operations of labor recruitment agencies and attest to employment contracts, continued to fail to fulfill these roles; since the MOL ceased its yearly renewal of recruitment agencies' accreditation certificates in 2011 without explanation, all agencies have been operating without valid licenses. This has led to agencies sending workers overseas without governmental attestation and vetting of workers' foreign contracts, leaving them increasingly vulnerable to trafficking. Bribery of government officials by recruitment agencies reportedly hindered efforts to stop fraudulent recruitment.

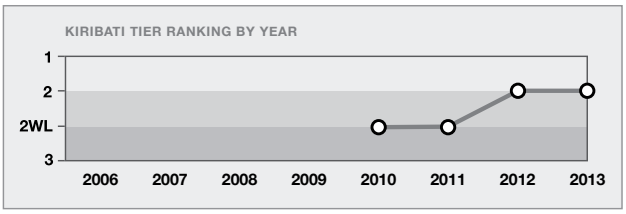
The government initiated three prosecutions against alleged foreign child sex tourists in 2012, which remained ongoing at the close of the reporting period. Out of court settlements were common, with tourists paying girls' families to avoid

legal action. It is unclear whether the government made efforts to reduce the demand for commercial sex acts; the city of Nairobi's taskforce to address the growing sex trade did not publicly report its actions. The Ministry of Labor's 95 labor officers conducted 120 child labor inspections but did not provide any information regarding their outcomes or whether they identified any victims of forced child labor. The Kenyan government's training for troops prior to their deployment abroad on international peacekeeping missions included a module on human rights that addressed human trafficking.

KIRIBATI (Tier 2)

Kiribati is a source country for girls subjected to sex trafficking within the country. Crew members on foreign fishing vessels in Kiribati or in its territorial waters around Tarawa and Kiritimati Island allegedly exploit prostituted children, some reportedly as young as 14, in local hotels and aboard their vessels. Local I-Kiribati, sometimes family members of potential victims, but also hotel and bar workers or owners of small boats, may facilitate trafficking by transporting underage girls to the boats for the purpose of prostitution or by failing to intervene in such situations of child prostitution. The girls generally received cash, food, alcohol, or goods in exchange for sexual services. Women and underage girls in prostitution at bars and on foreign fishing vessels are collectively referred to by the term *ainen matawa* and are stigmatized in I-Kiribati society.

The Government of Kiribati does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, government officials acknowledged the existence and gravity of human trafficking, especially child sexual exploitation, and expressed their commitment to combating the crime. The government, however, failed to employ policies to proactively identify trafficking victims among the women and underage girls in prostitution or prosecute potential offenders. The government's purported anti-trafficking activities were organized around thwarting the activities of women and underage girls in prostitution, but did not adequately protect and identify victims, or prosecute and punish those who exploit or facilitate the commercial sexual exploitation of children.



Recommendations for Kiribati: Investigate, prosecute, and punish foreign crewmen for the commercial sexual exploitation of children; develop procedures for law enforcement officers and social service providers to interview those in vulnerable groups, such as those intercepted *en route* or aboard international vessels by law enforcement officers, for evidence of trafficking; establish formal procedures to identify and refer trafficking victims to protective services; train front-line officers in victim identification techniques and procedures for referral to domestic violence and sexual violence officers; proactively identify and assist victims of trafficking, prioritizing establishment of a safe environment for victims and trust between victims and officers; hold parents accountable, as appropriate under I-Kiribati law, for the commercial sexual exploitation of their children; and expand efforts to raise awareness about the dangers of human trafficking, with a specific focus on increasing public recognition that children in the commercial sex trade are victims rather than juvenile delinquents.

Prosecution

The Government of Kiribati demonstrated no discernible progress in anti-trafficking law enforcement efforts during the reporting period. Kiribati's 2005 Measures to Combat Terrorism and Transnational Organised Crime Act, as amended in 2008, criminalizes trafficking and prescribes penalties of up to 15 years' imprisonment for the trafficking of adults, and 20 years' imprisonment for the trafficking of children. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The law's focus is limited to the international movement of people for exploitation, a form of trafficking not known to occur in Kiribati. Government officials claimed that domestic trafficking could be prosecuted under this law, though there is no example to date to support this claim. The law's victim protection provisions shield victims from prosecution for immigration crimes committed as a direct result of being trafficked.

During the reporting period, the government reported identifying a few cases in which unauthorized I-Kiribati persons—some of whom may have been trafficking victims—were discovered on foreign fishing vessels, but lacked procedures to proactively identify victims among this vulnerable population. The government did not confirm cases of trafficking or conduct any investigations or prosecutions for trafficking offenses during the year. In February 2012, the government detained one fishing vessel for illegally harboring females and fined the boat approximately the equivalent of $29,000. In July 2012, two additional vessels were found to have unauthorized persons on board, and 16 females were removed. In the February and July cases, the females were returned to shore without being interviewed in detail to determine if any were victims of sex trafficking. The government also reported intercepting several other small boats that may have been transporting females to fishing vessels, though authorities only gave warnings to the boat owners and did not question females found on board. The government did not provide any anti-trafficking training to law enforcement on identifying trafficking victims and prosecuting trafficking offenders. The government did not report any investigations or prosecutions of government officials for alleged complicity in trafficking-related offenses, though no reports of such allegations surfaced during the reporting period.

Protection

The Government of Kiribati demonstrated no discernible progress in identifying or protecting trafficking victims during the reporting period. Police reported identifying, aboard international fishing vessels, several females who may have been trafficking victims, but their ages and status were not confirmed and the government did not provide them with any protective services. Law enforcement and social services personnel did not develop or implement

systematic procedures for proactively identifying victims of trafficking among vulnerable persons with whom they came in contact. The government reported victims could be referred to religious organizations to access medical and psychological services on an *ad hoc* basis. Law enforcement efforts to combat prostitution potentially resulted in some trafficking victims being treated as law violators; individuals detained for related crimes were not screened to determine whether they were trafficking victims, and their ages were not verified. The government has not developed or implemented a referral process to transfer potential victims who are detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care.

Prevention

The government demonstrated moderate efforts to prevent human trafficking during the year. The Ministry of Internal and Social Affairs, in partnership with an international organization, continued to produce a weekly radio show on child protection issues, including the commercial sexual exploitation of children. The same ministry, with support from an international organization, conducted workshops for community leaders and in schools on issues of child protection and the sexual exploitation of children. The Police Department's Domestic Violence and Sexual Offenses unit promoted and operated two 24-hour phone-line services aimed at preventing exploitation and abuse, though no known allegations of human trafficking were reported to the hotlines. The government continued to patrol its maritime territory with its one patrol boat and, during the year, in an effort to decrease the demand for commercial sex acts, it continued to enforce the foreign fishing license regulations that hold ship captains accountable for unauthorized persons, such as girls and women, discovered on their vessels. The Ministry of Labor claimed to review the contracts of all I-Kiribati going overseas and conduct pre-departure briefings to ensure that workers are aware of their rights and can protect themselves from potential forced labor exploitation.

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF (Tier 3)

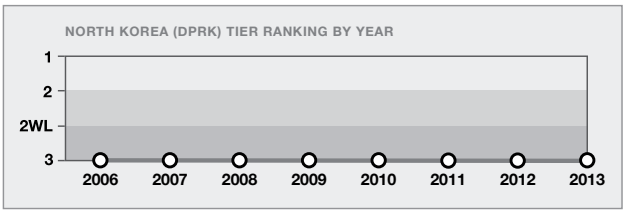
The Democratic People's Republic of Korea (DPRK or North Korea) is a source country for men, women, and children who are subjected to forced labor, forced marriage, and sex trafficking. Within North Korea, forced labor is part of an established system of political repression. The North Korean government is directly involved in subjecting its nationals to forced labor in prison camps. North Koreans do not have a choice in the work the government assigns them and are not free to change jobs at will. North Korea is estimated to hold between 100,000 and 200,000 prisoners in political prison camps in remote areas of the country. Many of these prisoners were not actually convicted of a criminal offense. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, and farming for long hours under harsh conditions. Reports indicate that political prisoners endure severe conditions, including little food or medical care, and brutal punishments; many are not expected to survive. Many prisoners fall ill or die due to harsh labor conditions, inadequate food, beatings, lack of medical care, and unhygienic conditions.

The North Korean government sent laborers to work abroad under bilateral contracts with foreign governments, including in Russia, Africa, Central and Eastern Europe, East and Southeast Asia, especially Mongolia, and the Middle East. Credible reports showed many North Korean workers sent abroad under these contracts were subjected to forced labor, with their movement and communications constantly under surveillance and restricted by North Korean government "minders." In February 2013, five North Korean workers at a Russian construction site died because they could not escape the carbon monoxide-filled room where they were being confined; the door was locked from outside. There were also credible reports that these workers faced threats of government reprisals against them or their relatives in North Korea if they attempted to escape or complain to outside parties. Workers' salaries are deposited into accounts controlled by the North Korean government, which keeps most of the money, claiming fees for various "voluntary" contributions to government endeavors. Workers reportedly received only a fraction of the money paid to the North Korean government for their work. Between 10,000 and 15,000 North Korean workers are estimated to be employed in logging camps in Russia's Far East, where they reportedly have only two days of rest per year and face punishments if they fail to meet production targets. Wages of some North Korean workers employed in Russia reportedly were withheld until the laborers returned home.

NGOs and researchers estimate that between 10,000-20,000 North Koreans currently live in China, and as many as 70 percent of them are women. There is no reliable information on how many of these North Koreans have been trafficked, but their status in China as illegal economic migrants who may be deported to North Korea makes them particularly vulnerable to trafficking. Since the death of Kim Jong-il in December 2011, reports indicate that border security has increased significantly, reducing the number of individuals able to leave the DPRK. In the recent past, many North Korean women and girls migrated illegally to China, often with the help of a facilitator, seeking food, work, freedom, and better life prospects, but were subsequently forced into marriage, prostitution, or labor. Some North Korean women were reportedly lured, drugged, or kidnapped by traffickers upon arrival. Others were offered jobs, but were subsequently compelled into domestic service through forced marriages to Chinese men, often of Korean ethnicity, or were forced into prostitution in brothels or through Internet sex sites. Some were forced to serve as hostesses in nightclubs and karaoke bars. Trafficking networks of Korean-Chinese and North Koreans (usually men) operated along the China-North Korea border, reportedly working with border guards from both countries to recruit women for marriage or prostitution in China. If found by Chinese authorities, victims are deported to North Korea where they are subject to harsh punishment, including forced labor in DPRK labor camps.

The North Korean government does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, North Korea is placed on Tier 3. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government contributed to the human trafficking problem through its ban on emigration, its contracts with foreign government through which it provides forced labor, its failure to address its poor economic and food situation, and through its forced labor

camps, where North Koreans live in conditions of servitude, receiving little food and little, if any, medical care.



Recommendations for the Democratic People's Republic of Korea: Recognize human trafficking as a problem in North Korea, and one that is distinct from human smuggling; work with the international community to improve the social, political, economic, and human rights conditions that render North Koreans vulnerable to trafficking; work with the international community to close forced labor camps; provide assistance to trafficking victims and forge partnerships with international organizations and NGOs to aid in this effort; and work with the international community to allow North Koreans to receive fair wages and choose their form of work and leave their employment at will.

Prosecution

The North Korean government made no discernible law enforcement efforts to combat trafficking in persons during the reporting period. The government continued to deny that human trafficking was a problem. Article 7 of the 1946 Law on Equality of the Sexes forbids trafficking in women. Article 289 of the penal code prohibits the abduction of children and Article 290 prohibits the abduction of individuals or groups, prescribing penalties of three to 10 years of "labor correction." None of these statutes prohibits trafficking in persons *per se*. However, fair trials did not occur in North Korea and the government was not transparent with law enforcement data, so it remained unclear under what provisions of the law, if any, traffickers were prosecuted. During the reporting period, there were no known investigations, prosecutions, or convictions of trafficking offenders or public officials complicit in forced labor or forced prostitution. The government did not report whether it provided any anti-trafficking training to its officials. Reports indicate that repatriated North Koreans, some of whom may have been trafficking victims, were subjected to harsh punishments during the reporting period. North Korean defectors reported instances of the government punishing traffickers, including by execution. The government did not report any investigations or prosecutions of government officials for alleged complicity in trafficking-related offenses.

Protection

The North Korean government was not known to have made any attempts to protect trafficking victims during the reporting period. The government reported no efforts to identify or assist trafficking victims. Government authorities provided no discernible protection services to trafficking victims, nor did it permit indigenous NGOs to operate freely in North Korea; the few international NGOs allowed into the DPRK were not permitted to assist trafficking victims. The government provided no assurances to victims they would be exempt from being penalized for unlawful acts committed as a direct result of their being trafficked and there is no screening of illegal immigrants for trafficking. To the contrary, Article 233 of the penal code criminalizes border crossing and border guards risk prosecution as accessories if they help those trying to escape the country – a violation that is subject to a penalty of up to two to five years of forced labor. North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they may have been subjected to forced labor, torture, sexual abuse by prison guards, or other severe punishment. Repatriated victims who were suspected of having become pregnant with a child of possible Chinese paternity may be subject to forced abortions and infanticide and reports indicate that infants born to repatriated victims while in prison would be killed.

Prevention

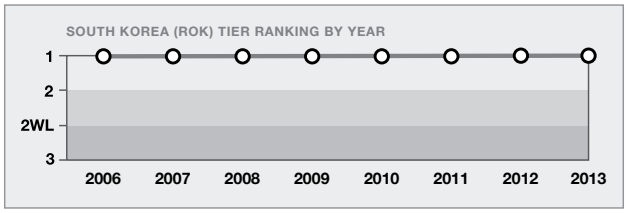
North Korean authorities made no discernible efforts to prevent human trafficking during the reporting period. While internal conditions in the DPRK have prompted many North Koreans to flee the country in the past, which has made them vulnerable to human trafficking, border security increased during the reporting period, which led to a decrease in the rate of refugees resettled in the Republic of Korea. Nevertheless, there was no evidence that the DPRK government attempted to prevent human trafficking by screening migrants along the border. DPRK authorities made no discernible efforts to reduce the demand for commercial sex acts. North Korea is not a party to the 2000 UN TIP Protocol.

KOREA, REPUBLIC OF (Tier 1)

The Republic of Korea (ROK or South Korea) is a source, transit, and destination country for men and women subjected to forced prostitution and forced labor. Some men and women from Russia, Pakistan, Kyrgyzstan, Uzbekistan, Kazakhstan, Morocco, Colombia, Mongolia, China, the Philippines, Thailand, Cambodia, the Democratic People's Republic of Korea (North Korea), Vietnam, Japan, and other Southeast Asian countries are subjected to forced labor, and some women are subjected to forced prostitution. Despite increased regulations on the E-6 entertainment visas, some foreign women who enter the country on this visa are forced into prostitution. Some women from less-developed countries recruited for marriage with South Korean men through international marriage brokers are subjected to forced prostitution or forced labor subsequent to their arrival in the ROK. South Korean women are subjected to forced prostitution domestically and abroad in destinations including the United States, Canada, Japan, and Australia. Some are coerced by traffickers to whom they owe debts. Commercial sexual exploitation of South Korean teenagers in the country remains a problem.

Migrant workers who travel to the ROK for employment can incur thousands of dollars in debts, contributing to their vulnerability to debt bondage. There are approximately 500,000 low-skilled migrant workers in the ROK from other countries, many of whom are working under the government's Employment Permit System (EPS). While both South Korea and origin countries consider the EPS a positive example of a guest worker program, non-EPS workers and some EPS workers still face conditions indicative of forced labor, including nonpayment of wages and work upon arrival in the ROK that differs from the job description offered to them in their country of origin.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. The government enacted an amended criminal code in March 2013 that defines trafficking in persons as a distinct crime and prohibits all of its forms. The government reported an increased number of sex and labor trafficking convictions during the reporting period. The government also increased its diplomatic efforts in combating trafficking, and re-opened an investigation into alleged forced labor aboard South Korean-flagged fishing vessels operating in New Zealand waters. The government, however, still lacks comprehensive victim identification and referral procedures.



Recommendations for the Republic of Korea: Demonstrate efforts to investigate, prosecute, and convict trafficking offenders under the newly amended criminal code; take steps to increase awareness of child sex tourism and increase law enforcement efforts to investigate and prosecute South Koreans engaging in such acts; decrease the rate of suspended sentences and out-of-court financial settlements in sex and labor trafficking cases; develop and implement formal victim identification procedures to identify proactively trafficking victims among vulnerable populations, including women arrested for prostitution, migrant workers in the EPS, and illegal immigrants; investigate and prosecute offenders on South Korean-flagged fishing vessels; implement a new data collection system for prosecutions and convictions that aligns with the newly amended criminal code; and conduct a comprehensive study or survey on the scope of labor trafficking in South Korea.

Prosecution

The ROK government took active steps to increase its law enforcement efforts during the reporting period. In March 2013, the National Assembly unanimously passed legislation that brings chapter 31 of the criminal code into conformance with the trafficking definitions of the UN Palermo Protocol. With this important step, South Korea now prohibits all forms of trafficking. The revised statute prescribes up to 15 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed penalties for other serious crimes, such as rape. Prior to the amendment of the criminal code, the government used its 2004 Act on the Punishment of Acts of Arranging Sexual Traffic and its Labor Standards Act to prosecute and punish most trafficking offenses. During the reporting period, under the law before it was amended, government authorities obtained convictions in 30 sex trafficking cases, compared with 11 from the previous reporting period, and obtained convictions in 19 labor trafficking cases, compared with three in the previous reporting period. Convicted sex trafficking offenders received sentences ranging from three to five years; some of the convicted labor trafficking offenders received suspended sentences, raising concerns that penalties are insufficient for this serious crime. During the reporting period, media and NGOs continued to highlight allegations of forced labor conditions aboard South Korean-flagged fishing vessels in New Zealand waters, including non-payment and underpayment of wages, and called for action by South Korean fishing companies. The National Human Rights Commission of South Korea issued a report stating the urgent need to protect the rights of foreign sailors hired by Korean deep-sea fishing companies. In 2012, prosecutors in Busan City dismissed criminal indictments against alleged offenders in one set of cases of labor abuses on ROK-flagged fishing vessels. In January 2013, the government reported that these cases had been reopened and there would be further investigations of 12 ROK-flagged fishing vessels. Despite reports of South Korean men engaging in child sex tourism in Southeast Asian countries, there have been no reported prosecutions or convictions for such crimes in the past six years.

During the reporting period, the government funded training for 410 local government officials, teachers, and police officers on investigating sex trafficking crimes against women and children. The Ministry of Justice also hosted three separate events to train prosecutors and investigators on sex trafficking crimes. The government did not report any investigations or prosecutions of government employees for trafficking-related offenses during the reporting period.

Protection

The ROK government sustained strong efforts to protect trafficking victims during the reporting period. The government provided financial support to NGOs that offer shelter, counseling, medical and legal assistance, vocational training, educational programs, and rehabilitation services to a variety of persons in need, including sex and labor trafficking victims. The Ministry of Gender Equality and Family (MOGEF) operated 18 shelters for victims of sex trafficking, sexual assault, and domestic violence. The Ministry of Employment and Labor (MOEL) operated 34 Foreign Workforce Centers for Migrant Workers and one foreign workforce counseling center; 14 centers have lodging facilities where foreign workers can stay up to three months, with extensions possible. The government continued to operate one specialized shelter for foreign victims of sex trafficking, assisting 35 victims during the first half of 2012. The government also maintained an extensive network of support centers for foreign-born spouses and runaway teenagers, two groups vulnerable to trafficking in South Korea. The National Police Agency (NPA), in partnership with MOGEF, instituted a program in which social welfare counselors accompany police officers when arresting women involved in prostitution to identify potential victims of trafficking and provide assistance. The government offered foreign victims of trafficking legal alternatives to their removal to countries in which they may face hardship or retribution. The government's G-1 visa system allowed foreign workers to remain and work in South Korea for up to one year to participate in investigations against their employers. At least one of the 251 G-1 visa holders in 2012 was a victim of sex trafficking. Three victims of trafficking also received work permits during the reporting period. Victims of trafficking are not punished for crimes committed as a direct result of being in a trafficking situation. The government lacked systematic victim identification and referral procedures, though it reported it was in the process of drafting such procedures during the year.

Prevention

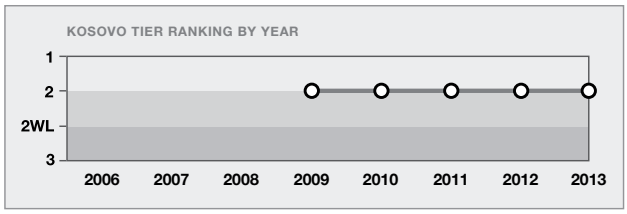
The ROK government increased its efforts to prevent human trafficking during the reporting period. The government continued to conduct a wide variety of campaigns to raise awareness of sex trafficking in South Korea. A new law passed in August 2012 required places of entertainment to post signs stating that debt bondage is illegal and to publicize the MOGEF trafficking hotline. MOGEF and local governments began joint inspections for compliance with the law and fined 18 businesses for noncompliance. MOGEF also operated hotlines in 14 different languages. In January 2013, the Ministry of Land, Transportation, and Maritime Affairs stated it had established a hotline for foreign crew members on vessels that is dedicated to assisting and rescuing potential victims of trafficking. South Korean embassies around the world provided educational materials to local NGOs and more than 5,000 foreign spouses emigrating to Korea. The NPA increased law enforcement efforts to target owners of large entertainment businesses that encourage commercial sex and arrested people who produced and distributed prostitution-related pamphlets. MOEL surveyed foreign workers about issues related to labor law violations and conducted inspections for violations of labor trafficking. South Korean authorities continued to train law enforcement and other government officials about trafficking and used a standardized training program on how to prevent forced prostitution. MOGEF dispatched civil experts to help and support Korean trafficking victims in Australia.

South Korean men remain a source of demand for child sex tourism in Southeast Asia and the Pacific Islands. The Korea Institute of Criminology in January 2013 published a report about child sex tourism by Korean nationals in Southeast Asia. The report recommended the government undertake a more robust public campaign outlining the repercussions of child sex tourism, greater cooperation with the travel industry to reduce demand, and increased law enforcement efforts to punish Korean nationals who engage in child sex tourism. The government posted child sex tourism warnings and information at airport and railroad stations, as well as on the websites for South Korean embassies in Southeast Asian countries. The government reported confiscating some passports from South Korean nationals allegedly engaged in sex trafficking abroad, but could not confirm their involvement with child sex tourism. The ROK government continued to provide anti-trafficking training to troops prior to their deployment abroad on international peacekeeping missions.

KOSOVO (Tier 2)

Kosovo is a source and destination country for women and children subjected to sex trafficking and forced labor. The lack of visa requirements for most travelers makes it a vulnerable transit country. Most sex trafficking victims in Kosovo are female citizens, though women from Moldova, Slovakia, Albania, Serbia, and Poland also face forced prostitution in Kosovo. Children from Kosovo and neighboring countries were subjected to forced begging. Traffickers subject Kosovo citizens to forced prostitution and forced labor throughout Europe.

The Government of Kosovo does not fully comply with the minimum standards for the elimination trafficking; however, it is making significant efforts to do so. The government adopted a new criminal code during the reporting period that increased prescribed penalties for trafficking offenders. It updated standard operating procedures for identification and assistance for victims of trafficking, funded shelters for victims, and conducted a trafficking prevention campaign. While courts made progress in reducing a backlog of cases, the government struggled to hold trafficking offenders accountable. The government did not convict any government officials alleged to be complicit in trafficking and did not prosecute an official implicated in sex trafficking.



Recommendations for Kosovo: Continue to strengthen efforts to prosecute, convict, and sentence sex and labor trafficking offenders, including officials complicit in trafficking; provide advanced anti-trafficking training to judges, prosecutors, and law enforcement; enhance efforts to identify and assist child victims of trafficking in begging; update the national action plan to more specifically delegate responsibilities; ensure victims of trafficking have the freedom to come and go in all shelters; provide legal alternatives to the removal of foreign trafficking victims and encourage these victims to participate in investigations and prosecutions of trafficking offenders; implement screening for trafficking among migrants at risk prior to deportation; implement and fund victims' compensation and ensure access to restitution; and disaggregate law enforcement data to demonstrate efforts against sex trafficking and forced labor.

Prosecution

The Government of Kosovo made progress in its anti-trafficking law enforcement efforts during the reporting period by improving anti-trafficking legislation and sustaining past levels of convicting trafficking offenders. Kosovo's new criminal code and criminal procedure code took effect in January 2013. The legislation increased punishment for trafficking offenders, criminalized using services of victims of trafficking, and included forced begging as a trafficking offense. Article 171 prohibits all forms of trafficking and prescribes punishments of five to 12 years' imprisonment and a fine. These punishments are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape.

Authorities initiated 104 new trafficking investigations during the reporting period. Courts began prosecutions in 31 new cases in 2012, compared with 22 in 2011. In spite of serious challenges in the judiciary, courts convicted 41 trafficking offenders in 2012; 37 were convicted in 2011. Courts acquitted nine defendants and 35 prosecutions remained ongoing at the end of the reporting period. Authorities charged all defendants under the previous criminal code. Courts sentenced eight offenders to between two to five years' imprisonment, one defendant to 18 months' imprisonment, and 23 to one-year prison sentences. There were no prosecutions or convictions for labor trafficking during the reporting period. The OSCE reported that courts made some progress resolving a backlog of cases, though significant delays in issuing final written judgments detracted from their efforts.

Official complicity remained a problem, and the government did not convict any officials for human trafficking offenses or trafficking-related complicity. Authorities charged a police officer for subjecting his spouse to sex trafficking, though prosecutors did not take the case to trial during the reporting period. Three Ministry of Labor and Social Welfare officials remained on duty after being charged with falsifying documents and misuse of official duty. Authorities charged two police officers with attempting to interfere in the investigation and one senior ranking officer with abuse of authority. All three police officials were suspended during the investigation.

Police began including anti-trafficking training in basic academy instruction for new officers. The Kosovo Academy for Public Safety, as well as bilateral and multilateral foreign assistance programs, provided training to police, victim advocates, immigration officers, and social service workers in identifying possible victims, crisis intervention, rehabilitation, and reintegration. Prosecutors, labor inspectors, health workers, and border police also participated in training to increase identification and referral of victims of trafficking. Kosovo and Albania signed a cooperation protocol on identification, referral, and assisted voluntary return of victims of trafficking, with a special focus on child victims.

Protection

The government maintained efforts to protect victims of trafficking through increased funding for victim services. However, lack of legal alternatives allowing foreign victims to remain in the country prevented them from participating in trafficking prosecutions. Police identified 54 victims of trafficking in 2012, compared with 39 in 2011; 12 were children. Authorities identified no labor trafficking victims. The government provided support to 43 identified victims and repatriated 24. The government provided tax incentives to businesses that employed victims of trafficking. The Coordinator of Direct Assistance for Victims of Trafficking reported six victims found employment outside the tax incentive program. The national anti-trafficking coordinator revised standard operating procedures to reflect the new criminal code. New standard operating procedures require police and social workers to call victim advocates after identifying a possible victim of trafficking. The advocates provided legal advice and support to victims. Police improved their ability to obtain victims' statements through training, and prosecutors used video interview equipment during trials. Although the new criminal procedure code allows for victims' compensation, the government did not provide support for a victims' compensation fund and no victims received compensation or direct restitution from trafficking offenders.

The government spent the approximate equivalent of $84,600 on a government-run secure residence facility for victims of trafficking, which did not allow victims the freedom of movement unchaperoned. The government granted two NGO-run shelters the equivalent of approximately $74,600 and $38,800 respectively to fund 50 percent of direct services and a portion of their operational costs. The government spent the equivalent of approximately $198,000 on assistance and protection for victims of trafficking, an increase from the equivalent of approximately $153,000 spent in 2011, for medical care, counseling, and legal assistance provided through municipal social welfare centers under its constitutional obligation to decentralize services. The government did not provide shelter for male victims, but a donor-funded facility nearing completion will accommodate men and disabled victims in 2013. Social work centers assessed child victims of trafficking and placed them in a shelter or provided them with family mediation and school reintegration. The law did not entitle foreign victims of trafficking to visas or residence permits; this prevented them from remaining in the country to assist in investigations or prosecutions of their traffickers. Victims may, however, provide a witness declaration and return to their country of origin before the end of a trial. There were no reports of the government punishing victims of trafficking for unlawful acts committed as a direct result of being trafficked.

Prevention

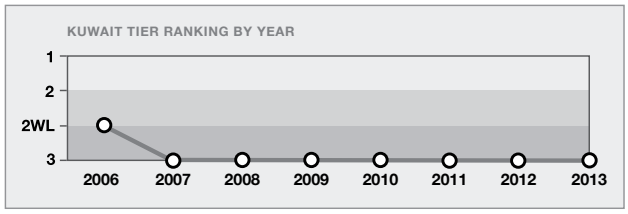
The government continued efforts to prevent human trafficking, although funding from the national anti-trafficking coordinator's office for prevention activities was limited. In coordination with OSCE, the government conducted an intensive, two-week media campaign on television and radio programs in both Albanian and Serbian, highlighting its anti-trafficking and domestic violence hotlines. The campaign resulted in a dramatic increase in the number of calls to the hotline requesting information on trafficking and referrals for potential victims. Kosovo signed a protocol with the Government of Albania on identifying children in begging and arranging safe repatriation. Three national media stars serving as anti-trafficking ambassadors recorded public service announcements on child trafficking and exploitation. The Ministry of Health published leaflets and conducted presentations on trafficking for medical professionals. The anti-trafficking police and NGO partners participated in several media debates and roundtables to increase awareness at national and local levels. The national anti-trafficking coordinator chaired a monthly inter-ministerial working group that included international organizations and NGOs to implement and monitor the national strategy and action plan. The government did not demonstrate efforts to reduce demand for commercial sex acts or forced labor.

KUWAIT (Tier 3)

Kuwait is a destination country for men and women who are subjected to forced labor and, to a lesser degree, forced prostitution. Men and women migrate from India, Egypt, Bangladesh, Syria, Pakistan, the Philippines, Sri Lanka, Indonesia, Nepal, Iran, Jordan, Ethiopia, Ghana, and Iraq to work in Kuwait, mainly in the domestic service, construction, and sanitation sectors. Although most of these migrants enter Kuwait voluntarily, upon arrival their sponsors and labor agents subject some migrants to conditions of forced labor, including nonpayment of wages, long working hours without rest, deprivation of food, threats, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and the withholding of passports. While Kuwait requires a standard contract for domestic workers delineating some basic rights, many workers report work conditions that are substantially different from those described in the contract; some workers never see the contract at all. According to the Kuwaiti government, between September 2011 to April 2012 the Filipino and Ethiopian domestic worker population increased dramatically, accounting for 86 percent of the total increase in Kuwait's domestic worker population over the

same period. Many of the migrant workers arriving for work in Kuwait have paid exorbitant fees to recruiters in their home countries or are coerced into paying labor broker fees in Kuwait that, by Kuwaiti law, should be paid by the employer—a practice that makes workers highly vulnerable to forced labor, including debt bondage, once in Kuwait. The media reported that Kuwaiti employers brought unskilled workers into Kuwait on "commercial" visas without providing them with work permits; this left workers unprotected under labor regulations and vulnerable to abuse, including conditions of forced labor. Kuwait's sponsorship law restricts workers' movements and penalizes them for "running away" from abusive workplaces; as a result, domestic workers are particularly vulnerable to forced labor inside private homes. In addition, media sources report that runaway domestic workers fall prey to forced prostitution by agents or criminals who exploit their illegal status.

The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking and is not making sufficient efforts to do so. Although the government enacted an anti-trafficking law in March 2013, the government did not demonstrate significant efforts to prosecute and convict trafficking offenders using previously existing laws. There was no lead national anti-trafficking coordinating body, and the government did not systematically monitor its anti-trafficking efforts. The government's victim protection measures remained weak, particularly due to the lack of proactive victim identification and referral procedures and continued reliance on the sponsorship system, which inherently punishes, rather than protects, trafficking victims for immigration violations. The government continued to operate a temporary shelter for runaway female domestic workers, though it offered no shelter for male victims of trafficking. The government also did not fulfill other commitments made since 2007, such as enacting a law to provide domestic workers with the same rights as other workers and opening a large-capacity permanent shelter for victims of trafficking. The government similarly continued to make insufficient efforts to prevent trafficking during the reporting period. For these reasons, Kuwait is placed on Tier 3 for a seventh consecutive year.



Recommendations for Kuwait: Implement the 2013 anti-trafficking law by investigating and prosecuting trafficking offenses, and convicting and punishing offenders—particularly sponsors—who subject domestic workers to involuntary servitude; enact and enforce the draft domestic workers bill to provide domestic workers with the same rights as other workers; establish procedures to proactively identify all victims of human trafficking, especially among the female domestic worker population; open the large-scale shelter for all trafficking victims and provide relevant training to shelter staff; amend the sponsorship law to protect foreign workers, including domestic workers, from abuse; enforce existing laws against sponsors and employers who illegally hold migrant workers' passports; provide additional anti-trafficking training to law enforcement and judicial officials; and significantly increase efforts to prevent trafficking.

Prosecution

The government made limited anti-trafficking law enforcement efforts during the reporting period. It enacted comprehensive anti-trafficking legislation in March 2013. The government failed to prosecute and convict trafficking offenders using previously existing laws. Kuwait prohibits all forms of trafficking through its new anti-trafficking law. The new law prescribes penalties ranging from 15 years' to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Before February 2013, the government could have prosecuted and punished many trafficking offenses under the Kuwaiti criminal code, but there was little evidence it did so. For example, the criminal code prohibits some forms of transnational slavery in Article 185, which prescribes a maximum penalty of five years' imprisonment. In addition, Law 16/1960 criminalizes forced labor or exploitation, while maltreatment that leads to death is considered first-degree murder. Article 201, which prohibits forced prostitution, prescribes a maximum sentence of five years' imprisonment if the victim is an adult and seven years' if the victim is under the age of 18. These prescribed penalties also are sufficiently stringent and commensurate with those prescribed for other serious offenses.

During the reporting period, the government did not report any arrests, prosecutions, convictions, or sentences of traffickers for either forced labor or sex trafficking. Although the withholding of workers' passports is prohibited under Kuwaiti law, this practice remains common among sponsors and employers of foreign workers, and the government demonstrated no genuine efforts to enforce this prohibition. Almost none of the domestic workers who took refuge in their home-country embassy shelters had passports in their possession. The government remained reluctant to prosecute Kuwaiti citizens for trafficking offenses. When Kuwaiti nationals were investigated for trafficking offenses, they tended to receive less scrutiny than foreigners. Kuwaiti law enforcement generally treated cases of forced labor as administrative labor infractions, for which punishment was limited to assessing fines, shutting down employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back-wages. The government did not conduct anti-trafficking trainings for government officials during the reporting period.

Protection

During the year, the government made inadequate efforts to protect victims of trafficking. Victims of trafficking were frequently arrested, detained, and deported. Despite several years of this Report's recommending the government develop and implement formal procedures for the proactive identification of trafficking victims among vulnerable populations, such as foreign domestic workers and women in prostitution, it did not do so; nor did it develop and implement a referral mechanism to provide adequate protection services to victims. The 2013 anti-trafficking legislation did not provide protection from prosecution for victims who fled abusive employers. Furthermore, Kuwait's migrant sponsorship law effectively dissuades foreign workers from reporting abuses committed by their employers to government authorities. Workers who left their employer's

residences without permission faced criminal and financial penalties of up to six months' imprisonment, the equivalent of over approximately $2,000 in fines, and deportation, even if they were fleeing from an abusive sponsor. The threat of these consequences discouraged workers from appealing to police or other government authorities for protection and from obtaining adequate legal redress for their exploitation. Nonetheless, some foreign victims of trafficking received monetary settlements from their employers; however, the government did not bring trafficking-related charges against such employers. Moreover, victims were not offered legal aid by the government. Anecdotally, NGO sources reported that in this reporting period, police conducted raids on 2,000 migrant workers and detained them in a deportation center where some languished for as long as six months. There was no indication that police implemented measures to identify trafficking victims among this population or provide protective services to migrants who may have experienced conditions of human trafficking.

The Ministry of Social Affairs and Labor (MOSAL) continued to operate a short-term shelter for runaway domestic workers with a maximum capacity of 40; however, the shelter detained victims involuntarily until their legal or immigration cases were resolved. The government continued to fail to report the number of trafficking victims assisted at this shelter during the reporting period. It is unclear whether victims of forced prostitution could access this temporary shelter, and there continued to be no shelter or other protective services afforded for male victims of trafficking. In 2007, the government announced it would open a high-capacity shelter for runaway domestic workers; this shelter was still not operational at the end of the reporting period. Many domestic workers continued to seek assistance at their embassies in Kuwait; some source-country embassies reported that 450-600 domestic workers ran away from their employers each month. The government provided some source countries with funds to pay for the repatriation of some runaway domestic workers sheltered at their embassies in Kuwait. The government did not provide funding to domestic NGOs or international organizations that provide direct services to trafficking victims. The government did not encourage victims of trafficking to assist in the investigation and prosecution of trafficking cases, and it did not offer foreign trafficking victims legal alternatives to their removal to countries in which they may face hardship or retribution.

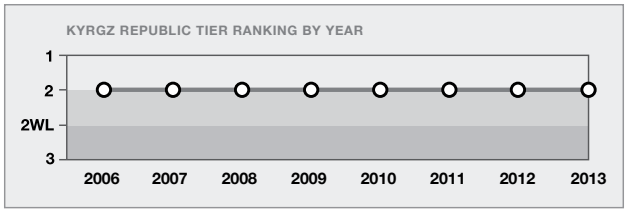
Prevention

The government made no discernible progress in preventing trafficking in persons during the reporting period. The government does not have a national coordinating body responsible for anti-trafficking efforts and the government did not conduct anti-trafficking public awareness campaigns. Source-country embassies reported the Kuwaiti government failed to investigate, penalize, or blacklist a company for its reported labor violations, including withholding workers' passports and unsanitary working conditions. The National Assembly voted on the first of two required readings in favor of legislation to create a General Authority for Manpower, as required by the 2010 Private Sector Labor Law. The draft legislation, which was not enacted at the end of the reporting period, would mark a significant step forward in replacing the current sponsorship system. In January 2013, the media reported that police investigated alleged complicity of government officials within MOSAL for illegally selling visas under the sponsorship system; the investigation was ongoing at the end of the reporting period. As in previous years, the Ministry of Awqaf and Islamic Affairs made a nationwide effort to reduce overseas child sex tourism by requiring some Sunni mosques to deliver Friday sermons on the danger of sex abroad and Islam's strict teachings against improper sexual relations.

KYRGYZ REPUBLIC (Tier 2)

The Kyrgyz Republic (or Kyrgyzstan) is a source and transit country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking. Kyrgyzstani men, women, and children are subjected to conditions of forced labor in Russia and Kazakhstan, and to a lesser extent in Turkey and other Eastern European countries, as well as within the Kyrgyz Republic, specifically in the agricultural, forestry, construction, and textile industries, and in domestic servitude and forced child care. In 2012, 26 Kyrgyzstani forced laborers were identified in Finland. Women from the Kyrgyz Republic are subjected to forced prostitution in Turkey, the United Arab Emirates (UAE), Russia, Kazakhstan, and within the country. Small numbers of women and children from Uzbekistan have been subjected to sex trafficking in Kyrgyzstan. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the Kyrgyz Republic as they migrate to Russia, the UAE, and Turkey, where they subsequently become victims of sex and labor trafficking. Kyrgyzstani boys and girls are subjected to sex trafficking and forced labor—including the forced selling and distribution of drugs—within the country. NGOs report that some schools in the south of the country cancel classes in the fall to send children to pick cotton, and other schools require children to harvest tobacco on school grounds. Street children who engage in begging and child domestic workers are vulnerable to human trafficking.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to provide substantial in-kind contributions to assist NGOs and international organizations in training law enforcement officials, protecting identified trafficking victims, and raising awareness of human trafficking. However, the government identified fewer victims and investigated and prosecuted fewer suspected trafficking cases than in the previous reporting period.



Recommendations for the Kyrgyz Republic: Increase efforts to investigate and prosecute suspected trafficking offenses, respecting due process, and convict and punish trafficking offenders, ensuring that a majority of those convicted of trafficking offenses serve time in prison; increase efforts to systematically identify trafficking victims among vulnerable groups, such as street children, adult and child agriculture laborers, and Kyrgyzstani migrant workers, and

refer those victims to protective services; vigorously investigate and prosecute government officials suspected of being complicit in trafficking and convict and punish complicit government officials; continue to provide the physical premises for NGO-run shelters; continue to contribute to efforts by international organizations to train police, prosecutors, and judges; work to ensure that identified victims of trafficking are not punished for unlawful acts committed as a direct result of being trafficked; and consider disaggregating anti-trafficking law enforcement data.

Prosecution

The Kyrgyzstani government made limited anti-trafficking law enforcement efforts during the reporting period. The 2005 Law on Prevention and Combating Trafficking in Persons, as amended in 2011, criminalizes both sex and labor trafficking, and covers a non-trafficking offense—"child adoption for commercial purposes." The law prescribes penalties of five to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with prescribed penalties for other serious crimes, such as rape. In July 2012, the president signed into law a new Code on Children; Article 15 of which prohibits all forms of forced child labor. In 2012, the government reported conducting six investigations, compared with seven investigations taking place in 2011. The government reported prosecuting 10 suspected offenders under their anti-trafficking law but convicted none in 2012, compared with 13 suspected offenders prosecuted and nine convicted in 2011. The government did not report whether these prosecutions were all for trafficking offense, as the anti-trafficking law also covers a non-trafficking offense. Major changes to the Kyrgyzstani judiciary in 2012 that included the replacement of judges at all levels stalled the judiciary's ability to issue decisions, leading to low conviction rates for a number of crimes. Potential trafficking offense were not investigated or prosecuted due to the lack of awareness of trafficking by law enforcement officials. The government provided in-kind contributions, including building space, access to office equipment, and provision of co-trainers and moderators, for a number of seminars and conferences organized by international organizations regarding law enforcement and victim identification efforts. Corruption is a systemic issue in Kyrgyzstan; NGOs have contended in the past that some low-level law enforcement officials were complicit in human trafficking and accepted bribes from traffickers. The Government of the Kyrgyz Republic did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Kyrgyzstani government sustained limited efforts to assist victims during the reporting period. The government did not have formal written procedures to guide officials in proactive identification of trafficking victims among high-risk persons with whom they came into contact. The government identified 11 victims and referred all of them to protective services in 2012, a decrease from 38 victims identified and referred in 2011. Six of these 11 victims were identified by Kyrgyzstani consular officials in destination countries; NGOs in Kazakhstan noted that Kyrgyzstani consulates were helpful in identifying and repatriating Kyrgyzstani victims. NGOs identified and assisted 278 victims in 2012, an increase from 164 victims in 2011; more than 200 of these victims were subjected to forced labor. Although the government did not provide funding to any organization that provided victim assistance in 2012, it continued to provide in-kind assistance to anti-trafficking NGOs, including facilities for three NGO-run shelters for trafficking victims; 95 victims were supported in these shelters in the reporting period. Adult victims were able to leave the shelters freely. The government did not encourage victims to participate in trafficking investigations and prosecutions. Unidentified victims may have been penalized for unlawful acts committed as a direct result of their being trafficked, such as prostitution offenses.

Prevention

The Kyrgyzstani government sustained some progress in trafficking prevention efforts during the reporting period. After collaboration with NGOs and international organizations, the Kyrgyzstani government adopted a 2013-2016 anti-trafficking action plan in January 2013. During the reporting period, the Ministry of Foreign Affairs acquired the anti-trafficking portfolio from the Ministry of Labor as part of a broad reorganization of government; however, other ministries continued to play important roles. For instance, the Ministry of Labor helped design trafficking awareness materials, prepared by IOM and funded by a foreign government, and distributed these materials to Kyrgyzstani migrants. The Ministry of Education continued to hold classes about human trafficking for secondary school students. The government continued to provide a national toll-free telephone line to an NGO-run labor migration hotline which provided legal advice and assistance to potential victims of trafficking. The government continued its program to digitize passport records and birth records, with the goal of fully computerizing the national citizen registration system; providing citizens with greater personal identification documentation contributes to the prevention of human trafficking. The government, however, did not undertake efforts to reduce the demand for commercial sex acts.

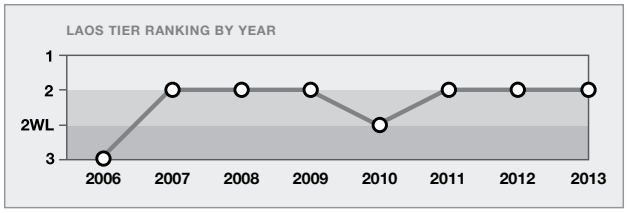
LAOS (Tier 2)

Laos is a source, and to a much lesser extent, a transit and destination country for women, children, and men who are subjected to sex trafficking and forced labor. Lao trafficking victims often are migrants seeking work outside the country, sometimes with the assistance of brokers who charge high fees, who encounter conditions of involuntary exploitation after arriving in destination countries, most often Thailand. Many victims, particularly women, are exploited in Thailand's commercial sex trade, and sometimes in forced labor in domestic service, garment factories, or agricultural industries. Lao men and boys are also victims of forced labor in Thailand, especially in the fishing and construction industries; increasing numbers of identified victims are male. NGOs report that individuals offering transportation services near the Thai border facilitate the exploitation of economic migrants into forced labor or sex trafficking in Thailand. Additionally, many trafficking victims may be among the migrants deported or "pushed back" from Thailand without official notification, often sent back to Laos in boats across the Mekong River. Mini-van drivers sometimes intercept these migrants when they arrive back in Laos and facilitate their re-trafficking. Some adults and children were reportedly subjected to forced labor within Laos in the agricultural sector. A small number of women and girls from Laos are reportedly sold as brides in China

and the Republic of Korea and subsequently subjected to sex trafficking; a small number of Lao sex trafficking victims were also identified in Malaysia.

Laos is increasingly a transit country for Vietnamese and Chinese women who are subjected to sex trafficking and forced labor in neighboring countries, particularly Thailand. Some Vietnamese and Chinese women are also subjected to forced prostitution in Laos, usually in close proximity to casinos or Special Economic Zones, reportedly to meet the demand of Asian tourists. Although there are fewer reported instances of internal trafficking, sex trafficking of Lao women and girls within the country remained a problem.

The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government continued to operate a transit center in Vientiane, provided funding for the Lao Women's Union shelter, and continued to rely heavily on foreign donor support for long-term victim assistance. The government obtained fewer convictions of trafficking offenders than in the previous year. In November 2012, following five years of inaction, the prime minister approved a long-awaited national plan of action on human trafficking, but its implementation has not begun. Proactive victim identification measures and systematic monitoring efforts were not implemented during the current year.



Recommendations for Laos: Increase efforts to address internal trafficking by identifying and assisting Lao citizens trafficked within the country and prosecuting perpetrators of these offenses; demonstrate greater efforts to combat the trafficking complicity of public officials, especially on the local level, through the criminal prosecution of officials involved in trafficking crimes; develop monitoring mechanisms for labor recruiters tasked with processing work permits and contracts to prevent the trafficking of migrant workers; implement formal victim identification procedures and train police and border officials to systematically identify trafficking victims, particularly among migrants returning from Thailand; increase resources and vocational trainings to support victims, including male victims, in reintegration after returning to their home communities; develop a victims' protection framework and raise awareness of options for legal redress available to victims to increase the number of victims willing to testify or assist in investigations; approve memoranda of understanding with NGOs and international organizations in a more timely manner; reduce the demand for sex tourism by promulgating awareness and enforcing criminal penalties; sustain progress on the proposed national database system on trafficking cases; consider allocating a portion of the budget specifically for anti-trafficking activities; and continue to develop a comprehensive anti-trafficking law.

Prosecution

The Lao government's prosecutions and convictions of trafficking offenders declined during the year. The government prohibits all forms of human trafficking through its 2006 revision of penal code Article 134, which prescribes penalties ranging from five years to life imprisonment, fines ranging from the equivalent of approximately $1,250 to $12,500, and confiscation of assets, which are sufficiently stringent punishments and commensurate with those prescribed for other serious crimes, such as rape. The government did not report tangible results during the year from the committee it previously formed to assess gaps in current legislation and to draft a comprehensive law. Within the current reporting period, authorities reported investigating 75 cases of suspected trafficking. Court cases resulted in 18 convictions, a significant decrease from the 37 obtained in the previous year. The government did not specify the nature of these cases nor provide details on punishment or sentences for the individual offenders. During the year, the government led at least 11 donor-funded trainings that reached 335 law enforcement officers and covered topics including the country's legal framework to combat trafficking and appropriate methods for interviewing victims. However, court proceedings lacked transparency and adequate record-keeping, and the Lao judicial sector remained weak and inefficient. Lawyers did not always have formal training and victims were not made sufficiently aware of their legal rights. In addition, the general public's continued reluctance to work with law enforcement hampered the government's ability to effectively investigate internal or cross-border trafficking cases. Corruption remained an endemic problem in Laos. Anti-trafficking organizations have reported that some village or other officials received payment to facilitate the immigration or transportation of girls to Thailand. The government did not report any investigations, prosecutions, or convictions of officials for complicity in human trafficking or trafficking-related activities during the year.

Protection

While the Government of Laos continued to provide modest support to victims repatriated from Thailand and victims identified within the country, it did not improve its efforts to proactively identify victims among vulnerable groups, and its overall victim protections remained inadequate. The government did not implement the use of a checklist it previously developed to proactively identify victims of trafficking among vulnerable groups. Upon their return from Thailand, victims identified by Thai or Lao authorities were referred to shelters or other providers of medical care, counseling services, and vocational training. Lao authorities reported screening undocumented migrants deported from Thailand to identify victims among this vulnerable group, but it is unknown how many victims were identified as a result of these efforts. During the final month of the reporting period, Thai authorities began to "push back" large numbers of Lao migrants into areas of the country where local officials lacked experience identifying and assisting victims. Consequently, unidentified victims among this group faced significant risk of being re-trafficked. During the year, 193 trafficking victims were returned to Laos under the official repatriation system; however, inadequate efforts on both sides of the border to identify victims among undocumented migrants left many victims unidentified. The total number of victims identified or referred to services during the year is unknown, though the

government reported 302 victims in the cases it investigated. The government continued to rely almost entirely on NGOs and international organizations to provide or fund victim services. However, the central government operated and partially funded a transit center and a shelter in Vientiane. Victims returning from Thailand stayed temporarily in the transit center while assessments for longer-term arrangements were conducted by the authorities. The shelter, which served female victims of trafficking and other forms of abuse, cared for 28 trafficking victims during the year; the government did not report identifying any foreign victims during the year. NGOs provided the additional long-term support and vocational training available to victims. While the government depended on NGOs to provide resources for many trafficking initiatives, its own internal inefficiencies caused lengthy delays in granting approvals to NGOs and international organizations to implement anti-trafficking efforts in Laos. The government's ability to provide medical and psycho-social services to victims increased with the signing during the year of a cooperative agreement between an NGO and a government-run hospital in Vientiane. Nevertheless, a lack of adequate long-term support available to victims made them vulnerable to re-trafficking.

Anti-trafficking organizations identified Northern Laos as a region that lacks much-needed victim assistance services. Additionally, although more than one-third of victims identified during the year were male, the majority of services in the country were only available to women. The Lao Women's Union continued to operate a hotline for reporting a wide range of concerns, including suspected cases of human trafficking; although trafficking-related calls were received, the number was not provided. There were no reports of identified victims being subject to penalties for acts committed as a result of being trafficked, and central government officials instructed provincial authorities that they could not fine repatriated victims for immigration violations. However, the government did not make adequate efforts to identify trafficking victims, which may have led to some victims being treated as law violators. The government reported encouraging victims to cooperate with prosecutions, including through counseling for individual victims in shelters, but the lack of incentives to participate was inadequate to assure victims that formal legal proceedings, which can be lengthy and more costly, offered them a greater benefit than traditional out-of-court mediation. Some interpretation services, provided by volunteers, were available to foreign victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face retribution or hardship.

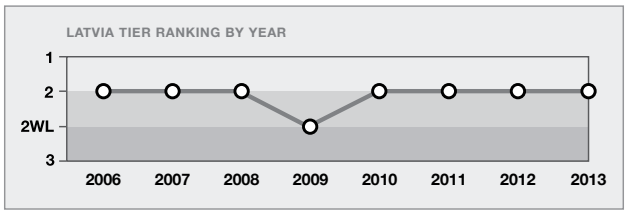
Prevention

During the past year, with assistance from international organizations and NGOs, the Lao government continued modest prevention efforts. Following five years of inaction, the Prime Minister's office approved the national action plan in November 2012, though implementation of the plan has not yet begun. The government held a series of anti-trafficking awareness events to celebrate a national day against trafficking in December 2012. The events included a race involving 254 participants from 14 countries, a government-sponsored radio campaign, and poster and banners series displayed in Vientiane. The Lao Women's Union continued to provide trainings which reached 246 victim service providers during the year, and the Ministry of Labor and Social Welfare partnered with an NGO to train district level officials in Vientiane on laws related to human trafficking and the protection of women and children. The Ministry of Information, Culture, and Tourism hosted experts to provide awareness-raising sessions on child trafficking prevention to government officials and tourism professionals. In March 2012, in an effort to decrease migrants' vulnerability to trafficking, the government cooperated with an international organization to open two migrant resource centers and train 400 government officers on issues of safe migration. The government cooperated with an international organization to hold a workshop in a tourist area on the problem of child sex tourism and how to combat it. In an effort to reduce the demand for commercial sex acts, the government reportedly fined an unknown number of owners and operators of venues and shut down some venues where commercial sex acts occurred. At times, it conducted raids on these establishments; inadequate efforts to identify sex trafficking victims may make some victims vulnerable to arrest. The government took no discernible measures to reduce the demand for forced labor.

LATVIA (Tier 2)

Latvia is a source and destination country for women and children subjected to sex trafficking and a source country for women, men, and children subjected to sex trafficking and forced labor. Latvian women are forced into prostitution in Italy, Ireland, Cyprus, Belgium, Greece, the Netherlands, Finland, the United Kingdom, the United States, and Germany. Latvian men and women have been subjected to conditions of forced labor in the United Kingdom and Italy, and there were reports that Latvian men may have been subjected to forced labor in Germany, Netherlands, Cyprus, Spain, and Sweden. Latvian women in brokered marriages in Western Europe, particularly Ireland, were vulnerable to domestic servitude and sex trafficking. Adult Latvian women are subject to sex trafficking within Latvia. NGOs report that Latvian children were engaged in sex trafficking within Latvia; Latvian children are also vulnerable to child sex tourism in Latvia. Unemployed adults, single women, people raised in state-run institutions, and individuals with mental disabilities remain vulnerable to trafficking in persons. Latvian trafficking victims were recruited into exploitation through employment recruitment companies, social-networking websites, and local connections.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Latvian government improved victim protection by certifying a greater number and diversity of trafficking victims. The government also increased both the funding for and duration of trafficking victim services. Latvian officials began implementing labor victim identification regulations, but did not initiate new labor trafficking investigations. An international report concluded that proactive victim identification within the country was insufficient. Law enforcement efforts remained the Government of Latvia's weakest area in addressing trafficking in persons. Even though victim identification increased significantly, Latvian officials investigated or prosecuted very few cases under the anti-trafficking statute. Of the offenders convicted of trafficking, Latvian courts sentenced only a few to prison terms.



Recommendations for Latvia: Greatly increase investigations, prosecutions, and convictions in human trafficking cases; impose criminal penalties on convicted trafficking offenders commensurate with the gravity of the crime committed; use the trafficking statute (Section 154-1 of the Latvian criminal Law) to prosecute trafficking cases involving Latvian victims exploited abroad and domestically; increase efforts to identify victims proactively, particularly victims of labor trafficking and Latvian victims exploited within the country; explore ways to collaborate more closely with other European counterparts so that Latvia is empowered to better protect Latvian trafficking victims abroad and to prosecute their recruiters; ensure that all victims of trafficking, including male victims, receive appropriate accommodation; explore options for long-term victim reintegration; continue to implement new labor trafficking identification guidelines; continue to educate prosecutors and judges about human trafficking and victims' rights to reduce prejudice in trial; continue to implement the recently designed repatriation mechanism to make state-funded trafficking victim assistance more accessible; continue efforts to ensure that all victims of trafficking are provided appropriate protections throughout the investigation and prosecution of trafficking offenses; continue implementing the 2009-2013 National Anti-Trafficking Program; consider centralizing government anti-trafficking hotlines to enhance trafficking prevention and identification of trafficking victims; update key outreach efforts, such as the government's centralized anti-trafficking website; continue efforts to systematically monitor trafficking trends; continue promoting trafficking education at schools and increase involvement of NGOs in that training; and increase efforts to raise awareness about both sex and labor trafficking.

Prosecution

The Government of Latvia maintained weak law enforcement efforts against trafficking in persons, investigating and prosecuting few cases under its anti-trafficking statute during the reporting period. Latvia prohibits all forms of trafficking through Section 154-1 and 154-2 of its criminal law, which prescribe penalties ranging from a fine to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Latvian government amended Sections 154-1 and 154-2 in 2012 to harmonize these statutes with the EU anti-trafficking Directive 2011/36/EU. However, the government continued to use Section 165-1 prohibiting the transfer of individuals for the purpose of sexual exploitation to investigate and prosecute most trafficking cases during the reporting period, claiming that offenses were easier to prove under this law than the trafficking statute. The Council of Europe's GRETA Report noted that the over-reliance on Section 165-1 to prosecute trafficking offenders may contribute to negative stereotypes about sex trafficking victims. Although the Latvian government claimed that human trafficking declined in Latvia, the Office of the Prosecutor General confirmed that the police lacked the human resources necessary for extensive and sophisticated investigations into trafficking cases. Reports also concluded that Latvian court procedures were lengthy and stalled anti-trafficking efforts. Reports noted that trials in Latvia were difficult for trafficking victims because of repeated interviews and prejudice by judges displayed toward trafficking victims. While the number of trafficking witnesses cooperating with law enforcement increased from 29 in 2011 to 37 in 2012, only seven victims agreed to assist law enforcement during the reporting period. The Latvian government trained officers on human trafficking in a variety of formats. For example, the State Police College offered an investigation course to 142 law enforcement staff members and the Latvian Judicial Training Center briefed 40 prosecutors and 23 candidates for prosecutor positions.

The government reported investigating 17 suspected offenders in 16 new sex trafficking cases, a decrease from 34 offenders in 21 cases in 2011. The government investigated three of these cases under Section 154-1—cases involving sex trafficking to Germany and Cyprus—an increase from 2011, when the government did not initiate any investigations under Section 154-1. Despite NGO reports of labor trafficking to various European countries, the Latvian government did not initiate any labor trafficking investigations in 2012. Latvian authorities prosecuted 12 defendants in 2012, a decrease from 27 defendants prosecuted in 2011; a continued decrease from 39 defendants prosecuted in 2010. Latvian officials charged one defendant under Section 154-1; officials charged the remaining defendants under Section 165-1. In 2012, 19 traffickers received final convictions, including two under Section 154-1, an increase from the 11 who received final convictions in 2011. These figures do not include appealed convictions. As in previous years, Latvian courts sentenced only a few of these traffickers to prison terms. Only three of the 19 convicted traffickers were sentenced to time in prison: two for prison terms of up to three years and one for a prison term of over ten years. The remaining defendants received conditional sentences or a fine. In 2011, two offenders were sentenced to prison terms. Latvian officials extradited two Latvian nationals to Belgium and one Latvian national to the United Kingdom to face trial in sex trafficking cases and collaborated with colleagues in Germany, Greece, the United Kingdom, and Spain to investigate cases involving Latvian victims. Latvian officials prosecuted two alleged cases of trafficking-related complicity in 2012, including one former anti-trafficking police officer tried and convicted for pimping and one former anti-trafficking police officer charged with extortion and other crimes; the prosecution was ongoing at the close of the reporting period. In a third case, officials charged a "sworn attorney" with facilitating trafficking in persons.

Protection

The Latvian government continued to improve its victim protection efforts during the year by increasing the number and diversity of the victims identified and referred to care, increasing the funding provided for certified trafficking victims, and adapting its victim certification procedures to allow Latvian victims to certify while physically outside of Latvia. Nevertheless, proactive victim identification within the country remained weak, and bureaucratic problems with the funding and contracting of victim service provision delayed care. In 2012, the government authorized the equivalent of approximately $126,000 for trafficking victim services, a significant increase from the equivalent of approximately

$58,000 in 2011. The government-funded NGO offered every trafficking victim psychological assistance, medical aid, legal representation, housing, and reintegration services. Over the past three years, the funding for victim services has doubled. The increase in funding corresponded to an increase in victim identification and expansion of services offered. The Latvian government certified 25 trafficking victims in 2012, more than double the 11 victims that it certified in 2011; the government funded care for 30 victims in total, including some of those identified in 2011. Twenty-five of the victims receiving care were adult females; five victims were male. One was a victim of domestic sex trafficking. All identified victims were Latvian. During the reporting period, the government extended its victim assistance program to include services for testifying victims and witnesses throughout the entire course of a criminal prosecution, an increase from the prior term of up to six months; all victims and their minor children not benefitting from the prosecution assistance provision were entitled to additional five counseling sessions after completing the rehabilitation program. The government-funded NGO did not operate its own shelter, but collaborated with shelters throughout Latvia to provide services.

Officials from the state police and diplomatic corps referred 22 out of the 30 trafficking victims receiving assistance. The GRETA Report observed, however, that proactive identification by Latvian police within the country remained weak; foreign law enforcement agencies initially referred the majority of the victims to the Latvian state police. The government improved its efforts to identify victims proactively by implementing the 2012 guidance on identifying labor trafficking. In the course of these procedures, the State Labor Inspectorate identified three potential domestic labor trafficking cases and referred those cases to law enforcement; ultimately, law enforcement officials did not confirm human trafficking in any of those cases. The State Inspectorate for Protection of Children's Rights identified one suspected trafficking case involving a minor. Members of the Latvian diplomatic corps made active use of the Council of Baltic Sea States' guidelines for trafficking victim identification at embassies and participated in the victim certification process from abroad. The Latvian Ministry of Welfare trained 83 social services staff members on how to identify trafficking cases involving females. The State Border Guards also reportedly employed procedures to identify trafficking victims among immigrant workers in Latvia, including those employed in hotels and construction sites, but did not identify any trafficking victims during spot inspections.

The government reported that it encouraged victims to participate in trafficking investigations and prosecutions by providing witness protection, digital video-enabled courtrooms, and by exempting victims from attending court hearings. Nevertheless, NGOs noted that officials failed to gain victims' trust or to explain the dangers facing the victims during trial, leaving many reluctant to report to or cooperate with law enforcement. The Latvian government had a residence permit provision available for foreign trafficking victims during reflection periods and for the duration of a criminal trial; however, none of the identified victims during the reporting period were foreign. In order to comply with EU Directive 2011/36/EU, the government amended Section 58 of Latvia's criminal law to specify that trafficking victims were not liable for criminal offenses committed as a direct result of being trafficked. Nevertheless, NGOs reported that one trafficking victim was charged with pimping.

Prevention

The Latvian government extended its anti-trafficking prevention activities by increasing involvement of the diplomatic corps in anti-trafficking prevention and other measures. Nevertheless, NGOs and the GRETA report stressed the need for continuous, government-funded anti-trafficking awareness campaigns throughout the country. The diplomatic corps, particularly the Latvian embassy in Ireland, was active in anti-trafficking prevention, including greeting Latvian arrivals at the airport in Dublin to offer them information about trafficking, reaching out to orphanages' principals to explain trafficking, and participating in awareness-raising events at a tourism show. The Ministry of Education and Science continued to incorporate anti-trafficking messages into school curriculum and training, but NGOs were not closely involved in the effort. Several Latvian local governments engaged in awareness raising campaigns, including training, brochures, and mock recruiting interviews to educate youth about risky work abroad; some of these campaigns received private or foreign funding. The anti-trafficking working group continued to meet to coordinate the government's anti-trafficking activities, alongside civil society members. The government continued to maintain various hotlines for the exchange of trafficking information with the general public, but it did not have a centralized hotline. It was not clear that the various government hotlines were effective in publicizing their anti-trafficking role. NGOs that did not receive state funding for anti-trafficking prevention efforts received more than 115 telephone inquiries on trafficking-related matters. The Latvian government took steps to prevent human trafficking by addressing brokered marriages through awareness efforts and new legislation. The Latvian government reported problems collaborating with some Western European governments, including Ireland, to prevent this exploitation. The GRETA Report concluded that the Latvian authorities' efforts to reduce demand for the services of trafficking victims were inadequate. The MOI reported investigating and prosecuting a child sex tourism case with foreign defendants. The Latvian Ministry of Defense trained military personnel assigned to missions abroad on identifying trafficking cases and preventing trafficking.

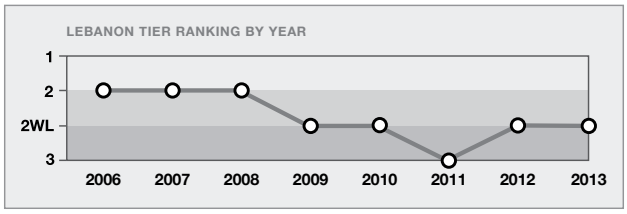
LEBANON (Tier 2 Watch List)

Lebanon is a source and destination country for women and children who are subjected to forced labor and sex trafficking. The country is also a transit point for Eastern European women and children subjected to sex trafficking in other Middle Eastern countries. Women from Sri Lanka, the Philippines, Ethiopia, Kenya, Bangladesh, Nepal, Madagascar, Congo, Togo, Cameroon, and Nigeria, who travel to Lebanon with the assistance of recruitment agencies to work in domestic service, are often subjected to conditions indicative of forced labor, including withholding of passports, nonpayment of wages, threat of arrest and deportation, restrictions on movement, verbal abuse, and physical assault. Workers who leave their employers' houses without permission or a "release paper" automatically forfeit their legal status; in order to be legal, a change in their sponsorship must be pre-arranged and approved by the General Directorate for General Security (SG), the government agency responsible for the entry, residency, and departure of foreign workers. Some employers in Lebanon threaten workers with the loss of legal immigration status in order to keep them in forced labor and, in some cases, kept foreign domestic workers confined in residences for years. A highly publicized case of

an Ethiopian domestic worker who was publicly beaten by a Lebanese recruitment agent in March 2012 exemplifies the abuse suffered by domestic workers in Lebanon. The worker committed suicide shortly after the incident was reported in the media.

The government's *artiste* visa program facilitates the entry of women from Eastern Europe, the Dominican Republic, Morocco, and Tunisia on three-month visas to work as dancers in Lebanon's adult entertainment industry; 5,934 women entered Lebanon in 2012 under this visa program, which sustains a significant sex trade and enables forced prostitution through such practices as withholding of passports and wages, restrictions on movement, and physical and sexual abuse. Some Syrian women may be forced to engage in street prostitution, and underage Syrian girls are reportedly brought to Lebanon for the purpose of prostitution, including through the guise of early marriage. Anecdotal reporting suggests that Syrian refugee women and children who fled to Lebanon are at an increased risk of sex trafficking due to their vulnerable financial situation; NGOs report an increase in Syrian children engaging in street begging, some of which may be forced. Anecdotal information indicates that Lebanese children are victims of forced labor within the country, particularly in street begging, as well as commercial sexual exploitation facilitated by male pimps, husbands, and "boyfriends," and at times through early marriage. Small numbers of Lebanese girls may be taken to other Arab countries for exploitation in prostitution.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these modest measures, the government did not show evidence of increasing overall efforts to address human trafficking over the previous reporting period; therefore, Lebanon is placed on Tier 2 Watch List for a second consecutive year. The government conducted investigations of human trafficking and possibly some prosecutions, but for another year did not report convicting any trafficking offenders or officials complicit in human trafficking. The government allocated minimal resources to protecting victims and did not have victim protection policies in place. Victims of trafficking, including domestic workers who ran away from abusive employers and women holding *artiste* visas, continued to be subject to arrest, detention, and deportation.



Recommendations for Lebanon: Implement the anti-trafficking law by investigating and prosecuting trafficking offenses, and convicting and punishing trafficking offenders, including officials complicit in human trafficking; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers, including foreign domestic workers; enforce the law prohibiting the confiscation of passports belonging to foreign migrants in Lebanon; provide protection to victims, as required by the anti-trafficking law; train police, judges, prosecutors, and other government officials about the anti-trafficking law and how to enforce it; provide services such as shelter, access to legal aid and interpretation, and counseling to migrant workers and Lebanese nationals who are victims of forced labor and forced prostitution; develop and institute formal procedures to identify victims of trafficking among vulnerable populations, such as women holding *artiste* visas and domestic workers who have escaped abusive employers; ensure that identified victims of trafficking are promptly referred to protection services rather than detained for unlawful acts committed as a direct result of being trafficked, such as immigration violations or prostitution; conduct anti-trafficking public awareness campaigns that include raising awareness of the existence and utility of the Ministry of Labor's complaints office and hotline, and enhance the quality of services provided by that hotline; and amend the unified employment contract for domestic workers to recognize the worker's right to leave his or her employer's house during time off and to retain his or her passport.

Prosecution

The government demonstrated limited anti-trafficking law enforcement efforts during the reporting period. Lebanon's 2011 anti-trafficking law, Number 164, prohibits all forms of trafficking. Prescribed penalties for sex trafficking and forced labor range from five to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. A prosecutor reported that internal security forces were often reluctant to arrest parents for trafficking their children due to a lack of social services available should the child be removed from the family. Given the significant hurdles to pursuing criminal complaints in the Lebanese court system and victims' lack of adequate legal representation and knowledge of their rights, foreign victims who had the opportunity to do so opted for quick administrative settlements followed by repatriation. Evidence suggested, however, that many cases were not resolved, and trafficking victims were deported without receiving any wages. A labor law amendment that would extend legal protections to foreign workers had not been submitted to the cabinet by the Ministry of Labor, nor did the amendment cover foreign and Lebanese domestic workers.

The Ministries of Labor and Justice and the SG provided information on their anti-trafficking efforts, but the data was incomplete and reporting was not consistent across agencies. The Internal Security Forces (ISF) and the SG reportedly investigated 125 suspected trafficking cases. Only 18 cases were referred to judicial or law enforcement authorities for further investigation, which were ongoing at the end of the reporting period. The public prosecutor also investigated nine sex trafficking cases in the reporting period. The government did not report official statistics on prosecutions, though a public prosecutor reported the initiation of at least eight sex trafficking prosecutions under Law 164; however, the details of these cases were unavailable. The government did not report efforts to investigate or prosecute public officials for alleged complicity in trafficking-related offenses. NGOs reported that some SG officers accepted bribes to protect adult night clubs or to issue more *artiste* visas than usual. The government did not provide or fund specialized training for its officials to recognize, investigate, or prosecute cases of trafficking; however, 1,926 newly recruited ISF officers participated in NGO-run anti-trafficking trainings in 2012.

Protection

The government made some protection efforts in this reporting period by continuing to refer some victims to NGO services; it did not, however, make sufficient efforts to ensure that trafficking victims were not subject to arrest, detention, and deportation. The government did not have a policy to protect victims from punishment for crimes committed as a direct result of being subjected to human trafficking or providing relief from deportation to foreign victims. Law enforcement, immigration, and social service officials continued to lack a formal system for proactively identifying trafficking victims among vulnerable populations with which they come in contact. This continued lack of systematic procedures led to the deportation of most domestic workers who fled their abusive employers. Women holding *artiste* visas—some of whom were trafficking victims—were subject to immediate deportation following arrest; authorities rarely referred these cases to NGOs for protection services and assistance. Out-of-status migrant workers were typically arrested, detained, and deported without being screened for indicators of trafficking. Detention typically lasted for one to two months, but NGOs reported some cases of detention that lasted longer. For example, an NGO reported the government deported three Nigerian women who filed a complaint against their abusers under the anti-trafficking law, and made no effort to provide them with protective services; the victims were subsequently arrested upon arrival in their home country. The SG maintained a 500-person prison-style detention center in Beirut. While the SG used a registration and identification system in the detention center to notify embassies from source countries of the presence of their nationals in detention, this system failed to provide specific guidance for identifying which detainees were victims of trafficking. The SG continued to permit an NGO to interview migrants to identify trafficking victims among the broader migrant center population. An NGO reported an increased level of professionalism among SG officials and noted that investigators were increasingly referring cases to relevant authorities for further action.

The government allotted no resources to aiding trafficking victims and it did not provide direct financial assistance to foreign trafficking victims. In September 2012, the cabinet approved an implementation decree of the anti-trafficking law, which enabled the Ministry of Justice to subcontract NGOs to provide victim assistance and protection; however, the government did not provide or fund shelters for trafficking victims through the reporting period. There were no services available for male victims. The government continued to rely on an NGO safehouse to provide a range of victim services to female victims of trafficking. Pursuant to a 2005 memorandum of understanding between the SG and the NGO, the SG was required to refer trafficking victims to the safehouse and to provide security for the location. The safehouse assisted 66 victims of trafficking during the last year. The SG reported identifying 118 cases of potential victims of trafficking and the ISF reported seven cases of child trafficking and sexual exploitation, while an NGO reported providing legal aid to 74 victims. The SG and ISF referred two victims of trafficking to NGO services and one for medical assistance. The NGO noted improved cooperation with the SG over the last year in referring trafficking victims. Victims were not encouraged to bring their cases to the attention of public prosecutors. NGOs reported many victims preferred quick administrative settlements followed by repatriation rather than long criminal prosecutions.

Prevention

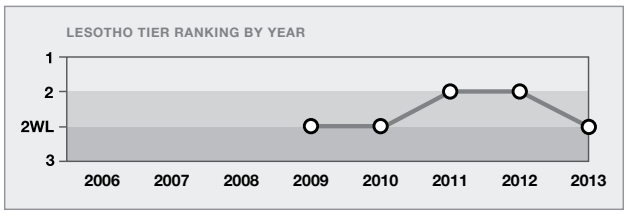
The government made few efforts to prevent trafficking over the last year, as deficiencies remained that put foreign migrant workers, particularly domestic workers, at risk of forced labor. SG officers at Beirut International Airport continued to distribute two booklets to migrant domestic workers upon their arrival in Lebanon. Despite a law prohibiting the confiscation of passports belonging to foreign migrants, the SG required that, upon arrival to the country, foreign migrants surrender their passports to their sponsors. The standard unified employment contract for migrant workers, in use since February 2009, is still not available in the 12 most common languages of migrant laborers; domestic workers must sign the contract in Arabic, a language that very few can read. The government continued to operate a hotline to receive labor complaints from foreign workers, which is linked to an NGO-operated hotline; however, the government did not report how many calls it received or how many victims were referred to protection services through the hotline. The Ministry of Labor and the SG have the authority to close or penalize employment agencies that exploit migrant workers, yet the Ministry of Labor did not provide information on how many—if any—agencies were closed or penalized for violations in this reporting period. The SG reported sanctioning 11 agencies in total during this reporting period; three were prohibited from applying for visas for foreign workers and were subject to administrative actions, two agencies were blacklisted, and six agencies were subject to administrative penalties. Likewise, the government did not report statistics documenting the work of its 130 labor inspectors charged with investigating situations of forced adult and child labor. The SG continued a pilot program that distributed brochures to an unknown number of departing Moldovan *artiste* visa holders containing information on NGO resources available to trafficking victims in Moldova; however, Lebanese authorities did not report if it offered protective services in Lebanon to any Moldovan victims of sex trafficking. The Office of the Prime Minister's national anti-trafficking stakeholders group, which included experts from Lebanese government ministries, civil society, and international organizations, included anti-trafficking efforts among goals in its national targeted poverty program. The government's two national human trafficking steering committees did not meet during this reporting period. The government did not take any steps to reduce the demand for forced labor or commercial sex acts during the year.

LESOTHO (Tier 2 Watch List)

Lesotho is a source, transit and destination country for women and children subjected to conditions of forced labor and sex trafficking, and for men subjected to conditions of forced labor. Within Lesotho, women and children are subjected to domestic servitude and children, to a lesser extent, commercial sexual exploitation. Basotho women and children endure these same forms of exploitation in South Africa. Long-distance truck drivers offer to transport women and girls looking for legitimate employment. *En route*, the drivers rape some of these women and girls before forcing them into prostitution in South Africa. Others voluntarily migrate to South Africa seeking work in domestic service and are detained in prison-like conditions and forced to engage in prostitution. Some Basotho men who migrate voluntarily, though illegally, to South Africa for work in agriculture and mining become victims of forced labor; many work for weeks or months without pay, with their employers turning them over to authorities to be deported for

immigration violations before their promised pay day. Basotho are also coerced into committing crimes, including theft, drug dealing, and drug smuggling under threats of violence or through forced drug use. Chinese and Nigerian organized crime rings reportedly acquire Basotho victims while transporting foreign victims through Lesotho to Johannesburg. The trend of foreign nationals trafficking their compatriots, first observed in 2011, continued during the reporting period. In 2011, Ethiopian and Chinese nationals trafficked their compatriots and, in 2012, an Indian national allegedly trafficked Indian men for the purposes of forced labor and a Zimbabwean national trafficked two Zimbabwean women into forced prostitution. During the year, a Basotho trafficking victim was identified in the United States.

The Government of Lesotho does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government did initiate one labor trafficking prosecution, it did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Lesotho is placed on Tier 2 Watch List. During the recent reporting period, the Lesotho Mounted Police Service (LMPS) temporarily suspended its arrest of suspected trafficking offenders and halted its referral of Basotho victims to care. In addition, the trend of acquittals of alleged trafficking offenders continued in 2012. In one instance, the government also detained three trafficking victims. Although it identified eight victims and referred two for care, the government continued its reliance on NGOs to assist victims, without providing funding or in-kind support for these services. The lack of leadership by the Ministry of Home Affairs (MHA) and the absence of national government attention to critical gaps—such as the need for additional prosecutors to oversee trafficking cases—inhibited progress in 2012. In addition, the government did not implement key portions of the 2011 anti-trafficking act for a third consecutive year, including failing to develop formal referral procedures, establish victim care centers, and complete a national action plan.



Recommendations for Lesotho: Enact implementing regulations for the 2011 anti-trafficking act; finalize and implement the national anti-trafficking action plan; continue to investigate and prosecute trafficking offenses under the 2011 act, including both internal and transnational cases; provide care to victims of trafficking via government-run centers or in partnership with international organizations or NGOs and develop a formal mechanism, in line with the 2011 act, to refer victims to such care; develop a formal system to proactively identify trafficking victims among vulnerable populations; increase training in victim identification for law enforcement officers to ensure victims are not incarcerated for crimes committed as a result of being trafficked; differentiate the process of victim identification from the prosecution of trafficking offenders, as victim identification should not be tied to the successful prosecution of a trafficker; establish a partnership with South African police to investigate reports of Basotho citizens forced to labor on farms in South Africa; increase oversight of labor recruitment agencies licensed in Lesotho and investigate allegations of fraudulent recruitment or contract violations; and establish a system to collect and analyze data on victims identified and assisted, trafficking offenses investigated and prosecuted, and trafficking offenders convicted and punished.

Prosecution

The government decreased its anti-trafficking law enforcement efforts during the year. It initiated fewer prosecutions than in 2011, suspended its arrest of trafficking offenders for several months, and in one case detained victims. In 2012, the government acquitted two trafficking offenders, closed one pending prosecution, and initiated one new prosecution, a decrease from five prosecutions initiated in 2011. Two cases currently remain pending. The Anti-Trafficking in Persons Act, which came into effect in January 2011, prohibits and punishes all forms of trafficking in persons. It prescribes penalties of up to 25 years' imprisonment or a fine of the equivalent of approximately $125,000 under Section 5(1) for the trafficking of adults, and up to life imprisonment or a fine of the equivalent of approximately $250,000 under Section 5(2) for the trafficking of children; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Labor recruiters who knowingly recruit workers for forced labor are liable for the same penalties as those who hold them in servitude. The government has yet to begin drafting implementing regulations necessary to enforce the legislation in full. The Child Protection and Welfare Act, enacted in March 2011, provides penalties of life imprisonment or a fine of the equivalent of approximately $125,000 for child trafficking.

The government has not successfully punished a trafficking offender under the 2011 act. The Director of Public Prosecutions did not appeal the May 2012 overturning of a Chinese trafficker's conviction, which had been the first conviction under the 2011 act. Of five cases that remained pending prosecution at the close of the previous reporting period, one resulted in the acquittal of two Ethiopians charged with labor trafficking of an Ethiopian national and another was closed due to the death of the alleged offender during the year. At the close of 2012, the two other prosecutions remained in process, involving two alleged perpetrators. One labor trafficking prosecution was initiated in November 2012 against an Indian national charged with trafficking three Indian men, but the case has not been pursued. In that case, the men reported to police their enslavement in bonded labor, but the alleged trafficker claimed to police that the men were in breach of contract for not repaying their travel expenses. A magistrate instructed the complaining workers be arrested and detained, though after the victims had been imprisoned 14 days, this order was overturned. The government did not investigate or prosecute allegations of official complicity during the year.

Police anti-trafficking activities were reduced during the year. From October to December 2012, the Child and Gender Protection Unit (CGPU) of the LMPS ceased arresting suspected trafficking offenders due to a backlog of prosecutions under the single prosecutor overseeing trafficking cases. As a result, at least two alleged trafficking offenders were not arrested or charged and the pace of investigations slowed. Although officials pledged to train additional prosecutors, the government did not assign or train additional prosecutors to handle the trafficking case backlog during the year. In addition, the government decreased

regional cooperative efforts during the year, failing to initiate any joint investigations with the South African Police Service, as compared to 21 such investigations initiated in 2011 and seven in 2010. The LMPS did not independently train its officers on trafficking during the year, including senior-level officers. However, in July, August, and September 2012, with technical assistance from LMPS, an NGO trained 120 CGPU, Special Investigations Unit, and Immigration Unit officers from three districts. No investigations of labor brokers occurred despite allegations of abusive practices in cases involving Basotho victims.

Protection

The government's efforts to protect victims decreased during the reporting period. The CGPU identified eight trafficking victims in 2012—a reduction from 24 victims identified in 2011—and referred two victims to an NGO-run care center. The government, however, failed to directly assist victims or provide support to this NGO during the year, despite its pledges to provide this center financial support. During the year, the LMPS determined it would no longer refer Basotho victims for care at NGO-run centers; rather, officials would return them to their home communities without provision of services. Medical services were potentially accessible to victims free of charge at government hospitals and clinics and the CGPU has the capacity to provide limited counseling to victims; however, officials did not refer victims to such services during the year. The government continued its operation of a one-stop drop-in center in Maseru for the protection of victims of gender-based violence that includes specialized—though limited—services for both male and female victims of trafficking; no trafficking victims were referred to this facility during the year. The government did not consistently encourage victims to assist in the investigation or prosecution of trafficking offenders. Although the government did not deport victims during the year, it failed to provide trafficking victims with temporary or permanent residency permits. Although the 2011 trafficking law mandates the development of national referral guidelines and the establishment of a fund to protect and rehabilitate victims, the government did not undertake either initiative during the year.

The 2011 law protects victims from prosecution for unlawful acts committed as a direct result of being trafficked, provides foreign victims with permanent residency as a legal alternative to their removal, and encourages victims to assist in the investigation of traffickers; however, the government unevenly applied these provisions during the reporting period. Three Indian trafficking victims were detained for 14 days after complaining about working conditions. Additionally, the MHA denied the immigration petitions of one Ethiopian trafficking victim on the grounds that she was ineligible based upon the unsuccessful prosecution of her alleged traffickers. In addition, two Zimbabwean victims were denied permanent residency. In the pending labor trafficking case, however, the government temporarily held the passports of the victims in order to compel their assistance in the prosecution of their alleged trafficker.

Prevention

The Government of Lesotho decreased its efforts to prevent human trafficking during the reporting period. Its multi-sector committee—under the leadership of the MHA—did not meet monthly as it had during the previous reporting period and convened only twice in 2012. The committee failed to complete a national action plan or coordinate awareness activities. Nonetheless, in September 2012, the Ministry of Gender, Youth, Sports, and Recreation sponsored an awareness raising event in Mohale's Hoek, which featured a march, rally, and artistic competitions to raise awareness on the nature of trafficking and the legal protections available to victims. The LMPS, in partnership with an NGO, enlisted inter-city taxi drivers to identify and prevent trafficking.

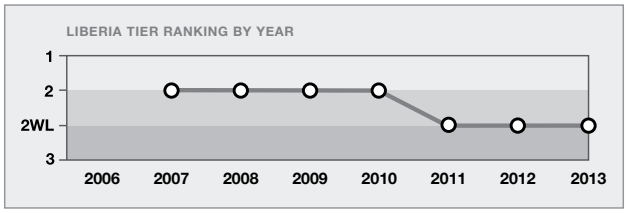
The Ministry of Labor and Employment (MOLE) conducted approximately 1,200 labor inspections during the year. Effectiveness was limited in the informal sector where child labor is most prevalent, including in private homes. Inspectors identified one potential trafficking case involving a 14-year old domestic worker in 2012. MOLE licensed 40 South African farming and construction companies to recruit workers from Lesotho and required these companies to use standardized contracts; however, some companies failed to adhere to their provisions upon the workers' arrival in South Africa. Although it receives many complaints from returned laborers about their working conditions, MOLE only files complaints against, and suspends the permits of, these companies when the violation involves many reported victims or extreme violence. There were no such suspensions in 2012. The government made no efforts to reduce the demand for commercial sex acts.

LIBERIA (Tier 2 Watch List)

Liberia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking victims originate from and are exploited within the country's borders, where they are subjected to domestic servitude, forced begging, sex trafficking, or forced labor in street vending, rubber plantations, and alluvial diamond mines. Traffickers typically operate independently and are commonly family members who may promise poorer relatives a better life for their children. Children sent to work as domestic servants for their wealthier relatives are vulnerable to forced labor or, to a lesser extent, commercial sexual exploitation. Orphaned children remain susceptible to exploitation, including in street selling and prostitution. A small number of Liberian men, women, and children are subjected to human trafficking in Cote d'Ivoire, Guinea, Sierra Leone, Nigeria, and the United States. Victims of transnational trafficking come to Liberia from neighboring West African countries, including Sierra Leone, Guinea, Cote d'Ivoire, and Nigeria, and are subjected to the same types of exploitation as internally trafficked victims.

The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not demonstrate overall increasing efforts to address human trafficking compared to the previous year; therefore Liberia is placed on Tier 2 Watch List for a third consecutive year. Liberia was granted a waiver of an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute significant efforts to meet the minimum standards for the elimination of human trafficking and is devoting sufficient resources to implement that plan. The Liberian government convicted one trafficking offender—the first conviction under the 2005 anti-trafficking law. The government also conducted an awareness campaign focused on the 2011 National Children's Act, which strengthens the anti-trafficking law as it relates to children. The

government failed to make adequate efforts to identify and protect trafficking victims and did not adopt or implement the standard operating procedures for assisting victims proposed by the Anti-Human Trafficking Task Force, which have been pending since 2010. The government has yet to provide the taskforce, which depends on funding from the Ministry of Labor, with a separate budget, leaving the taskforce without regular funding to coordinate the government's anti-trafficking efforts.



Recommendations for Liberia: Continue prosecuting trafficking offenses and convicting and punishing trafficking offenders, including trafficking cases involving Liberian nationals; provide additional training to law enforcement officials and magistrates to apply the anti-trafficking law and to distinguish trafficking crimes from cases of human smuggling or kidnapping; allocate regular funding to support the activities of the Anti-Human Trafficking Task Force; finalize, implement, and educate NGOs, law enforcement personnel, magistrates, and other relevant government officials on the "Direct Assistance and Support to Trafficked Victims Standard Operating Procedures" such that these officials learn to proactively identify and provide protective services to trafficking victims; and increase efforts to educate the public about the dangers of human trafficking.

Prosecution

The Government of Liberia demonstrated an increase in anti-trafficking law enforcement efforts during the reporting period. Liberia's 2005 Act to Ban Trafficking in Persons specifically prohibits all forms of transnational and internal trafficking. It prescribes a minimum sentence of one year's imprisonment for the trafficking of adults and six years' imprisonment for the trafficking of children. The prescribed penalties for the sex and labor trafficking of children are sufficiently stringent, but the prescribed penalties for sex and labor trafficking of adults are not, nor are they commensurate with the prescribed penalties for other serious offenses, such as rape. In September 2011, the government passed the National Children's Act, which strengthened certain provisions of the 2005 Act to Ban Trafficking in Persons. In January 2013, the government achieved its first conviction under the 2005 act, sentencing a Pakistani national to one year's imprisonment for attempting to subject five fellow Pakistanis to forced labor in Liberia. The Women and Children Protection Section (WACPS) of the Liberia National Police (LNP) investigated four additional cases of suspected trafficking and referred one of them for prosecution; this case remained pending at the close of the reporting period. Additionally, a Sierra Leonean national was apprehended in late 2012 for allegedly trafficking several children within Liberia, but he escaped captivity during the investigation; the LNP and the Sierra Leonean police were coordinating continued investigation efforts at the close of the reporting period. No investigations or prosecutions involving Liberian traffickers were reported during the reporting period. The WACPS continued to provide a mandatory three-week comprehensive anti-trafficking training for all its officers. All newly appointed LNP officers received basic training on how to report suspected trafficking cases to the WACPS, though they did not receive specialized training in trafficking in persons. Despite these efforts, many law enforcement officials continue to conflate kidnapping and smuggling offenses with human trafficking. In March 2013, the government established an anti-trafficking unit within the LNP's WACPS comprised of four police officers dedicated exclusively to addressing trafficking crimes. In the same month, UN Police (UNPOL) and the Ministry of Labor conducted a three-week workshop to strengthen the interviewing skills of eight investigators within the LNP, as well as an unknown number of officers from the Bureau of Naturalization and Immigration. The Liberian government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period; however, bribery at border stations, a lack of capacity, and generalized corruption within the judiciary have been reported.

Protection

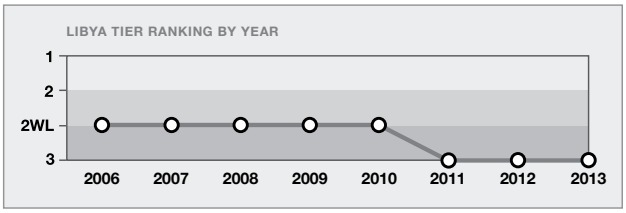
During the past year, the Liberian government provided limited services to victims and inconsistently referred victims to NGOs for protective services. The government identified five trafficking victims during the reporting period; it may have identified other victims, but did not maintain data on such efforts. The government has yet to consistently employ procedures to identify trafficking victims proactively among vulnerable populations, such as women in prostitution. Standard operating procedures for trafficking victim support were finalized by the anti-trafficking secretariat in 2012, but have yet to be adopted formally and implemented. The government operated seven public safe-homes that provide shelter to victims of crime, including trafficking victims. There are no government-run shelters specifically for trafficking victims in Liberia and the government relied heavily on NGOs and civil society groups to provide basic assistance and financial support to victims. The 2005 Act to Ban Trafficking in Persons absolves victims from responsibility for unlawful acts committed as a result of being trafficked, and there were no reports that this provision was ignored during the year. The five potential Pakistani victims participated in the investigation and prosecution of their suspected trafficker and were provided shelter and assistance by the Bureau of Naturalization and Immigration.

Prevention

The Liberian government sustained efforts to prevent trafficking in persons throughout the reporting period, though it failed to provide dedicated financial and political support to the Anti-Human Trafficking Task Force, providing funding from ministries on an *ad hoc* basis. While the taskforce continued to conduct bi-weekly meetings, government ministries and agencies failed to consistently send high-level representatives, which, combined with the lack of a dedicated funding mechanism, hindered the effectiveness of these meetings. Despite limited resources, officers from the WACPS continued to conduct outreach and awareness-raising activities by partnering with local NGOs to warn parents of the dangers of forced labor and exploitation among children entrusted to others for education. The Ministry of Labor supported anti-trafficking awareness campaigns through radio public service messages and billboards, and the government

conducted a three-month rollout campaign to raise awareness of the 2011 National Children's Act. In March 2013, it also co-sponsored a one-day conference with UNPOL that focused on coordinating anti-trafficking efforts among civil society organizations and law enforcement entities.

LIBYA (Tier 3)



Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labor and forced prostitution. One of the most vulnerable groups is migrants, who typically seek employment in Libya as laborers and domestic workers or transit Libya *en route* to Europe. While in Libya, many migrant men are forced into manual labor, and there are credible reports of prostitution rings involved in sex trafficking of sub-Saharan women in brothels, particularly in southern Libya. Trafficking networks from Niger, Nigeria, Chad, Eritrea, Somalia, Sudan, and other sub-Saharan states use a variety of techniques to hold people in conditions of forced labor and forced prostitution, including fraudulent recruitment practices, confiscation of identity and travel documents, withholding or nonpayment of wages, and debt bondage. Militias run numerous prisons outside of the government's control, but as of March 2013, the government made formidable strides to gain control of over 70 percent of the prisons and detention centers, many of which hold detained foreign migrants. Private employers continue to recruit migrants in detention centers into conditions of forced labor on farms or construction sites; when the work is completed or the employers no longer require the migrant's labor, employers return the migrants to detention. NGOs report that migrant flows are steadily returning to their pre-revolution levels. Migrants pay smuggling fees of the equivalent of approximately $800–$1,000 to reach Tripoli, often times under false promises of employment. Once these victims cross the Libyan border, they are abandoned in the desert and further susceptible to severe forms of abuse and human trafficking.

In this reporting period, there were a few isolated reports of children carrying weapons and manning checkpoints. An international organization reported that boys between the ages of 16 and 18 were observed carrying weapons and manning a Tabu checkpoint, though their affiliation to an armed group or government force was unclear.

The Government of Libya does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Libya is placed on Tier 3 for a third consecutive year. During the reporting period, the Government of Libya failed to demonstrate significant efforts to investigate and prosecute trafficking offenders or to protect trafficking victims. Moreover, the government's policies and practices with respect to undocumented migrant workers resulted in Libyan authorities detaining and punishing trafficking victims for unlawful acts that were committed as a direct result of being subjected to human trafficking. There continued to be reports that detained foreign migrants were sold into conditions of forced labor with the complicity of prison and detention center guards.

Recommendations for Libya: Draft, pass, and enact legislation that prohibits all forms of human trafficking; increase law enforcement efforts to prosecute trafficking offenses; prosecute officials who are complicit in human trafficking; develop and implement standard procedures on identifying trafficking victims and providing victims with protection; ensure that victims are not susceptible to detention, deportation, or punishment for their unlawful presence in Libya; protect detained migrants from being sold into conditions of forced labor; ensure that trafficking victims are not punished for unlawful acts that were committed as a result of being subjected to human trafficking; and undertake an information campaign to raise public awareness about forced labor and sex trafficking.

Prosecution

The government did not demonstrate discernible anti-trafficking law enforcement efforts over the past year. Libyan law does not prohibit all forms of human trafficking. Previously drafted amendments to articles 336-339 of the Libyan criminal code, which would have criminalized trafficking in persons, were not adopted. While articles in the criminal code prohibit prostitution, sexual exploitation, slavery, and trafficking in women, the government did not report any human trafficking investigations, prosecutions, or convictions using these articles during the reporting period. Due in part to the government's weak security and justice sector institutions, the government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses despite multiple allegations of complicity. Reporting suggested some police were complicit in or failed to combat human trafficking during the reporting period. Prison officials and detention camp guards allowed private employers to force detained migrants to work on farms or construction sites for an unspecified amount of time with no pay.

Protection

The Libyan government did not demonstrate discernible steps to improve the protection of trafficking victims during the reporting period. The government did not have any policy structures, regulations, or resources dedicated to the specific provision of protective services to trafficking victims. The government did not develop or implement procedures for authorities to identify proactively trafficking victims among vulnerable groups, such as foreign migrants, street children, and women and girls in prostitution or to protect trafficking groups from punishment for unlawful acts committed as a direct result of being subjected to human trafficking. Trafficking victims were frequently subjected to detention, deportation, or punishment for unlawful presence in Libya as a result of being subjected to human trafficking. The government also did not demonstrate efforts to refer victims detained by authorities to protective facilities. Furthermore, authorities made no effort to protect detained foreign migrants who continued to be

sold into conditions of forced labor by private employers on farms and construction sites. The government continued to work with international organizations to repatriate foreign migrants. The government showed no effort to encourage victims to participate in the investigation and prosecution of trafficking offenders. The government also did not provide foreign victims of trafficking with legal alternatives to their removal to countries where they faced hardship or retribution.

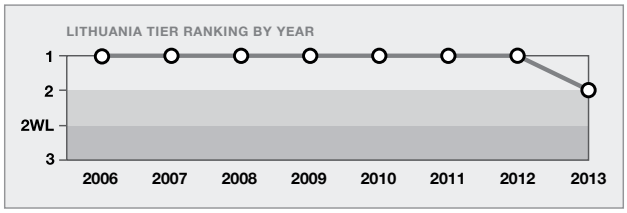
Prevention

The Government of Libya made no discernible efforts to prevent human trafficking during the reporting period. Public awareness of human trafficking—as a phenomenon distinct from illegal immigration and smuggling—remained low in Libya, including among government officials. The government does not have a national coordinating body charged with combating human trafficking. During the reporting period, the government did not conduct any public anti-trafficking awareness or information campaigns, nor did it train officials on trafficking issues. The government, however, cooperated with international organizations to enhance its judicial capacity and develop a set of recommendations on combating trafficking, as well as to include anti-trafficking provisions into a national migration management policy. Libya did not take actions to reduce demand for commercial sex acts or forced labor, or to prevent child sex tourism abroad.

LITHUANIA (Tier 2)

Lithuania is a source, transit, and destination country for women and girls subjected to sex trafficking, as well as a source country for men subjected to labor trafficking. There are government reports that Lithuanian boys and girls are forced to steal in foreign countries. NGOs estimate that 40 percent of identified Lithuanian trafficking victims are women and girls subjected to sex trafficking within the country. Lithuanian women are also victims of sex trafficking in Germany, Ireland, the Netherlands, Spain, Sweden, and the UK. Lithuanian women and girls from orphanages and state-run foster homes, as well as women with mental or psychological disabilities, are victims of trafficking in persons. A small number of women from Russia and Belarus are transported through Lithuania *en route* to Western Europe, where they are subsequently subjected to forced prostitution. Some Lithuanian men are subjected to forced labor in slave-like conditions in the Netherlands, the UK, and the United States.

The Government of Lithuania does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The Lithuanian government adopted new legislation to bring it into compliance with the EU anti-trafficking directive; however, law enforcement action decreased from the previous reporting period, and new investigations, prosecutions, and convictions of traffickers all declined. The government failed to provide specialized care to male trafficking victims, and police reportedly treated some child victims as criminals. Although the government contributed funds to prevention activities, it did not implement parts of its 2009-2012 Program for the Prevention and Control of Trafficking in Human Beings due to budget constraints.



Recommendations for Lithuania: Vigorously investigate and prosecute trafficking offenses, including labor trafficking offenses; ensure effective training of law enforcement officers, prosecutors, and judges on anti-trafficking principles, including the integration of an anti-trafficking module into the basic training of the police; sustainably fund NGOs to provide victim protection; intensify efforts to identify victims of trafficking proactively, particularly victims of labor trafficking and children in prostitution; ensure that all trafficking victims are offered access to shelter and treatment, particularly male and child victims; improve consular efforts to ensure that victims identified abroad are referred to care in Lithuania; ensure that victims of trafficking are provided with greater protection during trials; intensify efforts to increase the public's understanding of trafficking in persons; fund an anti-trafficking hotline; and ensure funding and implementation for all activities in the new action plan.

Prosecution

The Government of Lithuania demonstrated minimal progress in its anti-trafficking law enforcement efforts during the year. Its efforts to investigate, prosecute, and convict alleged trafficking offenders declined. Lithuania prohibits all forms of human trafficking through Articles 147 and 157 of its criminal code, which prescribe penalties ranging from a fine to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government approved amendments to its criminal code to comply with provisions of the EU anti-trafficking directive, most notably by incorporating forced criminal behavior and forced begging into its anti-trafficking statute.

Lithuanian authorities conducted 44 investigations in 2012, 11 of which were new, compared to 42 investigations in 2011, 21 of which were initiated that year. In 2012, authorities prosecuted nine trafficking cases involving 25 alleged sex traffickers and one alleged labor trafficker, compared with eight cases involving 37 suspected of sex trafficking in 2011. Three cases were closed in 2012, resulting in the conviction of seven sex traffickers, compared with three cases closed in 2011 resulting in the conviction of 17 sex traffickers. All of those convicted in 2012 were sentenced to time in prison, with terms ranging from four to seven years' imprisonment. The government did not report the investigation or prosecution of any public official allegedly complicit in human trafficking-related offenses.

The government did not include trafficking in persons in its basic police training. A specialized anti-trafficking police unit continued to offer optional police trainings, which 20 police officers attended. Observers reported that police and investigators lacked the knowledge and experience to investigate effectively cases of human trafficking, especially forced labor. To increase its capacity to collect evidence

and investigate human trafficking, the Lithuanian police collaborated with Europol on international investigations and data-sharing projects. Lithuanian law enforcement officials also participated in regional trainings on labor trafficking and child forced begging and stealing. All border security guards continued to receive training on identifying victims of trafficking. The government collaborated with foreign counterparts in five international trafficking investigations and participated in and contributed to multilateral conferences in which police, investigators, and trafficking experts from other European countries shared good practices to combat the crime.

Protection

The Lithuanian government demonstrated inadequate efforts to assist victims of human trafficking during the reporting period. The government spent the equivalent of approximately $58,000 for anti-trafficking programs, the same amount as the previous year. Lithuanian authorities identified 92 trafficking victims receiving government services during the reporting period, compared to 76 in 2011. NGOs assisted approximately 150 victims in 2012, compared to 130 in 2011. Although the government had official procedures to identify trafficking victims among vulnerable populations—such as women in prostitution, street children, and undocumented migrants—observers reported that these procedures were not effective in practice. Lithuania's victim care facilities were primarily operated by NGOs with central government funding, and municipal authorities provided the approximate equivalent of an additional $53,800 for such NGO care. Victims could leave the government-funded shelters at their own will and without a chaperone. The government did not ensure specialized care for trafficking victims, as most of the shelters were mixed-use facilities that also served domestic violence victims. There were no shelters for men, but the men's crisis center in Kaunas received funding from the government to assist male trafficking victims, including finding shelter for them. The government did not ensure specialized care for child victims of trafficking, as authorities placed child victims in foster homes and mixed-use shelters. Due to insufficient government funding, NGOs requested international funding to prevent a reduction in their victim care activities. Although cooperation between the government and civil society generally improved from 2011, it still lacking in some parts of the country, as the government collaborated with NGOs on a case-by-case basis and did not utilize trade unions and employers' organizations to identify labor trafficking victims.

The government offers foreign victims of trafficking a 30-day reflection period to decide whether to cooperate with law enforcement. Victims cooperating with law enforcement can receive temporary residency. The government granted temporary residence to one victim in 2012. Prosecutors reported that they experienced delays in prosecuting trafficking cases as trials were impeded when victims chose not to testify or left the country. NGOs suggested that victims felt unsafe. The Ministry of Foreign Affairs assisted six Lithuanian trafficking victims in obtaining legal documents and repatriation, though NGO representatives reported that Lithuanian embassies were generally not helpful in providing assistance to trafficking victims who appeared at the embassy without identification. Representatives from an NGO reported that the authorities do not consistently inform or refer repatriated Lithuanians to NGOs for assistance. Reportedly, some repatriated child victims were treated as criminals in Lithuania. Through the anti-trafficking police unit, the Ministry of Foreign Affairs provided all outgoing consular officers with training on assisting trafficking victims abroad; 36 officers were trained in 2012 and 23 in 2013. In 2012, the government also amended its anti-trafficking statute to absolve victims from liability for any criminal activity committed as a direct result of being trafficked.

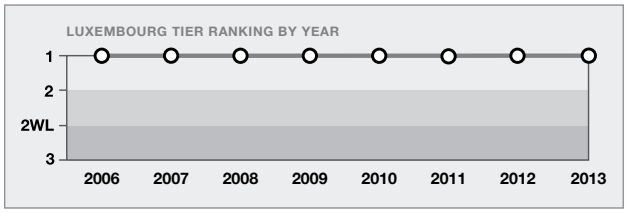
Prevention

The Lithuanian government continued prevention efforts during the reporting period. While the government did not officially allocate new funds for prevention activities in 2012, it collaborated with NGOs on trafficking prevention activities, including lectures and seminars that targeted students, teachers, social workers, and government officials. The Minister of Interior spoke on national television about human trafficking in Lithuania, explaining common entrapment tactics used by traffickers. The national police also published information on trafficking, including recruiting methods, on its website and *via* Internet advertisements. The police advertised and managed an e-mail account that the public could use to report potential human trafficking situations and ask for advice; the police received approximately 50 messages during the reporting period. The government continued to convene its multiagency working group to report on trafficking. The Government of Lithuania reported that not all planned activities from the 2009-2012 Program for the Prevention and Control of Trafficking in Human Beings were implemented in 2011 or 2012 because of budget constraints, and NGOs claimed that the government did not implement the program effectively in 2012. The Ministry of Interior developed an action plan for trafficking prevention for 2013-2015 in consultation with NGOs, which the government approved in November 2012 and incorporated into the national plan on crime prevention. The Lithuanian government made some efforts to reduce the demand for commercial sex.

LUXEMBOURG (Tier 1)

Luxembourg is a destination country for men, women, and children from Nigeria and other African countries, as well as Morocco, Estonia, Kazakhstan, Bulgaria, Russia, Ukraine, Brazil, China, France, and Belgium who are subjected to sex trafficking and forced labor or services, including forced criminal activities. According to local experts, unaccompanied and undocumented children who are asylum seekers or refugees are particularly vulnerable to commercial sexual exploitation. Adult victims of sex trafficking are recruited by agents in their home countries for work in Luxembourg's cabarets and subsequently forced into prostitution in cabarets, private apartments, and in street prostitution. Forced labor, sometimes involving Chinese men, women, and children, occurs in sectors including construction and restaurants. During the year, a media report alleged third-country nationals from Portugal were subjected to conditions of forced labor in Luxembourg. According to past reports, women in prostitution in Luxembourg are often controlled by pimps, and some of these women are likely trafficking victims; the majority of women in street prostitution are Nigerian. According to country experts, traffickers utilized non-physical coercion to control victims in prostitution and to operate within the country's legal prostitution regime and evade law enforcement.

The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. The government continued to investigate and prosecute human trafficking offenders in 2012, and convicted more trafficking offenders in comparison to the previous year. However, only half of the convicted offenders were sentenced to terms of one year or more of incarceration, and courts continued to impose sentences below the minimum prescribed by the trafficking law. During the year, the government's identification of and assistance for trafficking victims declined, and a local observer reported that police arrested and placed foreign trafficking victims in an immigration retention center instead of referring them to an NGO for specialized assistance and care. The government provided funding for the short-term care for some trafficking victims, but few remained in Luxembourg long enough to assist in the prosecution of their traffickers. The government has yet to identify any victims of child sex trafficking victims in the country.



Recommendations for Luxembourg: Finalize implementation regulations for the May 2009 protection law which seeks to formalize and codify the current informal *ad hoc* approach to victim identification and care on a national level; ensure trafficking victims are not placed in immigration detention or otherwise prosecuted for crimes committed as a direct result of being trafficked; aggressively prosecute and convict trafficking offenders to ensure that they receive sentences proportionate to the gravity of the crime; continue to take steps to reduce the use of suspended sentences for any trafficking offenders, including first-time offenders, and appoint a specialized anti-trafficking prosecutor to seek enhanced penalties in these cases; establish formalized procedures to proactively identify and refer for care trafficking victims among all men, women, and children found in vulnerable groups, including those detained as undocumented migrants and in the commercial sex trade, and enlist NGOs in this process; provide more incentives for foreign trafficking victims to stay in Luxembourg long enough to assist in bringing their traffickers to justice; increase the use of multi-disciplinary methods to identify victims of forced labor, sex trafficking, and child trafficking by engaging front-line responders outside of law enforcement, including by granting NGOs access to potential trafficking victims in immigration detention centers; appoint an anti-trafficking rapporteur to make self-critical recommendations and improve the response to trafficking in Luxembourg; implement a campaign to reduce demand and educate the public about sex trafficking and its links with prostitution, as well as the existence of forced labor in the country.

Prosecution

The Luxembourg government continued to prosecute trafficking in 2012, and convicted an increased number of trafficking offenders during the reporting period. However, the government continued to hand down lenient sentences for convicted trafficking offenders. Luxembourg prohibits all forms of trafficking through Article 382 of the 2009 Law on Trafficking in Human Beings, which prescribes penalties for convicted offenders ranging from three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Under this statute, courts can sentence offenders below the prescribed minimum sentence of three years' imprisonment. During the year, the government initiated prosecutions of at least nine new suspected trafficking offenders in 2012. The government reportedly convicted seven trafficking offenders in five separate cases and acquitted two suspects during the year, an increase from four convicted offenders in 2011. Three of the convicted offenders received fully suspended sentences, and sentences for the remaining four offenders ranged from twenty-one to fifty-four months imprisonment; however, courts partially suspended the majority of these sentences, resulting in orders of incarceration ranging from seven to forty-two months. For instance, the government prosecuted four suspected traffickers in a high profile case involving the sex trafficking of an estimated 95, mostly Estonian women in a nightclub in Remich dating back to 2008. Reports indicated the traffickers used violence and rape to coerce these victims into prostitution. While the cooperative investigation with Estonian authorities and subsequent prosecution resulted in the conviction of all four offenders, the court's use of suspended sentences resulted in only seven to 18 months' incarceration; one convicted defendant received no jail time. The government provided training to approximately 10 to 15 officials to improve investigative techniques on trafficking. In December 2012, the government initiated an investigation of trafficking-related complicity of public officials after authorities arrested three police officers for suspected pimping.

Protection

The Government of Luxembourg sustained its efforts to protect trafficking victims in 2012. The government identified 16 trafficking victims in 2012; this represents a decline from 25 identified victims in 2011. Victim identification was based on information revealed in prosecutions during the reporting year. The government reported that it has yet to establish a formal identification system to identify and refer victims for care, which not only hindered its overall anti-trafficking efforts but also resulted in inadequate protection and identification of victims, as well as insufficient data collection and reporting. Police were the only authorities permitted to carry out formal victim identification. Law enforcement reportedly used indicator checklists to help them identify trafficking victims in cabarets, apartments, and designated streets for prostitution, and labor inspectors reported using indicator checklists during labor inspections. Local observers, however, reported during the year the government placed trafficking victims in immigration detention centers for long periods of time, only to return them to their trafficking situations.

The government reported it provided assistance to victims in partnership with NGOs; while it allocated an equivalent of more than $14 million for general victim assistance, it did not provide a specific figure on assistance to victims of trafficking in 2012. The government, however, reported it provided assistance to one out of the 16 sex trafficking victims it identified in 2012 and referred this victim to an NGO for care. The government did not demonstrate that it provided any assistance or responsible repatriation to the victims in the Estonian prosecution that resulted in the conviction of four trafficking offenders in February 2013. The government reported it continued to rely

on an *ad hoc*, informal practice of referring victims to NGOs for care, but it did not implement a May 2009 law that codifies procedures for the identification, referral, and provision of comprehensive assistance to trafficking victims. During the year the government did not institute a formal committee to monitor, develop, and standardize anti-trafficking efforts and to keep formal account of human trafficking statistics in Luxembourg. The government has yet to identify a single child victim of sex trafficking in Luxembourg or initiate a criminal prosecution for this offense. The government reported that one victim it identified subsequently cooperated in the investigation of his or her traffickers; however, most victim cooperation occurred immediately after arrest or rescue.

The Government of Luxembourg retained a stated policy of ensuring that victims are not punished for unlawful acts committed as a direct result of their being trafficked; however, country experts reported trafficking victims were arrested and detained, thus criminalized as a direct result of crimes committed under coercion. The government reported one trafficking victim was provided with a temporary residency permit in 2012. The government reported it considered multiple factors when determining the residency status of a victim, including the victim's willingness to cooperate with law enforcement and whether the victim was an EU or non-EU national. Only victims with EU citizenship were allowed access to the labor market in Luxembourg.

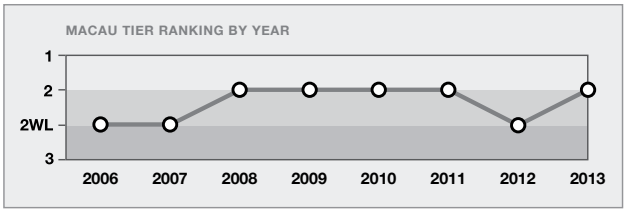
Prevention

The government demonstrated some efforts to prevent trafficking during the reporting period. The government, in June 2012, funded and convened a general conference on the status of legalized prostitution in Luxembourg, but it did not initiate any trafficking specific awareness or prevention efforts during the reporting period. Despite previous calls by NGOs to develop anti-trafficking awareness campaigns specifically designed to educate the public and officials about the existence of human trafficking in Luxembourg, the government has not done so since 2008. Government agencies met on an *ad hoc* basis during the year. The government has a general 2009-2014 National Action Plan for Equality between Men and Women that includes some anti-trafficking elements, but has yet to develop or adopt a specific national action plan on trafficking. Also, it did not report explicitly on its anti-trafficking efforts to demonstrate transparency. The government did not report any child sex tourism prosecutions or prevention efforts during the reporting period. The government did not undertake any measures to reduce demand for commercial sex acts or forced labor in 2012.

MACAU (Tier 2)

The Macau Special Administrative Region (MSAR) of the People's Republic of China is primarily a destination and, to a much lesser extent, a source territory for women and children subjected to sex trafficking and possibly forced labor. Victims originate primarily from mainland China, with many from inland Chinese provinces who travel to the border province of Guangdong in search of better employment. Sex trafficking victims in Macau also include women from Mongolia, Vietnam, Thailand, and Russia. Many trafficking victims fall prey to false advertisements for jobs in casinos and other legitimate employment in Macau, but upon arrival are forced into prostitution. Foreign and mainland Chinese women are sometimes passed to local organized crime groups, held captive, and forced into sexual servitude. Victims are sometimes confined in massage parlors and illegal brothels, where they are closely monitored, forced to work long hours, have their identity documents confiscated, and are threatened with violence. Chinese, Russian, and Thai criminal syndicates are believed to be involved in recruiting women for Macau's commercial sex industry. At least one suspected case of child prostitution in a U.S.-owned casino in Macau has been reported. During 2012, Macau eliminated a requirement that foreign workers who are fired or quit a job wait six months before obtaining a new position; this waiting period previously made migrants vulnerable to forced labor.

MSAR does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Macau authorities demonstrated tangible results during this reporting period. Macau authorities made progress by prosecuting two sex trafficking cases, convicting nine traffickers, and identifying and assisting 25 victims of sex trafficking. However, no labor trafficking cases were initiated or prosecuted, nor were labor trafficking victims identified during this reporting year.



Recommendations for Macau: Continue to increase efforts to investigate and prosecute trafficking offenders with a focus on perpetrators of forced labor; continue to implement proactive victim identification methods, particularly among vulnerable populations such as migrant workers; inspect for evidence of forced labor and appropriately prosecute cases as labor trafficking offenses; and continue to educate law enforcement, other government officials, and the public on forced labor, as well as sex trafficking.

Prosecution

Macau authorities demonstrated an increase in anti-trafficking law enforcement efforts during the reporting period. Macau's anti-trafficking law, Law Number 6/2008, prohibits all forms of trafficking in persons and prescribes penalties of three to 15 years' imprisonment, which are sufficiently stringent punishments and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, Macau authorities conducted 15 sex trafficking investigations, compared to 13 investigations reported during the previous year. Two cases of sex trafficking were prosecuted during this year. In a case involving six women who were forced into prostitution, nine offenders were convicted and received sentences ranging from four to 13 years. Another sex trafficking trial, involving two mainland Chinese defendants, remained ongoing at the end of the reporting period. Macau authorities did not report any labor trafficking investigations, prosecutions, or convictions. Labor trafficking cases involving 18 individuals were viewed by authorities as worker disputes and prosecuted under worker protection laws. Authorities reported increasing judicial capacity with the new hiring of five prosecutors in

2012 and the training of an additional twelve prosecutors and judges, who are expected to assume their roles in mid-2013.

In addition to the standard trafficking awareness training that all judiciary police and public security police officers receive, Macau authorities organized and attended numerous anti-trafficking trainings throughout the year. The anti-trafficking committee hosted at least five seminars for more than 500 law enforcement officers to discuss strategies for raising awareness and combating human trafficking. Macau's Social Welfare Bureau (SWB) hosted a seminar for NGOs and department heads to exchange best practices on victim protection with Hong Kong counterparts in April. Macau authorities cooperated with mainland Chinese and Hong Kong authorities in arresting three Macau residents and rescuing six victims. Despite the authorities' increased cooperation with mainland China and Hong Kong, the government of another trafficking source country reported a lack of cooperation from Macau authorities. Macau authorities did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

Macau authorities demonstrated efforts to protect trafficking victims during the reporting period. Authorities identified 25 victims of forced prostitution in 2012, compared with 13 in 2011, but identified no victims of forced labor in 2012. All of the victims identified in 2012 were from mainland China. The SWB reported assisting and offering shelter to all identified victims in cooperation with local NGOs. Macau officials reported identifying 18 Chinese workers who were disputing their work conditions but repatriated them to China without offering them victim services. In addition, 17 women connected with the case involving the nine convicted offenders were not protected as victims of sex trafficking because the court ruled that their voluntary association with the defendants meant they were not trafficking victims. Macau authorities designated 21 beds for female trafficking victims of any nationality at a shelter managed by SWB and allocated the equivalent of approximately $250,400 to fund and support victim protection measures. In 2012, SWB established a shelter for male victims, though no male victims were assisted during the reporting period. Macau authorities updated the standardized screening questionnaire that guides law enforcement, immigration, and social services personnel in identifying trafficking victims to add elements to screen for forced labor victims. They sustained an existing partnership with a local NGO in order to identify interpreters to assist in interviewing foreign trafficking victims and funded an NGO to operate a 24-hour hotline that could be used by trafficking victims. Authorities encouraged victims to assist in the investigation and prosecution of trafficking crimes by providing temporary shelter and appropriate assistance. Despite a policy offering general foreign crime victims legal alternatives to removal to countries in which they would face retribution or hardship, no trafficking victims received such immigration relief after legal proceedings; trafficking victims were repatriated without an option to stay.

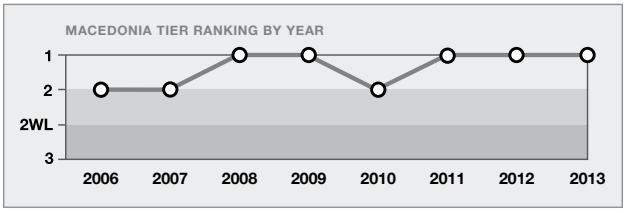
Prevention

Macau authorities demonstrated modest efforts to prevent forced labor and commercial sex during the reporting period. In 2012, labor and human resources agencies joined the anti-trafficking committee to focus Macau's efforts more on labor trafficking. The Labor Affairs Bureau produced and disseminated 13,000 leaflets on combating human trafficking, and law enforcement agencies prepared 3,000 pamphlets, in four different languages, to raise awareness of labor trafficking. The Labor Affairs Bureau continued its education project in high schools and hosted educational activities to raise public awareness. In an attempt to reduce demand for commercial sex acts, law enforcement authorities arrested 423 distributors of prostitution-related leaflets and seized more than 200,000 leaflets. This operation, however, did not appear to adequately address the single suspected case of child prostitution in a U.S.-owned casino, nor did it reduce demand for sexual exploitation in night clubs, saunas, and other "black spots." Authorities did not report any investigations or prosecutions of child sex tourism.

MACEDONIA (Tier 1)

Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Macedonian women and girls are subjected to sex trafficking and forced labor within the country in bars, nightclubs, and in begging on the street. Children, primarily ethnic Roma, are forced to beg by their families. The age of identified victims is increasingly younger and more victims originate from neighboring countries. Foreign victims in Macedonia originate from Albania, Bulgaria, Serbia, Bosnia, Ukraine, and Kosovo. Macedonian citizens are subjected to trafficking in Greece, Belgium, and other countries in Europe.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government sustained its vigorous prosecution of trafficking offenders, including public officials alleged to be complicit in trafficking. However, the government failed to screen effectively possible victims of trafficking encountered during police raids on bars and nightclubs; officials did not make use of trained social workers and NGOs, bypassing the national referral mechanism, and rapidly screened migrants in detention without victim support. The government continued to rely on NGOs to provide many of the services at shelters without providing adequate funding for medical care and reintegration.



Recommendations for Macedonia: Proactively improve victim identification efforts by including trained social workers and NGOs in initial screening for trafficking in all police raids involving vulnerable migrants; ensure that all victims of trafficking have the freedom to come and go from shelters; ensure that victims are not detained, deported, or punished as a result of their being trafficked; provide specialized training for officials to better understand psychological forms of coercion, debt bondage, threats, and the symptoms of victims' trauma; institutionalize and increase funding to ensure comprehensive care in shelters and to support reintegration services; punish human trafficking offenders, including

government officials complicit in trafficking in persons, with sentences that are commensurate with the gravity of the crime; formally identify victims of forced begging as trafficking victims and offer appropriate services; and continue to proactively investigate and prosecute human trafficking crimes.

Prosecution

The Government of Macedonia improved its law enforcement response to human trafficking in 2012, more than doubling the number of convictions compared to the previous reporting period and prosecuting two public officials for alleged complicity in trafficking offenses. The government prohibits sex and labor trafficking through Articles 418(a) and (d) of its criminal code, which prescribe a minimum penalty of four years' imprisonment. This is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2012, the government investigated nine new trafficking suspects, including a police officer and a prison supervisor alleged to be complicit in human trafficking. During the year, the government convicted 20 trafficking offenders, a significant increase from nine in 2011. Ten defendants received sentences from six to ten years' imprisonment, three received three years' imprisonment for trafficking children for labor exploitation, and one was sentenced to nine months' imprisonment. Six defendants, including the complicit police officer, received suspended prison sentences. A court of appeals upheld convictions against seven traffickers who were sentenced in 2011. Seven defendants, including the prison supervisor, were acquitted. The Macedonian academy for judges and prosecutors trained organized crime prosecutors on human trafficking and law enforcement officials participated in a regional anti-trafficking training. During the reporting period, the government trained police and labor inspectors to identify victims of trafficking.

Protection

The government maintained protection and services, but did not improve efforts to identify trafficking victims proactively. The government identified eight victims of trafficking in 2012, compared with 12 in 2011. For the first time, Macedonian authorities identified male victims of trafficking, including one child, and provided them with limited legal, medical, and psycho-social assistance. All identified victims received assistance and the female victims were referred to shelter care, but there was insufficient screening of migrants in immigration detention. The government jointly ran a shelter with two NGOs that provided services to domestic victims and foreign victims holding a temporary residence permit. No shelter existed for male victims of trafficking. The government provided identified victims with initial needs assessment, crisis intervention, psychological assistance, food, clothes, and medical assistance. The government assigned legal representatives to children. An advocate employed by the national referral mechanism provided legal services to victims of trafficking. Domestic victims of trafficking who do not choose to stay in the shelter may access psychological and social services from the government centers for social welfare, which also provide reintegration services, including education and job placement in collaboration with an NGO. The government allocated the equivalent of approximately $7,000 each to five NGOs for direct assistance and prevention activities. There were problems with timely reimbursement to NGOs for emergency medical care provided to victims in shelter care. While the government removed more than 50 children, predominately ethnic Roma, from forced begging on the streets and placed them in daycare centers or orphanages, often fining or jailing their parents, the government failed to identify these children as victims of trafficking.

NGOs reported that the national referral mechanism worked effectively through strong collaboration with social workers, which resulted in the identification and referral of victims of trafficking to shelters. However, the government failed to utilize trained social workers and NGOs to provide specialized screening for trafficking during raids conducted by the organized crime unit. Police raids on bars in western Macedonia revealed numerous unauthorized female migrants working illegally as "guest escorts," some of whom had been previously deported and had returned from their home countries. Screening for trafficking was done by police within 24 hours while the women were detained at the government transit facility before they were deported, bypassing any involvement from the national referral mechanism and hampering efforts to effectively identify probable victims of trafficking. Contrary to the 2000 UN TIP Protocol, the government places inordinate weight on victims' initial consent to migrate or to work, hampering efforts to identify elements of force, fraud, or coercion in potential trafficking schemes. In 2012, the government issued three foreign victims of trafficking two-month temporary residence permits. Temporary residency permits were available to foreign trafficking victims if they cooperated with law enforcement in the investigation and prosecution of their traffickers. Twelve victims participated in criminal proceedings during the reporting period. While victims may claim restitution through civil proceedings, no victims have successfully completed a claim due to the complexity of the legal process.

Prevention

The government sustained its anti-trafficking prevention efforts during the reporting period and, in partnership with NGOs, organized awareness presentations and anti-trafficking workshops at high schools in areas with high risks of trafficking and distributed prevention informational materials. The government organized specialized anti-trafficking training for 60 social workers and all 30 directors of the centers for social work on their responsibilities in managing trafficking cases, and officials collaborated with national anti-trafficking coordinators of other southeastern European countries to establish more efficient regional cooperation. The national rapporteur for trafficking and smuggling published Macedonia's fourth annual report with a comprehensive assessment of anti-trafficking activities. The government adopted a new national action plan for 2013-2016 with a focus on increasing efforts to combat forced labor, developed in collaboration with an interagency government working group, NGOs, and international organizations. The government undertook a public service television campaign to reduce demand for services from victims of trafficking.

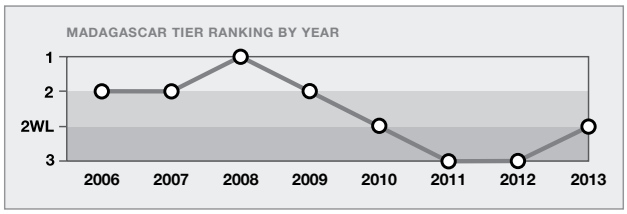
MADAGASCAR (Tier 2 Watch List)

Madagascar is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Reports indicate that sex and labor trafficking of Madagascar's citizens has increased, particularly due to a lack of economic development and a decline in the rule of law since the current political crisis began in March 2009. An estimated

4,000 Malagasy women are employed as domestic workers in Lebanon and, since July 2012, an estimated 3,000 Malagasy female domestic workers have migrated to Kuwait; a smaller number of workers have also departed for Saudi Arabia, Jordan, Mauritius, and Seychelles in search of jobs. Many of the women who migrate are single mothers who come from rural areas and are illiterate or poorly educated, making them vulnerable to deception and abuse at the hands of recruitment agencies and employers. At least one death was reported among this population during the year. Trafficking victims returning from Lebanon, Kuwait, and Saudi Arabia reported rape, psychological abuse, physical torture and violence, sexual harassment and assault, harsh working conditions, confinement to the home, confiscation of travel documents, and withholding of salaries. In 2012, there was an increase in Malagasy males victimized by labor trafficking abroad; for example, more than 50 Malagasy men were identified as victims of forced labor aboard a Chinese-flagged fishing boat in South Africa's territorial waters.

Malagasy children, mostly from rural areas, are subjected to domestic servitude, prostitution, forced begging, and forced labor in mining, fishing, and agriculture within the country. Most child sex trafficking occurs with the involvement of family members, but friends, transport operators, tour guides, and hotel workers also facilitate the trafficking of children. During the reporting period, informal employment agencies commonly recruited child domestic servants who were subsequently subjected to forced labor. Parents force their children into various forms of prostitution to earn money to support their families; in some cases, parents have directly negotiated prices with clients when prostituting their children. Child sex tourism increased dramatically during the last year, particularly in the coastal cities of Toamasina, Nosy Be, Antsiranana, and Mahajunga, as well as in the capital, Antananarivo; there was also a significant increase in the exploitation of younger children in the commercial sex trade, with cases involving children as young as seven years old. Some children are fraudulently recruited for work in the capital as waitresses, maids, and masseuses before being coerced into prostitution. The main clients of prostituted boys and girls in Madagascar are Malagasy men. Most child sex tourists are French nationals, with some reports of sexual exploitation by Italian and other Western nationals.

The *de facto* Government of Madagascar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Because the assessment that the *de facto* government has made significant efforts is based in part on its commitments of future action, namely the initiation of trafficking prosecutions that have not been completed, Madagascar is placed on Tier 2 Watch List. Since the March 2009 coup, combating human trafficking has not been a priority for the *de facto* regime's leadership, despite the growing size of the problem both internally and transnationally. However, as a result of efforts at the working and technical level, including among law enforcement specialists, there has been a significant increase in law enforcement efforts within the country, including 30 potential prosecutions of trafficking offenses and two convictions of trafficking offenders. Despite widespread corruption and complicity of government officials in trafficking offenses, the *de facto* government has failed to investigate or prosecute any officials responsible for these offenses during the reporting period. It also failed to identify and refer victims to protective services and did not support NGOs providing such services. For a fourth year, it did not engage the Government of Lebanon or any other Middle Eastern government regarding protection of and legal remedies for exploited Malagasy workers in those countries, and in most cases, failed to assist with the return of Malagasy citizens to Madagascar during the reporting period. The Malagasy Consulate in South Africa assisted with the return of three male trafficking victims in the Chinese fishing boat case.



Recommendations for Madagascar: Utilize the anti-trafficking law, including at the regional level, to investigate and prosecute trafficking offenses, including those involving forced labor and public officials suspected of trafficking-related complicity; amend the anti-trafficking law to provide sufficiently stringent penalties for labor trafficking; open a dialogue with the governments of destination countries for Malagasy migrants regarding improving protections for Malagasy workers and jointly addressing cases of abuse; consider establishing a consulate in the Middle East to provide consular and, when needed, protective services to Malagasy workers; institute a process for law enforcement officials to document trafficking cases, interview potential victims, and refer trafficking victims for assistance; increase efforts to raise public awareness of labor trafficking; provide anti-trafficking training to law enforcement, labor, and social welfare officials; and provide adequate funding to anti-trafficking inter-ministerial committees and ensure coordination between the committees, NGOs, and international partners.

Prosecution

Law enforcement officials made significant efforts during the year, resulting in 30 trafficking-related prosecutions and two convictions in Antananarivo alone, compared to no reported prosecutions or convictions in the previous reporting period. Anti-Trafficking Law No. 2007-038 prohibits all forms of human trafficking, but prescribes punishments only for sex trafficking; prescribed penalties range from two years' to life imprisonment and are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 262 of Madagascar's labor code criminalizes labor trafficking, for which it prescribes insufficiently stringent penalties of one to three years' imprisonment. Decree 2007-563 prescribes insufficiently stringent punishments of up to two years' imprisonment for various forms of child trafficking, including prostitution, domestic servitude, and forced labor. During the reporting period, the National Police's Morals and Minors Brigade investigated 70 cases related to trafficking and exploitative child labor offenses. The *de facto* government initiated 30 prosecutions; it is unclear how many of these cases were completed and how many remained pending at the close of the reporting period. In one highly-publicized case, an Antananarivo court convicted an owner of a nightclub, a French national, and a Malagasy staff member for "corruption of minors" and "incitement to debauchery" for facilitating child prostitution and sentenced them to five years in prison; the French national was later expelled from the country after serving an unconfirmed period of time in prison. The vast majority of these prosecutions were not brought under the

2007 anti-trafficking law, but instead, under various other provisions of the penal code; this is the result of a continued lack of familiarity of law enforcement and judicial authorities with the relatively new anti-trafficking law. In a separate case, law enforcement officials investigated the head of a labor recruitment agency and charged the individual with complicity in human trafficking under the country's anti-trafficking legislation for the alleged recruitment of a Malagasy woman who was subsequently subjected to forced labor in Lebanon; however, charges were later dropped.

Public officials' complicity in human trafficking remained a significant problem. Reports indicate that various government officials purchased sexual services from children in Antananarivo and Nosy Be. Corrupt police permitted child prostitution rings to operate, particularly in Nosy Be. During the reporting period, there was a significant increase in the number of recruitment agencies in Madagascar, which reportedly engage in falsifying identity documents and sending domestic workers to Lebanon, despite an official ban on such emigration since 2009. The Ministry of Labor and Civil Service is responsible for regulating recruitment agencies and approving the emigration of each worker, which suggests that ministry officials are likely complicit in this illegal activity. Despite these reports, the *de facto* government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses.

Protection

The *de facto* government made negligible efforts to protect victims. According to NGO reports, more than 700 Malagasy workers in Lebanon and approximately 50 from Kuwait and Saudi Arabia awaited repatriation at the close of the reporting period, some of whom are suspected to be victims of trafficking. For a fourth consecutive year, the *de facto* government did not engage the Government of Lebanon regarding the protection of and legal remedies for exploited Malagasy workers; in addition, it did not open discussions with any other Middle Eastern government regarding the abuse of Malagasy workers. Madagascar's honorary consul in Beirut failed to address the needs of Malagasy trafficking victims, refusing to advocate for victim protection or to launch investigations into allegations of abuse. When Malagasy trafficking victims were repatriated, the *de facto* government failed to provide them with resources or assistance; the vast majority arrived in Madagascar destitute and in need of psychological and medical services. The Malagasy Consulate in Cape Town assisted in the repatriation of three Malagasy men subjected to forced labor aboard a Chinese fishing boat off the coast of South Africa; these three men received services from an NGO upon their return to Madagascar, and it is unclear whether the consulate is making any attempt to rescue and repatriate other Malagasy men who remain in similar conditions.

The *de facto* government lacked procedures to proactively identify trafficking victims among vulnerable populations and did not systematically provide services or refer victims for care. The *de facto* government did not formally identify any trafficking victims during the year; NGOs reported providing services to 335 victims of trafficking, but indicated that this number only reflects a fraction of the trafficking victims in Madagascar. The *de facto* government did not operate any shelters for trafficking victims or provide support to NGO-run care facilities. The Ministry of Labor operated the Manjarisoa Center in Antananarivo, which offered services to 35 victims of exploitative child labor; it is unknown whether any of these children were trafficking victims. The Ministry of Population and Social Affairs, in collaboration with UNICEF, supported approximately 450 multi-sector networks covering 55 districts in 11 regions throughout the country to protect children from abuse and exploitation; it is unclear whether their work included combating trafficking. However, available services and facilities remain insufficient and are often nonexistent in areas beyond Antananarivo. NGOs provided counseling, legal services, and medical care to victims and referred them to government hospitals. There were no reports that the *de facto* government arrested or punished trafficking victims for unlawful acts committed as a direct result of being trafficked. There are no formal procedures in place to encourage victims to assist law enforcement in the prosecution of their traffickers; however, the police reported that some victims of sexual exploitation were active participants in the investigations of their alleged traffickers during the reporting period.

Prevention

The *de facto* government made negligible efforts to prevent trafficking during the reporting period. It failed to enforce its official ban on sending domestic workers to Lebanon, which has been in place since November 2009, and recruitment agencies continued to send workers directly to Lebanon or through alternative routes to circumvent the ban. The *de facto* government did not make an effort to improve its oversight of recruitment agencies and may support such agencies' illicit activities. Government officials denied reports of exploitation of Malagasy workers abroad and repeatedly encouraged young women to pursue jobs in domestic service overseas; a television station owned by the *de facto* president aired a report claiming that domestic employees working abroad were not mistreated and suggested that those who were must have encouraged the abuse. In February 2013, in response to an increase in complaints regarding the treatment of migrant workers, the Ministry of Labor and Civil Service announced a one-month ban on sending domestic workers abroad to certain countries, including Kuwait, Saudi Arabia, Jordan, and Seychelles; however, the ministry signed "special derogations," which allowed some domestic workers to continue to migrate to these countries during the ban. Similar "special derogation" documents were also used to circumvent the ban on sending domestic workers to Lebanon during the reporting period; border police are not authorized to prevent anyone with these documents from leaving the country.

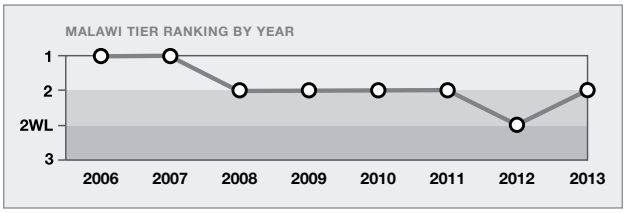
During the reporting period, the National Committee on Trafficking, led by the Ministry of Justice, convened on an informal basis. In December 2012, members of the committee held a workshop in partnership with the UN to draft new anti-trafficking legislation to clarify the definition of trafficking and increase protection for child victims of sexual exploitation, forced marriage, and forced labor. The *de facto* government announced the creation of various inter-ministerial committees to combat specific trafficking in persons issues in Madagascar; to date, no concrete results have been reported from any of these committees, and they have not received budgets to operate. The *de facto* government did not make any discernible efforts to reduce the demand for forced labor during the reporting period. The Ministry of Tourism and the Ministry of Population worked with ILO and other stakeholders to develop an action plan and code of conduct to combat sexual exploitation of children for commercial purposes and participated in awareness-raising efforts to reduce child sex tourism; however, these efforts were

funded entirely by NGOs and international organizations, and the *de facto* government did not take any additional steps to reduce the increasing demand for commercial sex acts during the reporting period.

MALAWI (Tier 2)

Malawi is a source country for men, women, and children subjected to forced labor and sex trafficking. To a lesser extent, Malawi is also a destination country for men, women, and children from Zambia, Mozambique, and Tanzania and a transit point for people from these same countries who are subjected to sex and labor trafficking in South Africa. Most Malawian trafficking victims are exploited within the country, though Malawian victims of sex and labor trafficking have also been identified in South Africa, Zambia, Mozambique, Tanzania, and Europe. Within the country, children are subjected to forced labor in domestic service, goat and cattle herding, agriculture (tobacco, tea, coffee, and sugar plantations), begging, small businesses, and are coerced to commit crimes, including home robberies. One-third of Malawian children are involved in labor activities; the majority of cases of child labor outside of the family involve fraudulent recruitment and physical or sexual abuse, conditions indicative of forced labor. Adult tenant farmers are vulnerable to exploitation, as they incur debts to landowners and may not receive payment in times of poor harvest. Brothel owners or other facilitators lure girls—including primary school children—from rural areas with promises of clothing and lodging, for which they are later charged high fees, resulting in prostitution coerced through debts in Malawi or neighboring countries. In other instances, young girls are drugged, gang-raped, and placed in the sex trade. Some girls recruited for domestic service are forced to marry and subsequently forced into prostitution by their "husbands;" in 2012, two girls from Mangochi were promised employment in South Africa, but upon arrival were forced to marry a Zimbabwean man who then forced them into prostitution in a brothel. Nigerian and Tanzanian women force Malawian women and girls into prostitution in Malawi, and Nigerian syndicates are also involved in the sex trafficking of Malawians to South Africa, Germany, the Netherlands, the United Kingdom, Thailand, and Brazil. Anecdotal reports indicate South Asian adults and children are forced to work in hotels, shops, bakeries, and in the construction sector in Malawi or transit Malawi *en route* to potential exploitation in South Africa. Migrants from the Great Lakes region and the Horn of Africa may become labor trafficking victims in Malawi or in South Africa.

The Government of Malawi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the Malawi Police Service (MPS) provided its first formal report of law enforcement data, from eight districts, which highlighted the government's conviction of 13 trafficking offenders, the majority of whom were sentenced to significant terms of imprisonment. In addition, the government, often in partnership with NGOs, identified at least 135 trafficking victims. However, the government failed to make systematic efforts to combat trafficking, especially in its protection of victims. It also failed to finalize and pass anti-trafficking legislation drafted in 2009 or to train independently law enforcement officials during the year. The government continued to rely on international organizations and NGOs to fund and implement most anti-trafficking programs, and district-level staff active on trafficking received little supervision or guidance from national coordinating bodies.



Recommendations for Malawi: Prosecute vigorously both sex and labor trafficking offenses; ensure adequate sentencing of convicted trafficking offenders, including the increased imposition of prison sentences rather than fines; investigate and prosecute complicit officials; expand training programs for judges, prosecutors, labor inspectors, and police on identification, investigation, and prosecution of trafficking offenses under existing laws; improve the collection of national prosecution and protection data; develop a formal system to identify trafficking victims, especially among vulnerable populations, and to refer them to available services; increase the availability of accommodations and protection services for victims through financial or material support to NGOs for expansion of direct service provision; improve national-level coordination of anti-trafficking efforts across all districts; and launch anti-trafficking public awareness campaigns.

Prosecution

The Government of Malawi increased its anti-trafficking law enforcement efforts during the year, with 10 of 13 convicted trafficking offenders receiving jail terms—an improvement from three out of four convicted offenders receiving fines in 2011. However, these 10 convictions occurred in only two districts—Dedza and Phalombe—signaling the need to increase law enforcement efforts and training of police and magistrates country-wide. In addition, in 2012, the MPS provided its first-ever formal report of anti-trafficking case data, including data collected from eight of 28 districts. Malawi prohibits all forms of trafficking through various laws, including the Employment Act and Articles 135 through 147 and 257 through 269 of the penal code, which criminalizes forced labor and forced prostitution, although it does not define child sex trafficking in accordance with international law. The penalties prescribed under these various statutes range from small fines to 14 years' imprisonment; these penalties are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. In 2012, the government began development of implementation guidelines for the Child Care, Protection, and Justice Act of 2010, which prohibits child trafficking, although fails to define it, and prescribes more than sufficiently stringent penalties of up to life imprisonment. Efforts to complete comprehensive anti-trafficking legislation continued with drafts circulating between the Cabinet and Ministry of Justice for technical edits.

The majority of trafficking offenders convicted during the year—eight of 13—were charged under the child trafficking provision of the Child Care, Protection, and Justice Act; however, the government sentenced seven of these convicted offenders to 18 months' imprisonment, well below the provision's prescribed maximum penalty of life imprisonment. Three other offenders were charged and convicted of kidnapping under article 257

of the penal code; in these cases, magistrates applied stiffer penalties of two to five years' imprisonment. Of the remaining cases, two offenders received paltry fines, and one received a suspended sentence, serving no time in jail. Reports indicated that labor trafficking offenders were not prosecuted for a first offense. Poor record management, however, made it difficult to track habitual offenders. In addition, the government made little effort to investigate or prosecute potential sex trafficking offenses during the year. The government partnered with Zambian and Mozambican authorities in several forced labor investigations; in one case, a convicted Mozambican offender was sentenced to five years' imprisonment after attempting to bring three Malawian children into Mozambique for work on tobacco farms.

In January 2013, the Immigration Department began training 317 new immigration officers; its institutionalized curriculum was revised during the year to include international trafficking frameworks, identification of traffickers, and assistance to victims. Although the MPS and the Ministry of Labor acknowledged the need for increased training of their staffs, especially on existing laws, the government failed to systematically train or institutionalize trafficking-specific trainings during the year. However, 1,200 police recruits received some basic training on child trafficking as part of broader trainings on child protection. In October 2012, Malawian officials hosted donor-funded anti-trafficking trainings at government facilities, reaching 115 magistrates, judges, prosecutors, and police in Lilongwe and 25 officials in Mchinji. The government did not investigate or prosecute government employees who were allegedly complicit in trafficking or trafficking-related crimes, including low-level police and immigration officials who facilitated illegal border crossings.

Protection

The Government of Malawi sustained minimal efforts to provide protection to trafficking victims during the year. It relied largely on NGOs to identify victims and provide long-term care. In addition, the government failed to develop or employ systematic procedures for the proactive identification of victims and their referral to care. The government funded one drop-in center (the social rehabilitation center in Lilongwe) that offered counseling and assistance for victims of trafficking and gender-based violence; it is unknown whether the center provided such services to trafficking victims during the year. More than 300 police stations at the sub-district level housed victim support units (VSUs) to respond to gender-based violence and trafficking crimes; however, the VSUs lacked capacity to respond adequately, providing only limited counseling and, in some districts, temporary shelter to victims. As a result of the minimal capacity of the VSUs, some district staff used their personal funds or opened their offices to temporarily shelter victims or acquired donor payment for hotel stays. Government-run hospitals provided limited access to medical and psychological services; however, there is no evidence trafficking victims received such care in 2012. District social welfare and child protection officers referred an unknown number of victims to NGO-run facilities that served vulnerable children and youth; however, the government did not provide material or financial support for these NGO services.

The national government did not provide data on the number of victims it identified, referred, or assisted during the reporting period; however, detailed case information provided by the MPS and district-level officials indicates that the government, often in partnership with NGOs, identified at least 135 trafficking victims. Police, district-level social welfare officers, and child protection officers cooperated with local NGOs that coordinated and funded the rescue and care of trafficking victims; for example, in Mchinji, an NGO shelter accommodated and assisted in the return of 101 child trafficking victims to their home communities during the year, some of which were identified in partnership with or referred by district-level staff. The district social welfare office in Lilongwe—through the aforementioned social rehabilitation center—provided office space to an NGO that provided counseling to child sex trafficking victims and coordinated awareness campaigns. Despite these efforts in some districts, a 2011 NGO baseline survey of six districts reported that 73 percent of victims did not receive any services after their rescue. The lack of adequate and longer-term assistance leaves victims vulnerable to re-trafficking; at least one such case was documented during the year. The government did not provide foreign victims with temporary residency or other legal alternatives to their removal to countries where they would face hardship or retribution. The government reportedly encouraged victims' participation in the investigation and prosecution of trafficking crimes, though there is no evidence this occurred in 2012. Law enforcement, however, generally treated persons in prostitution—including children—as criminals, rather than the pimps or clients, making sex trafficking victims vulnerable to arrest; subsequent to their arrest, some police coerced them into sex acts by threatening them with charges. As it failed to screen vulnerable populations, including illegal migrants and children involved in crime, in order to identify trafficking victims, the government was unable to ensure victims were not arrested and penalized for crimes committed as a result of their trafficking.

Prevention

The government made minimal efforts to prevent human trafficking during the year. The majority of public awareness campaigns were coordinated at the district level with NGOs partners; national-level coordinating bodies played a negligible role, failing to organize awareness activities or finalize the national plan of action drafted in 2010. The newly reorganized Child Protection Technical Working Group included combating trafficking within its broader work of coordinating efforts on child protection, but failed to make any specific anti-trafficking efforts during the year. The Malawi Network Against Child Trafficking, which is comprised of government representatives, NGOs, and religious leaders, met only once in 2012, a decrease from quarterly meetings in 2011. Government officials participated in NGO-sponsored panel discussions on human trafficking, which were broadcast on national radio. In 2012, the government conducted 1,750 labor inspections; however, details on child labor violations or children removed from worksites were not made available. State-owned radio continued weekly broadcasts on child labor and human trafficking led by an NGO. The government did not make efforts to reduce the demand for commercial sex acts during the year, and made no efforts to address child sex tourism. In partnership with a foreign donor, it provided Malawian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

MALAYSIA (Tier 2 Watch List)

Malaysia is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to conditions of forced labor and women and children subjected to sex trafficking. The overwhelming majority of trafficking victims are among the estimated two million documented and two million or more undocumented foreign workers in Malaysia. They typically migrate willingly to Malaysia from countries including Indonesia, Nepal, India, Thailand, China, the Philippines, Burma, Cambodia, Laos, Bangladesh, Pakistan, and Vietnam in search of greater economic opportunities. Some of them subsequently encounter forced labor or debt bondage at the hands of their employers, employment agents, or informal labor recruiters. A significant number of young foreign women are recruited ostensibly for legal work in Malaysian restaurants and hotels, but subsequently are coerced into the commercial sex trade. Many Malaysian recruitment companies, known as labor outsourcing companies, recruit workers from India, Vietnam, and other countries, some of whom are subjected to conditions of forced labor by employers. Contractor-based labor arrangements of this type—in which the worker may be technically employed by the recruiting company—create vulnerabilities for workers whose day-to-day employers were generally without legal responsibility for exploitative practices. In some cases, foreign workers' vulnerability to exploitation is heightened when employers neglected to obtain proper documentation for workers or employed workers in sectors other than that for which they were granted an employment visa. A complex system of recruitment and contracting fees, often deducted from workers' wages, makes workers vulnerable to debt bondage. A new Malaysian government policy to place the burden of paying immigration and employment authorization fees on foreign workers increased this risk.

There were cases of Vietnamese women and girls who entered into brokered marriages in Malaysia and were subsequently forced into prostitution. While many of Malaysia's trafficking offenders are individual businesspeople, large organized crime syndicates are also behind trafficking. During the year, there were NGO reports of Ugandan women, as well as women from Nigeria, Ghana, Zimbabwe, and Macau, fraudulently recruited to Malaysia for ostensibly legitimate work but forced into prostitution upon arrival. Nigerian, and possibly Ugandan, syndicates transport African victims between China and Malaysia, and use threats of physical harm, to victims and their families to coerce them into prostitution. Some victims of forced labor on Thai fishing boats, including Cambodian and Burmese men, reportedly escaped in Malaysian territory.

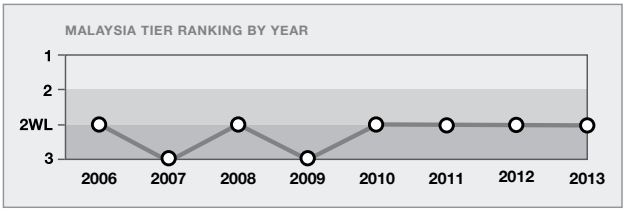
Many migrant workers on agricultural plantations, at construction sites, in textile factories, and in homes as domestic workers throughout Malaysia are subject to practices indicative of forced labor such as restrictions on movement, deceit and fraud in wages, passport confiscation, and imposition of significant debts at the hands of agents or employers. Passport confiscation remains widespread, particularly among domestic workers. Some employees reported that their employers exercised control over them by threatening to take a worker's passport to immigration authorities and alleging that the workers had breached the terms of their labor contracts, which could result in the revocation of the workers' visas and subsequent deportation. Some Malaysian employers reportedly withheld three to nine months' wages from foreign domestic workers in order to recoup recruitment agency fees and other debt bonds. In some cases, employers illegally withheld employee wages in escrow until completion of the contract, resulting in workers continuing to work for fear of not receiving financial compensation if they ceased to do so.

Forced labor, including debt bondage, occurred among domestic workers, and was also reported to occur on palm oil plantations. There are an estimated 184,000 foreign workers in domestic service in Malaysia registered with the government. NGOs estimate that an additional 200,000 migrant domestic workers are not formally registered; some domestic workers, both documented and undocumented, may be trafficking victims. The Government of Cambodia continued to ban women's emigration to Malaysia for domestic work; however, some women who migrated using tourist visas and some who had migrated prior to the imposition of the ban continued to be subjected to domestic servitude. Indonesian victims may transit Malaysia *en route* to Middle Eastern countries where they become victims of domestic servitude.

Refugees in Malaysia, including Rohingya men, women, and children from Burma and Bangladesh, lacked formal status or the ability to obtain work permits under Malaysian law, making them vulnerable to trafficking. Many had incurred large smuggling debts; exploitation of these debts after they reached Malaysia at times amounted to debt bondage. There were reports that children from refugee communities were subjected to forced begging. Stateless persons in Sabah—some of whom are unaccompanied children of Filipino and Indonesian migrant workers who have been deported—as well as refugees in this region were vulnerable to forced child labor and debt bondage. A small number of Malaysian citizens reportedly were trafficked internally and abroad to Singapore, China, Japan, Australia, and the United Kingdom for commercial sexual exploitation. One NGO observed an increase in the number of ethnic Malay girls who were subjected to sex trafficking during the year. There continued to be reports that some complicit officials facilitated trafficking, including by allowing the movement of vulnerable undocumented migrants across borders.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking. The government did not show evidence of overall increasing efforts to address human trafficking compared to the previous year; therefore, Malaysia is placed on Tier 2 Watch List for a fourth consecutive year. Malaysia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. During the year, the government made no tangible improvements to its inadequate system for identifying and protecting trafficking victims, such as amending its laws to allow victims to reside in NGO shelters. Rather, it continued to consign victims to substandard facilities and to restrict the access of NGOs which could provide additional services to victims. The government did not employ a victim-centered approach; this limited the success of its anti-trafficking law enforcement efforts and inflicted further harm on victims. Malaysia certified 444 victims in 2012. Malaysia increased the number of investigations, prosecutions, and convictions in labor trafficking cases, and prosecutors convicted 21 individuals for trafficking, more than in the previous year. Inadequate efforts to proactively

identify victims among vulnerable groups and front-line officials' inability to recognize indicators of human trafficking led to many victims remaining unidentified and vulnerable to detention and deportation.



Recommendations for Malaysia: Amend the anti-trafficking law to allow trafficking victims to travel, work, and reside outside government facilities, including while under protection orders; increase efforts to prosecute and punish trafficking offenders, particularly perpetrators of labor trafficking; apply stringent criminal penalties to those involved in fraudulent labor recruitment or forced labor; develop and implement procedures to identify labor trafficking victims, using internationally recognized indicators of forced labor among vulnerable groups such as migrant workers and refer them to available protection services; increase training for officials on the effective handling of sex and labor trafficking cases, with a particular emphasis on victim protection and the identification of labor trafficking victims; improve victim identification efforts to ensure that victims of trafficking are not threatened or punished for crimes committed as a result of being trafficked; encourage increased efforts by prosecutors to prepare victims for participation as witnesses in trafficking trials; consider funding specialized NGOs to provide victims in government facilities regular access to legal services and effective counseling in their native languages; ensure all victims are eligible for protective services within Malaysia, regardless of the likelihood their cases will go to trial; provide all victims legal alternatives to removal to countries in which they would face retribution or hardship; make greater efforts to educate migrant workers of their rights, legal recourses available, and remedies against traffickers or employers who fail to meet their legal obligations; enforce the law that prohibits employers from confiscating passports; increase transnational cooperation with other governments in the region on enforcing anti-trafficking laws; and increase efforts to investigate—and prosecute and punish, as appropriate—reports of public officials who may profit from trafficking or who may exploit victims.

Prosecution

The Government of Malaysia made modest overall progress in addressing human trafficking through law enforcement means during the reporting period, increasing efforts to investigate and prosecute trafficking offenders, notably in the area of labor trafficking, though convictions of sex trafficking offenders decreased. Malaysian law prohibits all forms of human trafficking through its 2008 Anti-Trafficking in Persons Act (amended), which prescribes penalties that are commensurate with those prescribed for other serious offenses, such as rape. In November 2010, the government enacted amendments to the law that broadened the definition of trafficking to include all actions involved in acquiring or maintaining the labor or services of a person through coercion.

During 2012, the government convicted 11 sex trafficking offenders and 10 labor trafficking offenders, an increase from the 17 sex trafficking convictions and zero labor trafficking convictions obtained in 2011. Police, immigration, and Labor Department officials investigated 190 suspected trafficking cases during the year, 66 of which were for labor trafficking, and initiated 63 prosecutions, 19 involving labor trafficking. This was a significant increase as compared to the prior year, in which a total of only 16 new prosecutions were initiated. Labor trafficking convictions secured during the year included a case of forced labor of seven Indonesian women and girls in a house-cleaning business and several cases in which domestic workers were subjected to forced labor along with, at times, physical abuse and other exploitative practices. The case initiated by the Labor Department in the previous reporting period against three proprietors of a media company suspected of labor trafficking was dismissed by the presiding judge. Most convicted trafficking offenders received significant prison sentences. Four offenders received prison sentences of 10 or more years, five received sentences ranging from five to nine years, and eight received sentences ranging from two to four years. The remaining four offenders received prison sentences of less than two years.

Poor government treatment of identified trafficking victims and the lack of victim protection or incentives for victim assistance in investigations and prosecutions remained a significant impediment to successful prosecutions. Prosecutors had little interaction with law enforcement officers or victims prior to trials; their lack of familiarity with victims' testimonies—often the primary source of evidence in trafficking cases—hindered their ability to obtain successful convictions. As in previous years, NGOs reported referring cases of alleged labor and sex trafficking to the government but in some instances authorities did not investigate these allegations. NGOs reported that the police and Labor Department officials often failed to investigate complaints of confiscation of passports and travel documents or withholding of wages—especially involving domestic workers—as possible trafficking offenses, and that front-line officers failed to recognize indicators of trafficking and in some cases treated these cases as immigration violations. Although the Labor Department designated 13 specialized enforcement officers for labor trafficking throughout the country, labor inspectors were not experienced in anti-trafficking procedures and officials often classified potential trafficking cases as routine labor disputes. Reports alleged that collusion between individual police officers and trafficking offenders led to offenders escaping arrest and punishment. However, there were no confirmed cases of Malaysian officials participating in or facilitating trafficking or trafficking-related crimes, and the Malaysian government took no known steps to prosecute or punish such individuals.

Protection

The government made no discernible progress in protecting victims of trafficking during the reporting period; modest improvements made in the previous year were not equaled this year and overall victim protection efforts continued to negatively affect victims. Victims identified by Malaysian authorities are adjudicated under an official protection order that triggers their forcible detention in government facilities, where they must remain for the period stipulated by the court. Most victims reportedly stayed in these facilities for three to six months, and some were detained for more than a year. Victims continued to be locked inside facilities, and were only

permitted to leave for hospital visits or court appearances under the custody of the police; male victims have limited freedom of movement inside facilities. Victims were provided limited, if any, access to legal or psychological assistance by the government or NGOs.

The Ministry of Women, Family, and Community Development continued to operate three facilities for women and child victims of trafficking. These facilities detained suspected and confirmed foreign trafficking victims for an average of three to six months (but in some cases much longer) until they were deported to their home countries, per Malaysian law. The government's anti-trafficking expenditures for the current reporting period are unknown, but it reported allocating the equivalent of approximately $300,000 to the Women's Ministry for anti-trafficking work in its 2013 budget. The Ministry of Home Affairs ran a similar facility for male victims of trafficking, which also detained suspected and confirmed trafficking victims. Despite the availability of NGO resources to serve trafficking victims, including through providing shelters that may provide a supportive environment to victims, the government only occasionally referred victims to NGO shelters for temporary assistance; as a policy, it confined certified victims in its own facilities where it lacked the physical and human resource capacity to accommodate them. NGO access to victims placed in government facilities was granted inconsistently, and some organizations able to serve victims' needs were not permitted to do so.

The majority of funding for government shelter facilities has gone toward extensive levels of security, which aim to protect victims from harm but may also deny them basic freedoms; in fact, shelters that prohibit victims from leaving are regarded by experts as posing a serious risk for re-traumatizing victims. Furthermore, the facilities did not employ medical officers or trained psychologists. Employees, assigned on a temporary basis, did not receive adequate, if any, training for working with trafficking victims or managing the facilities; a lack of interpretation services meant that some victims were unable to communicate with staff.

The government reported that individual law enforcement agencies followed standardized procedures for identifying, interviewing, and referring trafficking victims, but there was no evidence of the existence of formal procedures for the proactive identification of victims among vulnerable groups with whom authorities came in contact. The Labor Department continued to rely on workers to initiate a complaint of non-payment of wages before investigating a suspected trafficking case; it did not develop or implement procedures to identify internationally recognized indicators of forced labor, such as the confiscation of travel documents or the imposition of significant debts by employers or labor brokers. In 2012, 1,096 suspected victims, 444 of whom were certified as victims of trafficking, were confined in government facilities. The total number of victims certified is an increase from the 222 victims identified in 2011. Suspected victims' certification under a protection order was largely dependent on their ability to provide testimony in a case that could be prosecuted. Some foreign embassies sheltered victims directly, rather than transferring them to Malaysian facilities, to expedite their repatriation and protect them from detention during lengthy criminal proceedings. One NGO reported sheltering 263 domestic workers who experienced conditions indicative of trafficking—including passport confiscation, unpaid wages, and excessive work hours but they did not benefit from any government assistance. The government reportedly identified an unknown number of Malaysian victims who were exploited within the country during the year.

While the government reports it encouraged victims to assist in the prosecution of their traffickers, some victims sought immediate repatriation by their countries' embassies in Malaysia or by NGOs, rather than staying in Malaysia to testify, due to systemic disincentives such as long detentions in facilities during the sometimes lengthy court proceedings. Certified victims were not permitted to leave the country while they waited for trials to commence. The government did not provide any incentives such as work permits to victims for the duration of their traffickers' trials. Victims could theoretically file civil suits against traffickers, but as foreign victims were provided limited services, it remained prohibitively difficult for them to access this option. Victims typically were uninformed about the legal processes to which they were subjected, and the government did not make adequate efforts to inform the victims of why or for how long they were being detained. This situation increased hardship for victims, who often exhibited anxiety at not knowing when they would be allowed to leave. As noted during previous reporting periods, the government's policy of forcing trafficking victims into facilities continued to provide a disincentive for victims and their advocates to bring cases to the government's attention or to cooperate with authorities. Five male labor trafficking victims benefitted from the government's *ad hoc* granting of temporary work permits following the expiration of their protection order. This was a decrease from the 32 victims who were given this right in the previous reporting period; the government did not clarify how victims became eligible to receive the temporary work permits, though it had previously reported that only victims who had entered Malaysia legally, and whose safety was not guaranteed if they returned to their country of origin, would be eligible. NGOs expressed concerns that challenges in interagency coordination may make it difficult to extend temporary work permits to all eligible victims, and to date only male labor trafficking victims have been granted temporary visas.

Law enforcement officers and prosecutors did not receive sufficient training to work with victims, and poor investigation procedures did not take into account the best interests of victims. Victims were asked to recount their trafficking experience on numerous occasions to different officials. Although some NGOs reported good working relationships with individual law enforcement officers, the government's restrictive policies toward victims continued to create a barrier to systematic involvement of NGOs with expertise in providing victim care, and some NGOs continued to be barred from further assisting victims after they were confined to a government facility . Some NGOs reported that they sometimes did not refer victims to the police, as they believed doing so was detrimental to the welfare of the victims. The government provided only limited financial assistance to NGOs providing services to victims. The anti-trafficking law provided immunity to trafficking victims for immigration offenses such as illegal entry, unlawful presence, and possession of false travel documents, but victims whose cases did not result in a prosecution generally weren't granted a protection order and were transferred to immigration detention facilities for deportation. Some unidentified victims, particularly those whose documents had been confiscated by employers, continued to be detained, deported, or charged with immigration offenses.

Prevention

The Malaysian government continued efforts to prevent human trafficking during the reporting period. MAPO and its trafficking in persons Secretariat within the Home Ministry continued to meet monthly to coordinate the government's anti-trafficking response. As in previous years, NGOs reported varying degrees of inclusion in the government's anti-trafficking policymaking; some NGOs were formally affiliated with MAPO and others were not included in policy discussions related to their areas of expertise. The government's denial to a number of NGOs of regular access to its victim facilities hindered effective government-civil society collaboration to combat trafficking. A state-level anti-trafficking council (MAPMAS) in Selangor conducted independent anti-trafficking efforts in that state, though MAPO and MAPMAS did not coordinate their activities. The government continued an anti-trafficking public awareness campaign in print media, on the radio, and on television, about the dangers of both sex and labor trafficking. During the reporting year, there were over 5,500 public service announcements on trafficking in persons on national and state radio. The government did not punish any outsourcing companies for trafficking or trafficking-related activities during the year, but it initiated investigation of a labor recruiter for its alleged involvement in the forced labor of 63 women from Indonesia, Cambodia, and the Philippines in domestic service.

In January 2013, the government announced a new policy to require foreign workers to bear the costs of immigration and employment processing fees, which had previously been the employer's responsibility; this policy increases the likelihood that workers will be trapped in usurious debts to recruiters or loan sharks, placing them at even greater risk of debt bondage. In November 2012, the governments of Bangladesh and Malaysia signed a bilateral memorandum of understanding (MOU) to reinstate a formal labor migration channel which had been suspended since 2009 due to abuses of Bangladeshi workers in Malaysia. Given the entrenched role of unscrupulous recruitment companies in Bangladesh's export labor sector, it is unclear how the MOU will be implemented without the involvement of private recruiters. Existing agreements with Indonesia and the Philippines reportedly provide some protections for domestic workers from these countries. The Malaysian government did not finalize an MOU to govern Cambodian domestic workers employed in Malaysia, and a 2011 ban on Cambodian women's emigration to Malaysia for domestic work remained in effect. Although the confiscation of passports by employers of migrant workers is illegal, the government did not prosecute any employers who confiscated passports or travel documents of migrant workers or confined them to the workplace. In March 2012, a migrant worker who won an administrative complaint filed against his former employer for unfair labor practices was granted a temporary permit to work in Malaysia during the remainder of his proceedings; this is not typically possible for migrant workers, whose authorization is linked to a particular employer. Domestic workers are excluded from a number of protections in Malaysian labor law.

While authorities continued some anti-trafficking training for officials with responsibilities to combat trafficking, including training conducted through cooperation with foreign donors, international organizations, and NGOs, the lack of understanding of human trafficking by many Malaysian front-line government officials, such as police, immigration, and labor officials, continued to hinder the identification and proper investigation of trafficking cases and identification and assistance to trafficking victims. The government did not take measures to reduce the demand for forced labor or commercial sex acts. The government provided anti-trafficking training to Malaysian troops prior to their deployment abroad on international peacekeeping missions.

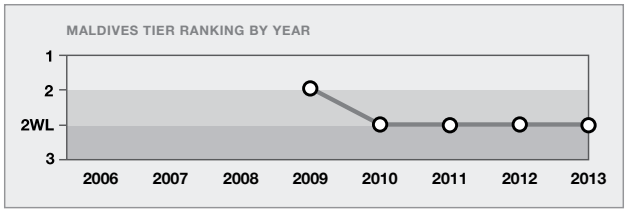
MALDIVES (Tier 2 Watch List)

Maldives is a destination country for men, women, and children subjected to forced labor and sex trafficking and a source country for Maldivian children subjected to human trafficking within the country. An unknown number of the approximate 150,000 documented and undocumented foreign workers in Maldives—primarily Bangladeshi and Indian men in the construction and service sectors—face conditions of forced labor: fraudulent recruitment, confiscation of identity and travel documents, withholding or nonpayment of wages, and debt bondage. Migrant workers pay the equivalent of approximately $1,000 to $4,000 in recruitment fees in order to migrate to Maldives, contributing to their risk of debt bondage inside the country. In addition to Bangladeshis and Indians, some migrants from Sri Lanka, Pakistan, and Nepal reportedly experienced recruitment fraud before arriving in Maldives. Recruitment agents in source countries collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labor of migrant workers.

A small number of women from Sri Lanka, Thailand, India, China, the Philippines, Eastern Europe, and former Soviet countries, as well as some girls from Bangladesh and Maldives, are subjected to sex trafficking in Male, the capital. Some underage Maldivian children are transported to Male from other islands for forced domestic service and some of whom are also reportedly subjected to sexual abuse.

The Government of Maldives does not fully comply with the minimum standards for the elimination of trafficking. The government has not demonstrated evidence of increasing efforts to address human trafficking over the previous year; therefore, Maldives is placed on Tier 2 Watch List for a fourth consecutive year. Maldives was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking. The government is also devoting sufficient resources to implement that plan. The government continued to lack systematic procedures to identify victims of trafficking among vulnerable populations and failed to refer those victims to protective services. Although the government reported it prosecuted some sex trafficking cases, the government did not take concrete actions to protect trafficking victims and prevent trafficking in Maldives; instead, the government penalized some trafficking victims for offenses committed as a result of being trafficked. A senior government official and an official from the Human Rights Commission of the Maldives have asserted that the government's efforts to fight trafficking have been ineffective and that numerous proposed actions remained unimplemented. Government officials continued to conflate human trafficking with human smuggling and the presence of undocumented migrants in Maldives and most actions promoted by the Government of Maldives as anti-trafficking efforts involve measures to reduce

undocumented labor migration rather than measures to address the serious problem of involuntary servitude.



Recommendations for the Maldives: Pass and enact legislation prohibiting and punishing all forms of trafficking in persons; clearly distinguish between human trafficking, human smuggling and the presence of undocumented migrants in legislation, policies, and programs; develop and implement systematic procedures for government officials to proactively identify victims of trafficking among vulnerable groups, such as undocumented migrants and females in prostitution; ensure that trafficking victims are not penalized for acts committed as a result of being trafficked; increase efforts to investigate and prosecute suspected trafficking offenses respecting due process; work to ensure that identified victims of trafficking are provided access to victim services; enforce prohibitions of passport retention by employers; raise public awareness of human trafficking through media campaigns; provide translators to police and other law enforcement authorities to ensure foreign workers are able to participate in investigations and prosecutions against their alleged traffickers; improve inter-ministerial coordination on human trafficking issues; ensure that changes to labor migration policies for the purpose of reducing human trafficking do not restrict legal migration; take steps to ensure that employers and labor brokers do not abuse labor recruitment or sponsorship processes in order to subject migrant workers to forced labor; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Maldives made minimal anti-trafficking law enforcement efforts during the year. Maldives does not have laws prohibiting all human trafficking offenses. The Employment Act of 2009 prohibits, but does not penalize, most forms of forced labor. The Child Sex Abuse Act (2009) criminalizes the prostitution of children with a penalty of up to 25 years' imprisonment for violations. However, Article 14 of the act provides that, if a person is legally married to a child under Islamic *Sharia*, none of the offenses specified in the legislation, including child prostitution, would be considered a crime. During the reporting period, the government drafted an anti-trafficking law and introduced it into the legislature in December. The government reported investigating four and prosecuting two sex trafficking cases in 2012, compared to no prosecutions recorded in 2011. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. The absence of government translators prevented foreign trafficking victims from pursuing recourse through the Maldivian legal system.

Protection

The Maldivian government made minimal efforts to protect trafficking victims during the reporting period. The government did not develop or implement formal procedures for proactively identifying victims or referring victims to protective services. The government did not provide access to services, such as shelter, counseling, medical care, or legal aid, to foreign or Maldivian victims of trafficking. However, in December 2012, the Ministry of Gender, Family, and Human Rights (MGFHR) received approval to expand an existing shelter to include services for male and female trafficking victims; the shelter was not operational during the reporting period. The government identified four Thai women and three Maldivian girls subjected to sex trafficking in 2012. The Thai consulate in Maldives arranged accommodation for one woman, and the other three Thai women were provided temporary accommodation by the Maldivian government prior to their return to Thailand. Due to a lack of comprehensive victim identification procedures, trafficking victims may have been inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. The government deported undocumented immigrants detained in law enforcement operations without screening the immigrants for indications of human trafficking; some of these immigrants subsequently were identified by a civil society group as trafficking victims. From March to December 2012, the government arrested, imprisoned, and deported 29 foreign females for prostitution at beauty salons without first identifying whether they were sex trafficking victims. The government did not provide foreign victims with legal alternatives to their removal to countries where they might face hardship or retribution. Authorities did not encourage victims to participate in the investigation or prosecution of trafficking offenders. Police officers reported that suspected trafficking victims were fearful of being arrested or deported by the police.

Prevention

Maldives made little progress in preventing human trafficking during the year. In March 2013, the government approved an anti-trafficking plan for 2012-13. The MGFHR—which has responsibility for human trafficking—formed an anti-trafficking steering committee in May 2012, charged with facilitating communication across the government and ensuring implementation of the action plan; the committee met three times during the reporting period. Despite this, the government continued to experience poor inter-ministerial coordination on trafficking issues. The MGFHR established an anti-trafficking unit in February 2013 to serve as the national coordination mechanism for anti-trafficking efforts, including handling trafficking cases and facilitating victim protection; a deputy minister and permanent secretary serve as focal points. The unit has a 24-hour hotline and is staffed by 10 government officials, but is limited by a lack of translators. Government officials continued to conflate human trafficking with human smuggling and the presence of undocumented migrants in Maldives. There was no information about the status of an anti-trafficking and anti-smuggling unit that was established in January 2012 and noted in the 2012 TIP Report. In April 2012, the Department of Immigration and Emigration provided the equivalent of approximately $2,500 in in-kind contributions to support a two-day conference organized by an international organization. The Foreign Ministry launched an awareness-raising campaign on human trafficking in the reporting period. The National Linguistic Academy also approved a new Dhivehi word for human trafficking to help promote awareness of the crime.

Police continued to blacklist Maldivian recruitment agencies who engaged in fraud and forgery, and three of these blacklisted companies were fined in the reporting period. Although an

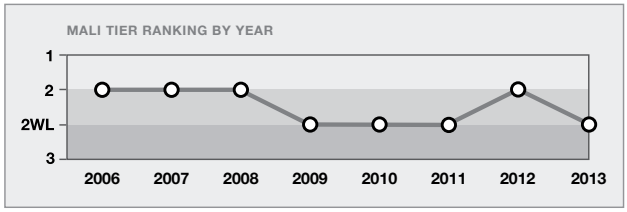
investigative unit responsible for recruitment agency oversight was established in April 2011, no labor recruiter or agency was criminally prosecuted for fraudulent recruitment practices. Furthermore, there was no information as to whether the "blacklists" were effective and enforced. A government official noted that the Government of Maldives had not meaningfully addressed the role Maldivian recruitment agents play in facilitating human trafficking. The Labor Relations Authority continued to distribute leaflets on workers' rights in languages spoken by migrant workers in Maldives. In November 2012, the government announced a new moratorium on foreign workers for unskilled jobs in Maldives, a move which was intended to address the vulnerability of unemployed migrant workers to trafficking but may contribute to undocumented migration. In continuation of a program which began in 2009, the government repatriated a few thousand undocumented workers, some of whom may have been trafficking victims. The government launched a program in August 2012 which registered hundreds of undocumented migrant workers; both documented and undocumented workers in Maldives are vulnerable to human trafficking. The government did not report any efforts to reduce the demand for commercial sex acts during the year. Maldives is not a party to the 2000 UN TIP Protocol.

MALI (Tier 2 Watch List)

Mali is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within Mali, women and girls are forced into domestic servitude, agricultural labor, and support roles in artisanal gold mines, as well as subjected to sex trafficking. Malian boys are found in conditions of forced labor in agriculture, artisanal gold mines, and the informal commercial sector; boys from Guinea and Burkina Faso are also found in forced labor in artisanal gold mines in Mali. Adult men and boys, primarily of Songhai ethnicity, are subjected to a longstanding practice of debt bondage in the salt mines of Taoudenni in northern Mali. Some members of Mali's black Tamachek community are subjected to traditional slavery-related practices rooted in hereditary master-slave relationships; this involuntary servitude reportedly has extended to their children. Boys from Mali, Guinea, Burkina Faso, Niger, and other countries are forced into begging and other types of forced labor or service by corrupt *marabouts* (religious teachers), within Mali and in neighboring countries. Reports indicate that Malian children are transported to Senegal and Guinea for forced labor in gold mines, and to Cote d'Ivoire for forced labor on cotton and cocoa farms. Women and girls from other West African countries are subjected to prostitution in Mali. Malians and other Africans—who travel through Mali to Mauritania, Algeria, or Libya in hopes of reaching Europe—are at risk of becoming victims of human trafficking. Malian girls and women are trafficked to Gabon, Libya, Lebanon, and Tunisia for commercial sexual exploitation.

Early in 2012, extremist and terrorist groups invaded and occupied the northern region of Mali; throughout the reporting period, the Malian government had no effective presence in the occupied region of the country. There have been reports that non-governmental armed groups operating in the north recruited children on a large scale. These children were used as combatants, as well as cooks, porters, guards, and spies. While the majority of children associated with armed groups are boys, reports indicate that girls may also recruited and later forced to serve as sex slaves. In areas occupied by armed groups, women and girls were also subjected to forced marriage to members of armed groups who forced parents to relinquish their daughters, sometimes paying a sum of money, and subsequently taking the women to be raped by fellow combatants. There is at least one confirmed report of forced recruitment of adults; lack of access to the region has prevented NGOs and international organizations from verifying additional cases.

The Government of Mali does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The country underwent an unconstitutional change in government at the beginning of the reporting period. During the year, the elected legislature continued to function; it enacted a comprehensive anti-trafficking law prepared by the previous government and identified and referred 81 victims of trafficking to NGO services. Despite these efforts, the regime did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous year; therefore, Mali is placed on Tier 2 Watch List. The government failed to prosecute or convict any trafficking offenders, did not provide any direct services to trafficking victims, and did not make any tangible prevention efforts. After the coup, foreign donors reduced assistance pending Mali's transition to an elected government. Citing this lack of resources, the interim government reduced some ongoing protection and prevention activities and it did not have the capacity to expand these efforts.



Recommendations for Mali: Re-establish government capabilities to investigate and prosecute trafficking offenses, particularly cases of traditional slavery and forced prostitution, and convict and punish trafficking offenders; investigate and, as appropriate, prosecute trafficking offenses involving women and girls brought into and through the country for forced or child prostitution; train law enforcement officials, particularly those to be deployed to the north, to identify trafficking victims among vulnerable populations, such as women in prostitution and those in traditional slavery, and refer them to protective services; with international assistance, develop and implement programs for the disarmament, demobilization, and re-integration of former combatants that take into account the specific needs of child ex-combatants; improve data collection on trafficking crimes and the number of victims identified and referred by government authorities to service providers for care; empower the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices in order to effectively implement the national action plan; and increase efforts to raise public awareness about human trafficking.

Prosecution

The Government of Mali decreased anti-trafficking law enforcement efforts during the year. The interim government passed a comprehensive anti-trafficking law, Law 2012-023

Relating to the Combat against Trafficking in Persons and Similar Practices, drafted by the previous government, which prohibits all forms of trafficking in adults and children. The law prescribes penalties of five to 10 years' imprisonment, and a maximum of 20 years' imprisonment for cases involving aggravating circumstances; these penalties are sufficiently stringent and commensurate with those for other serious crimes, such as rape. This law defines trafficking to include "slavery or analogous practices to slavery," which filled a gap in pre-existing Malian laws that did not adequately address the issue of hereditary slavery. Despite this legislative achievement, authorities only investigated and apprehended six alleged trafficking offenders for crimes related to forced artisanal mining and child sex tourism. While these suspects remain in custody, the government did not commence any prosecutions during the reporting period; this represents a significant decrease from 2011, during which the government reported 24 investigations, 11 prosecutions, and seven convictions for trafficking-related offenses. Twelve prosecutions from 2011, involving trafficking of children to work in artisanal gold mines, remained pending during the reporting period, and the defendants remained in pre-trial detention. During the year, the government was unable to re-establish basic government services, rule of law, or a functioning court system in the north. At least three pending criminal cases of traditional slavery, prevalent in the north, that have been stalled in courts for more than four years continued to go unaddressed. Additionally, seven civil lawsuits filed by trafficking victims and the parents of child victims of hereditary slavery in Ansongo and Menaka have not been heard due to a shutdown of courts in the north. The government provided no anti-trafficking training to its officials. It did not report the investigation or prosecution of government officials for complicity in trafficking-related offenses during the reporting period; however, general corruption is pervasive throughout the security forces and judiciary.

Protection

The Government of Mali sustained modest efforts to protect trafficking victims during the year. Its officials and NGO partners identified 81 trafficking victims, all of them children, who were referred to NGOs for services. The vast majority of the victims were initially identified by police, *gendarmes*, border control officers, or regional officials of the Ministry for the Promotion of Women, Children, and the Family. The government and NGOs also identified 137 child combatants during the reporting period. Government health care centers assisted the child trafficking victims before returning them to their families. The government does not have formal written procedures in place to identify potential victims of trafficking among vulnerable populations; however, border patrol officials systematically stopped suspected transnational trafficking attempts on at least three separate occasions, resulting in the rescue of 39 Burkinabe children in the city of Kayes. Additionally, police conducted age checks at brothels to ensure that all individuals engaging in prostitution were of adult age; no children were identified by police during the reporting period.

Despite increasing reports of large numbers of children forced to labor in artisanal gold mines within Mali, the government continued to cite a lack of personnel and resources as reasons for its inability to adequately identify and rescue victims in this sector. The government previously operated regional welcome centers through which government officials provided basic support to trafficking victims before referring them to NGO-operated shelters or other forms of care. After the *coup d'etat*, the government ceased the operation of these centers, claiming a lack of funding. It did not directly offer shelter or other services to victims, but actively referred them to NGOs for medical assistance, shelter, counseling, repatriation, and financial assistance. The government did not have a presence to report identifying or assisting any victims of traditional slavery in areas where these practices are prevalent. There were no reports that trafficking victims were penalized for unlawful acts committed as a result of being trafficked, though the problems with victim identification make this likely. Some adult female trafficking victims assisted with the identification and investigation of their alleged Nigerian traffickers, leading to their prosecution in Nigerian courts during the reporting period.

Prevention

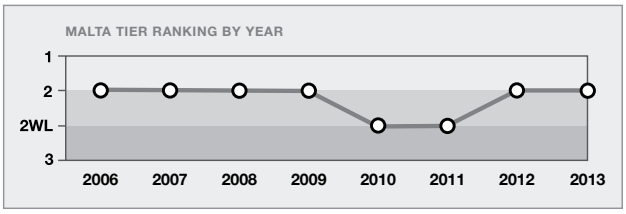
The Government of Mali demonstrated decreased efforts to prevent trafficking during the last year. It did not conduct any awareness-raising campaigns, workshops, or training efforts during the reporting period. Although the new anti-trafficking law included a national action plan, the plan was not implemented due to a lack of funding. The National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices, which is charged with coordinating government anti-trafficking efforts, did not meet regularly and was not provided an adequate budget to operate effectively. The government made no tangible efforts to decrease the demand for forced labor or commercial sex acts in Mali during the reporting period. Although Mali is not believed to be a popular destination for child sex tourism, the government identified only two cases of suspected child sex tourists during the reporting period.

MALTA (Tier 2)

Malta is a source and destination country for women and children subjected to sex trafficking. Female sex trafficking victims originate from China, Romania, Russia, and Ukraine; women and children from Malta have also been found subjected to sex trafficking within the country. While there have been known cases of trafficking of children in Malta in the recent past, no new cases were documented in the reporting period. Forced labor victims originate from China and the Philippines. The approximately 5,000 irregular African migrants from African countries currently residing in Malta may be vulnerable to human trafficking in the country's informal labor market. Female Filipina domestic workers and female Chinese nationals working in massage parlors represent populations vulnerable to exploitation.

The Government of Malta does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government issued identification guidelines and started to coordinate intergovernmental agreements on referring victims to care, it lacked a formal referral mechanism during the year, which impaired the government's ability to ensure that trafficking victims were recognized and provided care. Furthermore, while the government continued to identify victims, including one victim of internal trafficking, it did not identify any child victims. The police conducted

more trafficking investigations, yet the government did not convict any trafficking offenders throughout the year. Maltese authorities, with U.S. government assistance, began training police and judges working on trafficking cases, although overall training remained insufficient. The government significantly increased its budget for anti-trafficking programs and funded more training for social workers, psychologists, and other public officials. The government began developing a public awareness campaign, but it was not launched during the reporting period.



Recommendations for Malta: Strengthen efforts to identify trafficking victims proactively among vulnerable populations, particularly migrants, children, and women in prostitution; ensure implementation of formal standard operating procedures for victim referral; increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; continue to ensure that convicted trafficking offenders, including any officials convicted of complicity in trafficking, receive adequate punishment, including time in prison; involve NGOs and religious organizations in the development of anti-trafficking policies and procedures; publicize the support hotline more broadly as an anti-trafficking hotline; finalize and launch a public awareness campaign; ensure that victims of trafficking are not punished for acts committed as a direct result of trafficking; ensure that potential trafficking victims are not deported prior to the investigation of their trafficking cases; and establish partnerships with international organizations and NGOs in relevant source countries, as appropriate, to ensure safe and voluntary repatriation for foreign victims.

Prosecution

The Government of Malta demonstrated modest progress in its law enforcement efforts to address human trafficking during the reporting period. Article 248A-E of Malta's criminal code prohibits all forms of trafficking in persons and prescribes punishments of two to nine years' imprisonment. These prescribed penalties are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The government investigated seven new trafficking cases during the year, an increase from three cases in 2011 and no cases in 2008-2010. During the reporting period, there were two offenders prosecuted, for both sex and labor trafficking; the cases were pending before the courts at the close of the reporting period. There were no convictions in the reporting period, whereas a court convicted one trafficking offender in March 2012. The prosecution of a police officer for alleged involvement with the trafficking offender convicted in 2011 remained pending due to an appeal of the conviction. The newly established police unit on prostitution and human trafficking received training in the reporting period, although training was lacking for the general police force, as well as prosecutors and the judiciary.

Protection

The Government of Malta took steps to improve its victim protection efforts during the reporting period. The lack of a formal referral mechanism, however, continued to impair the government's ability to ensure that trafficking victims were recognized and provided care throughout the year. In February 2013, the government's trafficking monitoring committee endorsed written guidelines, drafted by the government with input from NGOs, for identifying victims of trafficking. At the close of the reporting period, the government was also in the process of developing guidelines that would formalize existing and new arrangements among government entities involved in victim referral.

In 2012, the government identified four trafficking victims: two male labor trafficking victims from China, one female labor and sex trafficking victim from China, and one female sex trafficking victim who was internally trafficked. This was the first instance of the government identifying a Maltese national as a trafficking victim in at least 10 years. None of the victims identified was a child, and the government has not formally identified a child victim of trafficking in at least 10 years. The government continued to assign responsibility for the care of trafficking victims and provide funding to Appogg, a government social services agency. Under the terms of a memorandum of understanding, Appogg was empowered to provide shelter, psychological care, and other services to any identified victims of trafficking. The police referred the four identified victims to Appogg; three victims declined the assistance while one victim accepted shelter. Appogg also provided shelter to two potential labor trafficking victims from the Philippines who chose not to involve the police. Persons who were provided with shelter enjoyed freedom of movement to leave the shelter and return at will.

Victims who assisted police in prosecuting trafficking cases were entitled in theory to temporary residence permits, which include the right to work, though the government did not issue such permits to victims during 2012 or during previous years. There were reports that victims lacked information on their rights and available assistance, including legal assistance. Three victims assisted law enforcement in the prosecution of alleged trafficking offenders during the reporting period. Prior to the current reporting period, and in at least one instance, police filed criminal charges against a 17-year-old girl involved in prostitution without attempting to identify indicators of human trafficking in the case. Police officers began receiving training in child victim identification during the reporting period.

Prevention

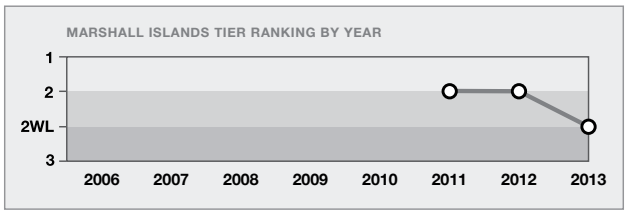
The government demonstrated significant progress in advancing anti-trafficking prevention efforts. During the reporting period, the government's anti-trafficking monitoring board issued a national action plan for January 2013 to December 2014. The government allocated the equivalent of approximately $195,000 toward its anti-trafficking activities in 2012, compared to approximately $130,000 in 2011. The government funded an international expert to train its public officials on trafficking, including social workers, psychologists, border guards, and immigration officials; as of January 2013, over 100 professionals received the training, and 300 other professionals were projected to receive training in 2013. During the reporting period, overall responsibility for anti-trafficking efforts in Malta was moved to the Office

of the Prime Minister, giving the issue a higher profile. The government enhanced its transparency by issuing an annual report and quarterly updates about its anti-trafficking activities. During 2012, the government began development of public service announcements for television and radio, though they had not launched the campaign by the close of the reporting period. The government published information on signs of victimization and points of contact for assistance on the websites of a government ministry and Appogg. The government inspected at least 156 clubs and massage parlors during the reporting period to detect illegal work and potential trafficking cases; one of these *ad hoc* inspections resulted in the detection of three victims in a massage parlor. Appogg continued to run a social services hotline that could receive calls about human trafficking, but there was no available data indicating that the hotline received any trafficking-related calls during the reporting period. NGOs have raised concerns that the hotline was not well-publicized as a mechanism through which individuals could report cases of trafficking. The government did not report taking any specific measures to reduce the participation of Maltese nationals in child sex tourism abroad; though the Criminal Code provided penalties for child sexual tourism. The government did not take any measures during the reporting period to reduce the demand for commercial sex acts.

MARSHALL ISLANDS (Tier 2 Watch List)

The Republic of the Marshall Islands (RMI) is a destination country for women from East Asia subjected to sex trafficking. Foreign women are reportedly forced into prostitution in bars frequented by crew members of Chinese and other foreign fishing vessels; some Chinese women are recruited with the promise of legitimate work, and after paying large recruitment fees, are forced into prostitution in the Marshall Islands. Little data on human trafficking in the Marshall Islands is available; the government has not made efforts to identify victims proactively, especially among vulnerable populations, such as foreign and local women in prostitution and foreign men on fishing vessels in Marshallese waters.

The RMI government does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite this limited performance, the government did not provide evidence of implementing the trafficking legislation enacted in 2011; therefore, the Marshall Islands is placed on Tier 2 Watch List. Since achieving two trafficking convictions during the previous reporting period, the government has not reported any new trafficking investigations or prosecutions. The government did not take steps to identify proactively and protect victims of sex trafficking or educate the public about human trafficking.



Recommendations for the Marshall Islands: Train law enforcement and judicial officials to implement new anti-trafficking laws; increase efforts to investigate, prosecute, and punish trafficking offenders and apply stringent sentences to convicted offenders; take steps to prosecute public officials when there is evidence they are complicit in trafficking activities or hindering ongoing trafficking prosecutions; work with NGOs and international organizations to provide protective services to victims; make efforts to study human trafficking in the country; adopt proactive procedures to identify victims of trafficking among vulnerable groups, such as foreign workers and women in prostitution; develop and conduct anti-trafficking information and education campaigns; and accede to the 2000 UN TIP Protocol.

Prosecution

The RMI government made negligible anti-trafficking law enforcement efforts during the reporting period. Article 251 of its criminal code, enacted in 2011, prohibits all forms of human trafficking and prescribes penalties of up to 35 months' imprisonment and a $5,000 fine for the trafficking of adults, and up to 10 years' imprisonment and a $10,000 fine for the trafficking of children. The penalties for the trafficking of children are sufficiently stringent, but the penalties for trafficking adults are not, and neither penalty is commensurate with those prescribed for other serious crimes, such as rape. In addition to trafficking, Article 251 also criminalizes other activities, including labor violations and promotion of prostitution. The RMI government did not report any trafficking investigations, prosecutions, or convictions during the year, in contrast with the two trafficking prosecutions and convictions reported during the previous reporting year. The government did not identify any victims of trafficking, investigate any trafficking cases, or prosecute any offenders under the 2011 legislation during this reporting year.

In 2011, local sources reported that an immigration official who allegedly had provided entry permits for Chinese women coming to the RMI to engage in prostitution for a Chinese national who owns several businesses in Majuro. The government did not, however, report any efforts this year to investigate, prosecute, or convict government employees for trafficking or trafficking-related offenses. The government also did not provide training to law enforcement or court personnel on the provisions of the 2011 legislation, or training on how to identify trafficking victims and prosecute trafficking offenders.

Protection

The RMI government made no efforts to identify trafficking victims or ensure their access to protective services during the year. Law enforcement and social services personnel do not employ systematic procedures to identify victims of trafficking proactively among high-risk populations with whom they come in contact, which is a risk factor for victims being punished for acts committed as a result of being trafficked. The government also does not have any mechanisms in place to ensure that trafficking victims receive access to legal, medical, or psychological services, and did not make efforts to identify or reach out to international organizations or community groups to provide such assistance. The government does not provide legal alternatives to the removal of victims to countries where they may face hardship or retribution.

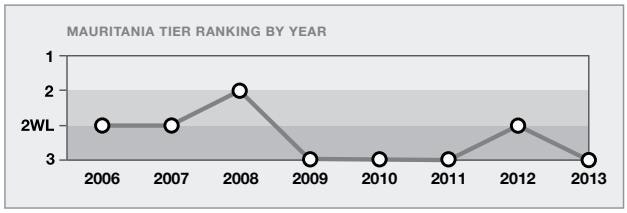
Prevention

The government made no efforts to prevent trafficking during the year. It did not conduct any public campaigns or take other steps to raise public awareness about the dangers of trafficking. The government did not provide general human trafficking awareness training or guidelines to government employees, nor did it take steps to reduce the demand for commercial sex acts among RMI residents. The RMI is not a party to the 2000 UN TIP Protocol.

MAURITANIA (Tier 3)

Mauritania is a source, transit, and destination country for women, men, and children subjected to conditions of forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to slavery-related practices rooted in ancestral master-slave relationships. Reliable data on the total number of slaves does not exist, but according to the estimate of a respected Mauritanian NGO, slavery may affect up to 20 percent of the population in both rural and urban settings. Held for generations by slave-holding families, persons subjected to slavery are forced to work without pay as cattle herders and domestic servants. Some boys from within Mauritania and other West African countries who study at Koranic schools—referred to as *talibes*—are subsequently subjected to forced begging by corrupt *imams*. *Talibe* victims live in harsh conditions and do not attend school; many are forced to beg for food and to earn a daily financial quota to pay the *imam*. Boys from low-income families in the Puular community were most vulnerable to forced begging. Children who lacked birth certificates were generally not permitted to enroll in school, and were therefore vulnerable to trafficking. Mauritanian girls, as well as girls from Mali, Senegal, The Gambia, and other West African countries, are forced into domestic servitude in Mauritania. Authorities in Guinea reported identifying a Mauritanian child trafficking victim during the year. Mauritanian women and girls are forced into prostitution in the country or transported to countries in the Middle East for the same purpose; some entered into forced marriages, facilitated by brokers and travel agencies in Mauritania, and were subsequently exploited as sex slaves overseas. Men from Middle Eastern countries use legally contracted "temporary marriages" as a means to sexually exploit young girls and women in Mauritania.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government—which in previous years assumed a public posture that denied the continued existence of slavery in Mauritania—took steps to raise public awareness about the dangers of human trafficking in Mauritania, including slavery. This welcome, positive tone by political leaders was not, however, matched by corresponding efforts to punish trafficking offenders or increase protections for victims. Although the government and NGOs identified nearly 2,000 suspected trafficking victims, the government did not initiate any prosecutions for trafficking crimes. The government did not provide adequate protective services to victims or ensure their referral to service providers to receive care, and it failed to establish procedures for the proactive identification of victims among persons arrested for prostitution and individuals detained and deported for immigration violations.



Recommendations for Mauritania: Increase efforts to investigate and prosecute trafficking offenses—addressing all types of trafficking of adults and children—and to convict and punish offenders using the 2003 Law Against Trafficking in Persons and the 2007 Anti-Slavery Law; ensure that efforts to hold parents criminally liable for their involvement in sending their children away from home are accompanied by efforts to prosecute and convict the traffickers who force children into servitude; train law enforcement personnel, with an increased focus on measures to identify and refer to protective services trafficking victims among vulnerable populations, such as women in prostitution and those in traditional slavery, and institute policies to standardize these procedures; consider amending Law 2007-048, which outlaws slavery, to allow civil society organizations to file complaints on behalf of slaves; provide support for, and access to, legal assistance for adult and child trafficking victims; continue and increase funding to civil society organizations which provide direct services to victims, including former slaves; increase efforts to coordinate with NGOs to arrange protective services for trafficking victims; with input from civil society representatives, develop a plan to provide economic resources—through monetary or property allotment—to empower members of traditional slave castes to live independently; and increase efforts to raise public awareness about trafficking, including traditional servitude.

Prosecution

After the previous year's unprecedented progress in prosecuting and convicting trafficking offenders, the Government of Mauritania did not convict any traffickers. All forms of trafficking, except hereditary slavery, are prohibited by the 2003 Law Against Trafficking in Persons, which prescribes penalties of five to 10 years' imprisonment for violations. These penalties are sufficiently stringent and exceed those prescribed for rape. Slavery, including hereditary slavery, is prohibited by Law 2007-048, which was enacted in September 2007. The law defines slavery and prescribes a sufficiently stringent penalty of five to 10 years' imprisonment for violations. The law's effectiveness remains impaired by its requirement that slaves affirmatively file a legal complaint before prosecution can be pursued, as well as by barring NGOs from filing complaints on behalf of slaves, many of whom are illiterate and unable to complete the paperwork involved in filing a legal complaint. The government provided no support for programs to assist victims in filing complaints of slavery. In January 2013, parliament approved a draft law against slavery and torture; this law broadens the 2007 law's 10-year statute of limitations. The government investigated two slavery cases brought to its attention by an NGO in January 2013. In one case, authorities arrested and subsequently released a woman suspected of enslaving a 10-year-old boy in Guerrou; authorities report this investigation remains ongoing, but claim it is a case of child labor that does not amount to slavery. In a second case, police arrested a woman in Nouakchott alleged to be enslaving

a mentally handicapped child and her mother. After being held for seven days, she was granted provisional release. The case is reportedly ongoing, and a future trial date is expected. The National Commission for Human Rights, an ombudsman organization composed of both government and civil society representatives, is reportedly advocating for the prosecution of both cases using the 2007 anti-slavery law. In partnership with the UN, more than 500 law enforcement and judicial officials participated in training on the implementation of the anti-slavery statute. The government did not report any investigations or prosecutions of government officials for complicity in trafficking or trafficking-related offenses, although civil society representatives argue that the judiciary's failure to pay due attention to slavery cases brought to its attention amounts to tacit complicity.

Protection

The Government of Mauritania demonstrated modest efforts to protect victims of human trafficking, including those exploited in traditional slavery. The Ministry of Social Affairs, Childhood, and the Family (MASEF) continued to operate three National Centers for the Protection and Social Integration of Children and, in November 2012, opened a fourth center in Nouadhibou. Ninety children in need, an unknown number of whom may have been trafficking victims, received services from the centers. These facilities, however, provided only short-term protections and generally returned children to their families or the *imams* who facilitated their exploitation. The 10-year-old victim identified by an NGO in Guerrou was returned to his mother, and the mentally handicapped child identified in Nouakchott was referred by authorities to an NGO where she remained at the close of the reporting period. The whereabouts of her mother, also identified as an alleged victim, are unknown. During the reporting period, NGOs provided the majority of protection services to trafficking victims, generally without financial support from the government. One NGO identified and cared for 1,864 children rescued from conditions of exploitative domestic work. Lack of available long term rehabilitative care in Mauritania made many victims vulnerable to re-trafficking. In a positive development, the government's Program to Eradicate the Effects of Slavery for the first time provided funding, in the equivalent of $15,000, to an NGO for the provision of direct support to five former slaves. The absence of measures in place to identify trafficking victims among vulnerable populations may have led to victims being punished for acts committed as a result of being trafficked. For example, in 2012, more than 7,500 undocumented migrants were detained and deported without screening, and women suspected of prostitution, some of whom may have been trafficking victims, were often jailed. The government did not encourage victims to assist in the investigation and prosecution of human trafficking cases, and no victims filed civil suits against trafficking offenders. In instances where victims were asked to provide information to authorities, they may have been inappropriately questioned together with the suspected traffickers. The government does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

Prevention

The Government of Mauritania continued modest efforts to raise awareness of trafficking during the year. Government officials increasingly appeared in public together with prominent members of Mauritania's civil society community involved in combating trafficking. In September 2012, the government televised a panel discussion, focusing on slavery, between the government's Acting Commissioner for Human Rights, Humanitarian Action, and Civil Society and civil society leaders. During the year, state media outlets also covered other events with anti-slavery messages. The government took steps to ensure its officials did not publicly condone slavery. When an *imam* who served as senior advisor to the Minister of Islamic Affairs argued on a radio program that slavery was legal under certain interpretations of Islamic law, he was immediately relieved from his duties; the government subsequently issued a statement that government officials must not advocate breaking Mauritanian laws.

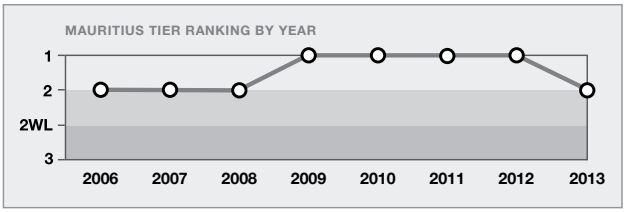
The government did not report efforts to enforce a labor statute, adopted during the previous year, which strengthened regulation of the employment of domestic workers in private households. The TTTE (Traite, Traffic, et Travail des Enfants) continued to function as the government's multi-stakeholder body addressing child trafficking; this group met five times during the year, though its primary activities were related to child labor and not specific to trafficking. In March 2013, the government announced the creation of the National Agency to Fight against the Vestiges of Slavery, Integration, and Fight against Poverty, though this agency did not become operational during the reporting year. The government contributed resources to a forthcoming UN-backed study on child trafficking and the worst forms of child labor in Mauritania. Government support to the estimated 1,200 street children in Nouakchott, who are vulnerable to trafficking, was limited, though MASEF monitored approximately 900 of them through its youth integration centers. The government continued the process of establishing the identity of local populations through its registration drive, which issued biometric identity documents, decreasing the vulnerability to trafficking of those it registered. The government made no effort to reduce the demand for forced labor or commercial sex acts.

MAURITIUS (Tier 2)

Mauritius is a source country for children and, to a much lesser extent, men and women subjected primarily to sex trafficking, but also to forced labor. Secondary school-age girls and, in fewer numbers, younger girls from all areas of the country, including from Rodrigues Island, are induced into prostitution, often by their peers, family members, or by businessmen offering other forms of employment. NGOs report that girls are also sold into prostitution by family members or forced into the sex trade in exchange for food and shelter. Taxi drivers provide transportation and introductions for both the girls and the clients. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to being forced into prostitution at a young age. There are reports that some women addicted to drugs are forced into prostitution by their boyfriends, who act as their pimps. In recent years, small numbers of Mauritian adults have been identified as trafficking victims in the United Kingdom, Belgium, and Canada. Mauritius' manufacturing and construction sectors employ approximately 30,000 foreign migrant workers from India, China, Bangladesh, Sri Lanka, and Madagascar. Although there were no confirmed cases to date of workers subjected to conditions of forced labor within Mauritius, some migrant workers have reported conditions indicative of forced

labor, including passport confiscation, underpayment of wages, substandard living conditions, and threats of deportation. Malagasy women reportedly transit Mauritius *en route* to employment as domestic workers in Lebanon, where some were subsequently subjected to conditions of forced labor. In 2011 and 2012, Cambodian men were identified as victims of forced labor on fishing boats in Mauritius's territorial waters.

The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government failed to demonstrate sufficient progress in its anti-trafficking law enforcement efforts. For example, the government failed to institute any proactive measures to address the forced prostitution of women. Furthermore, the government's protection efforts remained solely focused on child sex trafficking, with no identification of, or adequate assistance provided to, any adult victims, despite the identification of Cambodian men in forced labor by an international organization for a second consecutive reporting period. The government increased coordination efforts among law enforcement entities through the formation of various multidisciplinary teams that coordinated cases involving children as victims of trafficking and related crimes. It also maintained its funding for victims services, identified and cared for 12 victims of child prostitution, and continued awareness campaigns in schools and villages.



Recommendations for Mauritius: Utilize anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including in cases involving forced labor or adult women exploited in forced prostitution; ensure that law enforcement entities increase coordination with NGOs or international organizations on cases involving foreign trafficking victims aboard foreign fishing boats in Mauritius' territorial waters; establish procedures to guide officials in the proactive identification of victims of trafficking among at-risk populations, including women in prostitution and migrant workers; and initiate efforts to address the issue of Mauritian men engaging in child sex tourism abroad.

Prosecution

The Mauritian government demonstrated decreased anti-trafficking law enforcement efforts during the reporting period. The Combating of Trafficking in Persons Act of 2009 prohibits all forms of trafficking of adults and children and prescribes penalties of up to 15 years' imprisonment for convicted offenders. In addition, the Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of up to 15 years' imprisonment; the Judicial Provisions Act of 2008 increased the maximum prescribed punishment for child trafficking offenses to 30 years' imprisonment. All of the aforementioned penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government initiated seven prosecutions and obtained seven convictions of trafficking offenders. All seven cases involved the prostitution of children. There is no indication that any cases have been brought involving adult victims in Mauritius. The government has never taken any law enforcement action against labor trafficking offenses, including against forced labor on fishing boats in Mauritius' territorial waters. The Minors Brigade of the Mauritian police force continued to maintain a database of all trafficking incidents involving children. The police training school provided training to approximately 200 new police recruits specifically on trafficking in persons as part of their basic training requirements. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period; however, after his government waived relevant immunity, a Mauritian diplomat in the United States pled guilty to failing to pay a domestic worker the legally required minimum hourly and overtime wages and agreed to pay a significant fine and more than $20,000 in restitution to the victim.

Protection

The government sustained protection of child sex trafficking victims during the reporting period, but failed to identify or provide adequate protective services to victims of other forms of trafficking. Although it identified 12 child sex trafficking victims in 2012, it did not identify any adult victims or labor trafficking victims. An international organization identified four Cambodian men as victims of forced labor on fishing boats in Mauritius' territorial waters; nonetheless, the government did not provide the victims with appropriate services. The Minors Brigade systematically referred all cases of identified children in prostitution to the Child Development Unit (CDU) of the Ministry of Gender Equality, Child Development, and Family Welfare (MOGE) for assistance. CDU officials referred an unknown number of abused and exploited children to two NGOs running multipurpose shelters for care; the government provided the equivalent of approximately $200 per month for each child that the shelters accepted. It also encouraged the placement of trafficking victims in foster homes for long-term shelter. Victims received medical and psychological assistance regardless of whether they resided in a shelter, in foster care, or with relatives. In 2012, the MOGE provided the equivalent of approximately $59,000 to fund the operation of an NGO-run drop-in center for sexually abused children that provided counseling to girls in prostitution, and advertised its services through a toll-free number and community outreach; the center counseled two victims of child prostitution during the reporting period. The MOGE completed construction of a residential center at Grande Riviere North West—at a cost equivalent to approximately $772,000—to provide care for victims of child prostitution; however, the center was not yet operational during the reporting period.

Children victimized in prostitution were accompanied to the hospital by a child welfare officer, and police worked in conjunction with this officer to obtain statements from the children. Medical treatment and psychological support were readily available at public clinics and NGO-run centers in Mauritius. The government encouraged child victims' assistance in the investigation and prosecution of trafficking crimes, and ensured that identified victims were not incarcerated inappropriately, fined, or otherwise penalized

solely for unlawful acts committed as a direct result of being trafficked.

Prevention

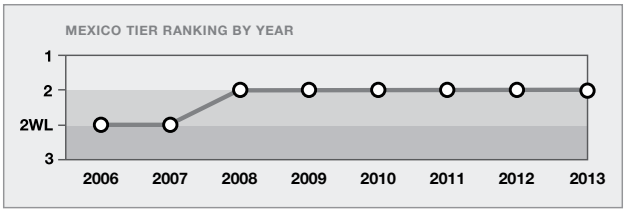
The government sustained efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts during the year. Over 150 government officials and employees participated in a foreign government-funded training program focused on protecting child victims and witnesses in prosecutions. In June 2012, as a direct result of this training, the government demonstrated increased anti-trafficking coordination through the formation of various multidisciplinary teams that focused coordinated efforts on cases of child trafficking and related crimes; these teams were comprised of police, MOGE officials, prosecutors, child psychologists, investigators, and NGO social workers. The police Family Protection Unit and the Minors Brigade continued public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of engaging in prostitution. The government did not report any efforts to reduce the demand of Mauritian nationals engaging in child sex tourism abroad. There were reports that Mauritian men engaged in child sex tourism in Madagascar during the reporting period, although it is unclear whether the government was aware of such cases. The Ministry of Labor, Industrial Relations and Employment conducted vocational training programs to prevent employment of underage children; however, the government did not demonstrate any discernible efforts to reduce the demand for forced labor during the reporting period.

MEXICO (Tier 2)

Mexico is a large source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, as well as lesbian, gay, bisexual, and transgender youth, and undocumented migrants. Mexican women and children are exploited in sex trafficking within Mexico and the United States, lured by fraudulent employment opportunities, deceptive offers of romantic relationships, or extortion, including through the retention of identification documents or threats to notify immigration officials. Mexican men, women, and children also are exploited in forced labor in agriculture, domestic service, manufacturing, construction, in the informal economy, and in forced street begging in both the United States and Mexico. Staff at some substance addiction rehabilitation centers and women's shelters have subjected residents to forced labor and forced prostitution. The vast majority of foreign victims in forced labor and sexual servitude in Mexico are from Central and South America, particularly Guatemala, Honduras, and El Salvador; many of these victims are exploited along Mexico's southern border. Trafficking victims from the Caribbean, eastern Europe, Asia, and Africa have also been identified in Mexico, some *en route* to the United States.

Organized criminal groups coerced children and migrants into prostitution and work as hit men, lookouts, and in the production, transportation, and sale of drugs. There were also reports during the year of criminal groups using forced labor in coal mines and kidnapping professionals, including architects and engineers, for forced labor. Child sex tourism persisted in Mexico, especially in tourist areas such as Acapulco, Puerto Vallarta, and Cancun and in northern border cities like Tijuana and Ciudad Juarez. Many child sex tourists are from the United States, Canada, and western Europe, though some are Mexican citizens. In some parts of the country, threats of violence from criminal organizations impede the ability of the government and civil society to combat trafficking effectively.

The Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities approved a new national anti-trafficking law and increased convictions of trafficking offenders at the state level. Some states strengthened their anti-trafficking law enforcement capacity, and the government maintained varied training efforts at the national and local level. Specialized victim services and shelters remained inadequate, however, and victim identification and interagency coordination remained uneven. There was no centralized data on victim identification or law enforcement efforts, efforts against forced labor continued to be relatively weak, and official complicity continued to be a serious problem.



Recommendations for Mexico: Continue to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, at both the federal and state level, including for forced labor crimes; increase funding for specialized victim services and shelters in partnership with civil society, and ensure that victims of all forms of trafficking receive adequate protection; increase efforts to hold public officials who are complicit in trafficking accountable through prosecution and conviction; enhance formal procedures to identify trafficking victims among vulnerable populations, such as people in prostitution and undocumented migrants, and to refer them to appropriate care services; improve coordination mechanisms between federal, state, and local authorities; increase the ability of regional and state coalitions and specialized units to more effectively respond to human trafficking cases through increased funding and trained staff; improve data collection efforts; ensure effective protection for witnesses and victims testifying against trafficking offenders, and ensure that victims are not coerced into testifying against trafficking offenders; and increase training on human trafficking victim identification and treatment for law enforcement officers, immigration officials, labor inspectors, prosecutors, judges, social workers, and other government employees.

Prosecution

The Government of Mexico continued to increase law enforcement efforts, particularly at the state level; however, lack of coordination, official complicity, and some officials' limited understanding of human trafficking continued to undermine anti-trafficking efforts. Authorities approved a new

anti-trafficking law in June 2012 that obligates states to adjust their anti-trafficking legislation to be in line with national legislation. Despite a 90-day time limit in which to do so, the regulations were not issued during the reporting period and, as a result, administrative portions remained unenforceable. The law prohibits all forms of human trafficking, prescribing penalties of five to 30 years' imprisonment depending on the form of trafficking; it also prohibits and classifies as offenses crimes that are not considered trafficking offenses under the 2000 UN TIP Protocol, such as illegal adoption. These penalties are sufficiently stringent and commensurate with those prescribed for rape. NGOs and attorneys practicing in the area criticized the law as being unduly complex. The previous federal anti-trafficking law prohibited all forms of human trafficking, prescribing penalties of six to 18 years' imprisonment but allowed victim consent to negate the crime; this loophole was closed with the new law.

In Mexico's federal system, state governments investigate and prosecute only domestic, not transnational, trafficking cases. In addition, state law enforcement authorities do not have jurisdiction over cases that involve organized crime, take place on federally administered territory, or involve allegations against government officials. All 32 Mexican states have passed some trafficking-related penal code reforms, and 23 states have specific state trafficking laws, five of which were passed in 2012. Only some states criminalize all forms of trafficking, and inconsistencies among state legislation on human trafficking continued to cause confusion on the part of law enforcement personnel and to complicate interstate prosecutions. A protocol enacted during the year created a coordination mechanism for state and federal prosecutors on human trafficking. Cases involving children who may have been forced by criminal groups to engage in illicit activities were not investigated or handled as potential trafficking cases, despite indications that force or coercion may have been involved.

The attorney general's Special Prosecutor's Office for Violence Against Women and Trafficking in Persons (FEVIMTRA) handled federal trafficking cases involving two or fewer suspects, while the Special Prosecution Unit on Investigations of Trafficking in Minors, Persons and Organs (UEITMPO) investigated cases with three or more suspects. Some states had dedicated prosecutor or police units for human trafficking, though effectiveness varied and resources and staff for dedicated units remained limited. The new trafficking law obligated states to have a dedicated human trafficking prosecutor but provided no funding to do so. Law enforcement coordination between different government entities and data collection on human trafficking efforts were weak. Officials and NGOs reported that some investigations and prosecutions were delayed while authorities determined which prosecutors had jurisdiction or coordinated with officials in other parts of the country, to the detriment of both the criminal case and the victims.

The government released no comprehensive law enforcement statistics on human trafficking during the year. According to different government entities, Mexican authorities at the federal and state levels convicted at least 25 trafficking offenders in 2012; at least six of these convictions were for forced labor. In comparison, in 2011 Mexican authorities convicted at least 14 sex trafficking offenders, but reported no forced labor convictions. In 2012, FEVIMTRA initiated 72 trafficking investigations; it was unclear how many prosecutions it initiated, but prosecutors reported convicting two trafficking offenders who were sentenced to nine years' imprisonment for forced child labor. In 2012, UEITMPO conducted 24 trafficking investigations and initiated three prosecutions but did not convict any trafficking offenders. The attorney general's office in the federal district reported convicting at least nine sex trafficking and four labor trafficking offenders, whose sentences ranged from 10 years' and seven months' to 52 years' imprisonment. Several states also prosecuted human trafficking cases; authorities in Puebla reported two convictions, Tlaxcala reported four, Sonora reported two, and authorities in Chiapas convicted at least two trafficking offenders.

NGOs, members of the government, and other observers continued to report that trafficking-related corruption among public officials, especially local law enforcement, judicial, and immigration officials, was a significant concern. Some officials reportedly accepted or extorted bribes including in the form of sexual services, falsified victims' identity documents, discouraged trafficking victims from reporting their crimes, solicited sex from trafficking victims, or failed to report sex trafficking in commercial sex locations. An employee of the attorney general's office in Chihuahua state was charged with forced labor for allegedly subjecting a Guatemalan child to domestic servitude, and Puebla prosecutors continued investigating four officials for suspected trafficking crimes. The government did not report any prosecutions or convictions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Some public officials in Mexico did not adequately distinguish between alien smuggling, prostitution, and human trafficking offenses and many officials were not familiar with trafficking laws. NGOs reported that some officials pressured victims to denounce their traffickers, in some cases threatening to prosecute trafficking victims as accomplices. Prosecutors reported that many judges did not fully understand the dynamics of trafficking crimes, including the trauma experienced by victims, often leading to the acquittal of trafficking offenders. Some federal government agencies trained officials on human trafficking investigations and victim identification, often with support or funding from NGOs, international organizations, and foreign governments. In partnership with a foreign government, FEVIMTRA reported developing a unified training model on the new law for justice officials. The Mexican federal government partnered with the U.S. government on 16 bilateral trafficking investigations in 2012, resulting in four extraditions to the United States in two separate cases.

Protection

The Mexican government continued to provide only limited victim services, mostly for female sex trafficking victims in Mexico City. There were few specialized victim services outside of the capital, and services for forced labor victims and male victims were inadequate. The government continued to cooperate with NGOs, international organizations, and foreign governments to provide victim care, relying on these partners to operate or fund the bulk of specialized assistance and services for trafficking victims. Mexican immigration agents continued to implement a system to identify potential trafficking victims, and some government institutions had informal victim referral procedures, but most victim referral to care services continued to be *ad hoc* and uneven. Some

NGOs were critical of the government's ability to accurately identify trafficking victims, and most states lacked formal procedures for identifying trafficking victims among vulnerable populations, such as migrant workers and people in the sex trade. There were no comprehensive statistics available on the number of trafficking victims identified during the year. The Special Prosecutions Unit for Attention to Victims of Crime, a government entity responsible for providing legal, medical, social, and psychological services to victims of all crimes, reported assisting at least 63 possible trafficking victims in 2012, while FEVIMTRA reported assisting 58 victims. Mexican consulates in the United States reported identifying 40 sex trafficking victims and 18 forced labor victims in 2012, while the National Institute for Migration (INM) reported identifying 21 foreign trafficking victims in Mexico.

Victim services in most parts of the country, particularly in high-crime areas, remained inadequate in light of the significant number of trafficking victims. FEVIMTRA continued to operate a high-security shelter in Mexico City dedicated to female victims of sex trafficking and other violence, as well as women whose family members had disappeared or been murdered. Authorities reported spending the equivalent of approximately $100,000 to operate the shelter during the year. The shelter housed victims for up to three months, during which time victims were not allowed to leave the shelter unaccompanied, reportedly due to safety concerns. Some NGOs raised concerns that this arrangement re-traumatized some victims. The shelter coordinated medical, psychological, and legal services for 95 individuals during the year, though it was unclear how many of these individuals were trafficking victims. Mexico's social welfare agency maintained general shelters for children under the age of 13 who were victims of violence; statistics were not maintained on how many trafficking victims were housed in these shelters during the reporting period. The government continued to support a national network of shelters and emergency attention centers for female victims of violence, but few of these shelters offered specialized care for trafficking victims. Some victims received services at shelters that were operated and funded by NGOs, international organizations, and religious groups; officials referred some victims to these shelters during the reporting period. Not all such facilities were well monitored, and staff at some substance addiction rehabilitation centers and women's shelters subjected residents to forced labor and forced prostitution. The government did not provide adequate shelter services for male victims, though some men received services at NGO shelters for migrants. The lack of reintegration services remained a challenge, and authorities provided limited services to some repatriated Mexican trafficking victims.

Mexican law has provisions to protect trafficking victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking, and foreign trafficking victims could receive refugee status independent of any decision to testify against trafficking offenders; however, NGOs and international organizations reported these legal alternatives to deportation were often not provided in practice. Reportedly, some officials handed victims over to INM for detention and subsequent deportation due to victims' lack of legal status or lack of identification as a victim of trafficking. Many foreign trafficking victims opted to return to their countries of origin after giving testimony, in some cases due to a lack of adequate shelter or information about their rights. INM reported that 20 of the 21 foreign victims it identified in 2012 were eligible for legal residency in Mexico; authorities reported repatriating voluntarily the other victim but did not report how many of the 20 victims received legal residency during the year.

Although authorities encouraged victims to assist in trafficking investigations and prosecutions, many victims in Mexico were afraid to identify themselves as trafficking victims, and few sought legal remedies due to their fear of retribution from trafficking offenders, the lack of specialized services, or a lack of trust in authorities. Some civil society groups reported that local authorities threatened to arrest victims as accomplices if they refused to testify against their traffickers. Traditionally, prosecutions of human trafficking offenders in Mexico have relied almost entirely on victim or witness testimony. There were no reports that trafficking victims were awarded compensation for damages. Many victims feared for their safety, since the witness protection program in Mexico remained nascent and did not provide sufficient protection.

Prevention

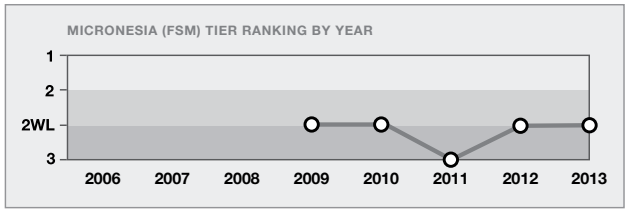
Federal and state governments sustained trafficking prevention efforts in 2012. Although an interagency commission that coordinated the federal government's efforts on trafficking met twice during the year, NGOs questioned its effectiveness. The commission was responsible for implementing the national anti-trafficking program, but it was unclear how much funding it had to do so. Despite its mandate, the commission did not publish any data on anti-trafficking efforts in Mexico; however, authorities did fund an international organization to conduct a diagnostic study of human trafficking, which was finalized though not published during the year. The government engaged in a variety of awareness-raising activities, often in the context of larger awareness efforts on women's and children's rights. Authorities distributed trafficking awareness materials in 10 indigenous languages. Some states established or maintained state-level anti-trafficking committees, which varied in effectiveness, and the National Human Rights Commission also maintained regional partnerships with NGO and government actors in 13 states. Authorities raised awareness of child sex tourism and reported training tourist sector representatives on this issue. While authorities reported investigating some cases and extraditing an American child sex tourist during the year, the government reported no prosecutions or convictions of child sex tourists, and some NGOs alleged that some corrupt local officials allowed commercial sexual exploitation of children to occur. There were no reported efforts to reduce the demand for commercial sex acts or forced labor or to punish labor recruiters or brokers complicit in human trafficking.

MICRONESIA, FEDERATED STATES OF (Tier 2 Watch List)

The Federated States of Micronesia (FSM) is a source and, to a limited extent, a destination country for women subjected to sex trafficking. Some reports suggest FSM women are recruited with promises of well-paying jobs in the United States and its territories, and are subsequently forced into prostitution or labor upon arrival. The most vulnerable groups of persons at risk for sex trafficking in FSM include foreign migrant workers and FSM women and girls, who allegedly engage in prostitution at restaurants frequented by crew members on Asian fishing vessels in FSM or on vessels in its territorial

waters. Other vulnerable groups include FSM nationals who travel to the United States. Local authorities claim many sex trafficking cases are unreported due to victims' fear of embarrassment in their communities. Authorities also claim to have received and investigated labor trafficking complaints from foreign nationals on fishing boats for lack of payment and inhumane treatment.

The Government of the Federated States of Micronesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these steps—namely the passage of implementing regulations for FSM's 2012 trafficking law by the states of Pohnpei, Chuuk, Kosrae, and Yap—the national government did not demonstrate sufficient evidence of increasing efforts since the previous reporting period; therefore, the Federated States of Micronesia is placed on Tier 2 Watch List for a second consecutive year. During the year, the Government of FSM took steps to implement the regulations in the remaining states, but did not prosecute any trafficking cases or make efforts to identify or assist victims of trafficking. Moreover, it failed to make substantive efforts to prevent trafficking but made limited efforts to increase the general public's awareness of trafficking.



Recommendations for the Federated States of Micronesia: Enact implementing regulations for the 2012 anti-trafficking law in the remaining state; improve efforts to investigate, prosecute, and punish all trafficking offenders; develop and implement procedures for the proactive identification of trafficking victims among vulnerable populations, such as foreign workers in the FSM, fishermen on fishing vessels, women and girls in prostitution, and FSM nationals migrating to the United States for work; continually train officials on human trafficking and how to identify and assist trafficking victims; support and facilitate comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of the sex trade; make efforts to notify foreign workers of their rights, protections, and ways they can report abuse; and develop a national plan of action for anti-trafficking efforts.

Prosecution

The Government of the Federated States of Micronesia demonstrated modest effort in improving anti-trafficking law enforcement. The FSM president released a press release asking the four FSM states' leadership to condemn all forms of human trafficking and develop action plans. In addition, the newly-appointed attorney general traveled to all four states of the country to advocate and assist in drafting of implementing regulations that would accompany the national anti-trafficking legislation enacted in 2012. In early 2013, Pohnpei, Chuuk, and Kosrae states signed the implementing regulations into law; Yap state has legislation pending with its legislature.

The national anti-trafficking legislation prohibits all forms of trafficking, and prescribes penalties of 15 to 30 years' imprisonment and fines not exceeding the equivalent of approximately $50,000, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The newly enacted Pohnpei and Chuuk legislations prohibit sexual servitude of children and involuntary servitude of adults, but not sexual servitude of adults. The legislations prescribe punishments of up to 10 years' imprisonment or fines not exceeding the equivalent of approximately $10,000, or both. These penalties also are sufficiently stringent and commensurate with penalties prescribed for other serious offenses. The newly enacted Kosrae legislation prohibits all forms of trafficking and protects male, female, and children victims. Trafficking is considered a category one felony with prescribed penalties of 10 years' imprisonment or fines not exceeding the equivalent of approximately $20,000, or both.

During the year, the FSM government did not report any investigations, prosecutions, or convictions for sex or labor trafficking crimes. The government also did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The FSM government's efforts to identify and protect trafficking victims during the reporting period remained inadequate. The government did not identify any trafficking victims within the country and did not develop or implement a system to identify victims of trafficking among vulnerable groups, such as foreign workers and women and children in prostitution. In addition, the FSM government made no efforts to refer trafficking victims to services during the reporting period; no NGOs provided services to any trafficking victims. The government reported that if any trafficking victims were identified, they would have access to the very limited social services, such as the mental health program at a hospital in Kosrae state, and legal assistance provided to victims of general crime through the public defenders offices at the national and state level. FSM officials did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. The FSM law provides victims the opportunity to present their needs and concerns at appropriate stages of any judicial or administrative proceedings relating to any offense, including on trafficking.

Prevention

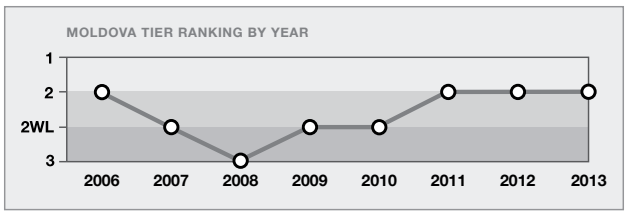
The FSM government did not expand efforts to prevent trafficking, but made modest efforts to increase the general public's awareness of trafficking during the reporting year. IOM, in collaboration with the federal and Pohnpei state governments, opened a Migrant Resource Center in Kolonia, which created educational modules on human trafficking for those migrating to the United States. The government conducted or supported only limited informational or educational campaigns solely about human trafficking and discussing its prevention to officials or the public. Government entities did not develop or disseminate campaigns aimed at reducing the demand for commercial sex acts with children or adults. The Secretary of Justice devised training plans for state and local law enforcement officers, national prosecutors and legislators, the state and national judiciary; it also conducted

training with the Yap state police and immigration officials on trafficking. The FSM government still lacks a national action plan against trafficking in persons. The FSM government, however, has allocated resources for anti-trafficking efforts for this fiscal year but had not determined how this funding would be used.

MOLDOVA (Tier 2)

Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor. Last year saw a substantial rise in the number of Moldovan men exploited in labor trafficking in Ukraine and Russia. Moldovan women are subjected to forced labor in agriculture. Moldovan victims are also subjected to trafficking within Moldova and in Kosovo, Kazakhstan, Turkey, United Arab Emirates, Greece, Lebanon, Italy, Spain, and the "Turkish Republic of Northern Cyprus." Violence against women is a significant problem, especially in rural parts of the country, and contributes to their vulnerability to human trafficking. Seventy-five percent of Moldovan women subjected to sex trafficking were also victims of domestic violence or abused as children. Traffickers increasingly used fraud, debt bondage, and withholding of documents and wages to compel victims into sex trafficking and forced labor in other countries. Boys were subjected to sex trafficking in Moldova, and girls were subjected to sex trafficking both within the country and transnationally. NGOs noted an increase in the commercial sexual exploitation of Moldovan children by foreign tourists combined with the alarming trend of Internet use as a tool for recruitment and exploitation. These alleged child sex tourists were from Norway, Italy, Germany, Sweden, Denmark, Thailand, Australia, Israel, and the United States. Forced begging was on the rise in 2012. While sources indicate similar human trafficking problems in the separatist Transnistria region, the scale of forced labor and sex trafficking is difficult to gauge as the territory remains outside the central government's control.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government nearly doubled the number of trafficking victims identified in 2012, largely due to an increase in labor trafficking cases. Collaboration with civil society in anti-trafficking efforts, a strong national referral system (NRS) for identification of victims, and a comprehensive package of assistance for victims were evidenced as model practices for the region. The government also secured convictions of some trafficking offenders during the year. The government vigorously investigated and prosecuted government officials allegedly complicit in human trafficking, although none were convicted. While a higher proportion of offenders convicted for trafficking, particularly for offenses against children, were sentenced to prison, the weak and corrupt judiciary impeded efforts to hold trafficking offenders accountable.



Recommendations for Moldova: Ensure that trafficking offenders are sentenced according to the severity of their crimes with penalties prescribed for trafficking; monitor outcomes of sentencing and appeals within the judiciary to ensure convicted traffickers are held accountable; demonstrate vigorous efforts to convict and sentence government officials complicit in human trafficking; increase prosecutions for witness tampering; consider establishing a specialized court for all trafficking trials; increase the number of prosecutors assigned to the anti-trafficking section of the prosecutor general's office; enhance the regional capacity to provide legal services to victims; make full use of the available measures to protect victims and witnesses and take additional measures to ensure that victims of trafficking are adequately informed of their rights, in a language they understand, and assisted during pre-trial and court proceedings; ensure that law enforcement and prosecutors explain to victims their right to legal assistance and representation, including from *pro bono* lawyers, the right to be accompanied by a legal advocate, and the right to compensation for damage suffered in accordance with Moldova's criminal code; clarify the rules and procedure for the provision of residence permits to trafficking victims; ensure that public officials—especially the judiciary, health-care providers, and social workers—are sensitized to all forms of violence against women, including trafficking in persons; enhance measures aimed at improving the social and economic situation of women, in particular in rural areas, to reduce their vulnerability to trafficking; and enhance efforts to identify victims and potential victims of trafficking among unaccompanied and separated children, children placed in institutions, and other vulnerable children.

Prosecution

The Government of Moldova strengthened its anti-trafficking law enforcement efforts over the last year. In 2012, new leadership of the anti-trafficking investigation unit implemented a series of reforms, including a new case intake policy which directed resources away from less serious crimes to focus more on complex human trafficking cases. The government prohibits all forms of trafficking through Articles 165 and 206 of the criminal code. Prescribed penalties under these articles are five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government reported 171 trafficking investigations in 2012, an increase from 135 in 2011. Authorities reported prosecuting 41 suspected trafficking offenders in 2012, a decrease from 79 in 2011. The government convicted 35 trafficking offenders in 2012; six convictions were for child trafficking. This was an increase from a total of 22 convictions in 2011. The average sentence for trafficking of children in 2012 was 13 years' imprisonment. The government established a new investigative unit to specialize in Internet investigations of child pornography, investigations of "grooming" and stalking children, creation of a national pedophile database, and international cooperation on cases of child sex tourism and Internet sexual exploitation of children. Trafficking offenders from Norway, Italy, and Moldova were convicted for organizing a major pedophile network, and were sentenced to 10 to 20 years' imprisonment.

Corruption in the judicial system continued to hinder the successful prosecution, conviction, and sentencing of trafficking offenders. Once convictions for trafficking were secured, the judiciary often applied sentences that did not correspond with the severity of the crimes; offenders

regularly served only commuted prison terms or fines. Convictions were frequently reversed on appeal with little to no explanation by judges. Criminal cases span several years through appeals, leaving victims vulnerable to threats and intimidation and providing opportunities for defendants to bribe officials. Government authorities and NGOs noted that law enforcement efforts were strong in the capital, but were not prioritized by chiefs of police in outlying regions. High turnover of government officials in the regions was disruptive to implementation of the NRS. NGOs noted that reforms in the anti-trafficking unit resulted in a more victim-centered approach by police and praised excellent cooperation with civil society. Transnistrian victims received full support and assistance from Moldovan shelters, but law enforcement cooperation was rare, informal, and inadmissible in Moldovan court. The government actively prosecuted officials alleged to be complicit in human trafficking, though none were convicted in 2012. The government made significant and transparent reforms to fight complicity. The national anti-corruption center opened 13 criminal investigations of official complicity in trafficking in persons; three of these cases were sent to trial, three were referred to the prosecutor general, one was referred to the Causeni police commissariat, and six remained under investigation. While individual officials' complicity remained a significant problem, the government took active steps against corruption: one official in the anti-trafficking investigation unit was under investigation for organizing illegal migration to Israel; an investigator from the anti-trafficking unit was investigated for allegedly extorting the equivalent of approximately $6,000 from a suspect to drop a case, but the investigation was dismissed for lack of evidence; a public housing official was prosecuted for having used his position to recruit at least 15 women for sex trafficking in the "Turkish Republic of Northern Cyprus" and the United Arab Emirates; a professor from a state university was prosecuted for trafficking of children; an army official and former police officer were under investigation for subjecting four Moldovans to trafficking in Moscow; and an officer of the national anti-corruption center was removed from his position and was under investigation for arranging the prostitution of a victim of trafficking from Russia.

Protection

The government strengthened its efforts to protect victims of trafficking in 2012, during which it reported identifying 289 new victims of trafficking, a marked increase from 98 victims identified in 2011. One hundred thirty-nine victims were subjected to labor trafficking or forced begging in 2012; of these, 91 victims were men and 24 were children. All of the victims identified were Moldovan. The NRS continued to function in all regions of Moldova in coordination with law enforcement, schools, and NGOs; it provided benefits to 205 victims in 2012, the vast majority of whom spent a period of time in one of Moldova's rehabilitation shelters. Multidisciplinary teams were set up at the regional level in order to coordinate a systematic approach to the identification, protection, and assistance to potential victims of trafficking. In practice, the identification of child victims of trafficking remained weak; a significant number of Moldovan children were subjected to trafficking every year. Children whose parents have migrated abroad and children in out-of-home care remained among the most vulnerable to trafficking in persons.

All adult trafficking victims housed at rehabilitation shelters had the freedom to come and go. Child victims were placed with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. Protection centers and shelters assisted 110 victims of trafficking and 701 potential victims in 2012. In 2012, the government continued to fund a specialized short-term rehabilitation and protection center in Chisinau and increased the state's budget contribution by approximately 40 percent to provide the equivalent of approximately $93,000, compared to the equivalent of approximately $67,000 provided in 2011. In addition, the government funded five regional centers in coordination with NGOs and city governments. This network of care provided medium- and long-term assistance, reintegration, and vocational training. The government provided the equivalent of approximately $302,200 to fund shelters for victims of trafficking and domestic violence and the equivalent of approximately $9,000 for repatriation services. NGOs reported that long-term medical care was lacking for victims of trafficking.

The anti-trafficking unit actively encouraged victims to assist in the investigation of trafficking offenders by ensuring victims were supported by NGOs and with adequate services. Victims were free to obtain employment or to leave the country pending trial proceedings; access to assistance was not contingent on cooperation with investigations or prosecutions. NGOs reported that 42 potential victims of child trafficking were questioned by law enforcement in the presence of a psychologist using a specialized "children's room." Frequent delays in court hearings were a problem and prosecutors reportedly did not maintain adequate contact with victims. Victims were subjected to intimidation by defendants and their associates in the court room in the presence of police, prosecutors, and judges. Victims were frequently approached by traffickers and pressured to change their testimony, which led to cases being dropped or re-qualified to lesser charges; however, offenders were rarely prosecuted for obstruction of justice. The perception of corruption undermined victims' confidence in judicial proceeding, discouraged victims from filing civil suits for damages, and presented opportunities for alleged traffickers to pay bribes to escape punishment. In 2012, 26 victims filed civil suits against their traffickers. There were no reports of victims of trafficking being deported during the reporting period. Legislation was amended in 2012 to provide residency permits or extensions of permits to foreign or stateless victims of trafficking who are willing to participate in a law enforcement investigation. The criminal code of Moldova exempts victims of trafficking from criminal liability for the commission of offenses related to human trafficking. NGOs reported that victims were not arrested or prosecuted.

The NRS was not active in the separatist region of Transnistria. However, there were efforts to coordinate through informal channels to assist trafficking victims. Local NGOs provided crisis assistance and coordinated with the protection center in Chisinau. Trainings were also replicated in the region. Some cases were reportedly "tried" in Transnistria, and the local police sent victims to Moldovan authorities to testify.

Prevention

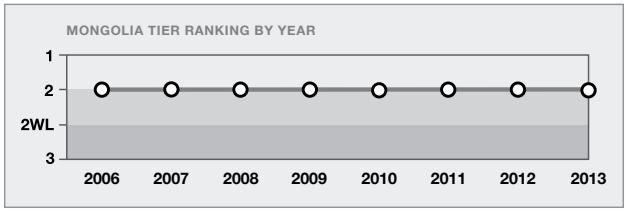
The government maintained efforts to prevent trafficking in persons during the year and organized 30 seminars in high schools and universities for over 2,000 students on preventing and combating human trafficking. Prosecutors participated in public campaigns aimed at combating labor trafficking in agriculture and construction. The national committee

on combating trafficking conducted a week-long campaign with awareness-raising activities including a screening of a film based on testimonies of victims of trafficking and domestic violence. The government led an information campaign targeted to unemployed people on the risks of forced labor. The government signed an agreement with the Government of Israel, which established a mechanism for cooperation on labor disputes, the legal process for hiring, and social protections for Moldovan workers in Israel. Moldovan investigators and prosecutors took part in a conference with law enforcement counterparts from Cyprus, which resulted in improved cooperation on trafficking cases. Government officials trained counterparts from Uzbekistan and Belarus on Moldova's NRS. The government approved the new national action plan for 2012-2013 following considerable input from civil society. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts and forced labor.

MONGOLIA (Tier 2)

Mongolia is a source, transit, and destination country for men, women, and children who are subjected to sex trafficking and forced labor. Mongolian men, women, and children are found in forced labor and forced prostitution in China, Malaysia, the Philippines, Macau, and Singapore. Mongolian men are found in conditions of forced labor in Turkey, Kazakhstan, and the Czech Republic; Mongolian women and girls are subjected to forced prostitution in Macau, Hong Kong, and South Korea. Mongolian women, some of whom are handicapped, are subjected to involuntary servitude or forced prostitution after entering into commercially brokered marriages, often to South Korean or Chinese men. China was the primary source of repatriated Mongolian victims. Mongolia is used as a transit point *en route* to other destinations in northeast Asia for forced prostitution and forced labor originating in China and Russia. Women and girls are subjected to forced prostitution in massage parlors, and girls remained vulnerable to commercial sexual exploitation in hotels, bars, and karaoke clubs in Mongolia. Some Mongolian children are forced to beg, steal, or work in the informal construction, mining, and industrial sectors. There is continued evidence of Chinese laborers in the mining and construction industries being expelled from Mongolia for visa violations without being compensated for their work. A growing area of concern as the country becomes wealthier is the recruitment of undocumented domestic workers from the Philippines into Mongolia. Approximately 2,500 to 5,000 North Koreans are employed in Mongolia as contract laborers. North Korean workers, present in Mongolia through a memorandum of understanding, do not appear to have freedom of movement or choice of employment, and receive only a fraction of the money paid to the North Korean government for their work. Mongolian authorities have reported that recruitment for forced prostitution has become more sophisticated to avoid detection by police. Whereas in the past, trafficking perpetrators would place fraudulent ads in newspapers or on television, traffickers are increasingly using social networking sites and online advertisements to avoid the risk of detection. Anecdotal reports continue to indicate that South Korean and Japanese tourists engage in child sex tourism in Mongolia.

The Government of Mongolia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, including the successful prosecutions of six traffickers assisted by an NGO, the government did not implement its January 2012 anti-trafficking law, including the establishment of a coordinating anti-trafficking body, or prioritize resources to address human trafficking. Moreover, the government failed to conduct anti-trafficking training for law enforcement, prosecutors, or judges. To date, the government has not recognized forced labor as a problem and no forced labor cases have been prosecuted in the last three years. Although government revenues increased substantially in recent years, the government has not allocated funding to combat trafficking.



Recommendations for Mongolia: Implement the 2012 anti-trafficking legislation and establish a government anti-trafficking coordinating body; commence serious efforts to investigate and prosecute labor trafficking cases, including those involving foreign workers; allocate government funds or seek international funding to support anti-trafficking activities; establish formal procedures to guide government officials in victim identification and referral of victims to protective services; train law enforcement officials, judges, and members of the government on trafficking and how to effectively implement the new 2012 law, including prosecuting internal trafficking and child prostitution cases using Article 113; implement the national plans of action on trafficking in persons and sexual exploitation; cease prosecuting trafficking victims for crimes committed as a result of being trafficked; decrease the employment of North Korean laborers; reduce demand for commercial sex; and protect children who are being exploited by those who engage in child sex tourism in Mongolia.

Prosecution

The Government of Mongolia demonstrated diminished anti-trafficking law enforcement efforts during the reporting period. Due to delay surrounding the formation of a new government, implementing regulations to guide law enforcement and judicial authorities on the anti-trafficking law enacted in early 2012 have not yet been issued. Mongolia prohibits all forms of human trafficking through Article 113 of its criminal code, which was amended in the prior reporting period to include internal trafficking, trafficking of children, and labor trafficking. The more commonly used statute, Article 124, which was also amended in 2013, prohibits both non-trafficking offenses such as financially benefitting from prostitution as well as "induced" prostitution. The current law prescribes sufficiently stringent penalties—with up to 15 years' imprisonment—and commensurate with penalties prescribed for other serious offenses, such as rape. During the reporting period, the government prosecuted and convicted six trafficking offenders under Article 113, compared to no reported convictions under this trafficking statute in 2011. The six traffickers received sentences averaging six years' imprisonment. Additionally, 20 suspects were prosecuted

under Article 124 (organized or induced prostitution), of which 17 were convicted during 2012, compared to 15 suspects prosecuted, of which 10 were convicted in 2011. The 17 traffickers convicted in 2012 under Section 124 received lighter sentences than would have been possible under the amended Article 113; it is not clear how many, if any, of these involved human trafficking offenses. Once again, the government obtained no forced labor convictions; when allegations of forced labor were reported, police report that the allegations were not referred for further criminal investigation or prosecution. Corruption among prosecutors, judges, and law enforcement personnel remains a significant problem in the country and a barrier to anti-trafficking progress. The Mongolian government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. The Criminal Police Department's Organized Crime Division held regular training programs on trafficking investigations for provincial and district law enforcement officers and the Tuv provincial government provided the equivalent of approximately $600 to train its law enforcement officers. However, frequent turnover among prosecutors, judges, and law enforcement officers undercut these training efforts and prevented anti-trafficking expertise from being established.

Protection

The Government of Mongolia made limited efforts to protect victims of trafficking during the year. The government did not employ systematic procedures for the proactive identification of trafficking victims, though authorities reported identifying 56 victims of forced prostitution and no forced labor victims during the reporting period. Two NGOs, funded largely by foreign donors and given the equivalent of approximately $5,000 to $8,000 by the Mongolian government, provided the country's only protective services for trafficking victims, both male and female. During the reporting period, these NGOs provided protective services to 51 trafficking victims, providing shelter to 26. The government still lacked a law or policy on victim-witness protection and did not provide long-term resources to victims of trafficking. Victims were not offered protections when testifying; some victims experienced intimidation during court appearances. The government did not provide a mechanism for victims to have legal counsel to assist and protect them during proceedings and did not provide foreign victims with legal alternatives to repatriation where it would constitute a significant risk of hardship, torture, or death. Victims continued to be punished for unlawful acts committed as a direct result of their being trafficked, including Mongolian children in prostitution being arrested, detained, and prosecuted. Foreign trafficking victims in Mongolia, especially Chinese laborers, were routinely fined for violating visa terms and expelled from Mongolia. Police and border officials reported that girls without identification or children crossing borders with adults are interviewed; however, absent a standard operating procedure, interviews were conducted at the discretion of the individual officer.

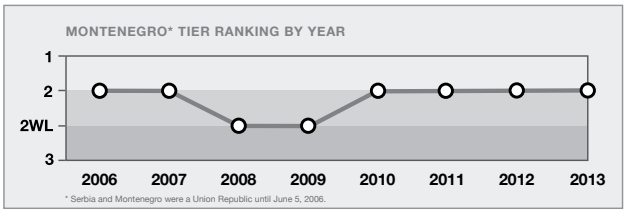
Prevention

The Government of Mongolia made no discernible effort to prevent trafficking during the reporting period. The government did not conduct any public education campaigns to combat trafficking. Local provincial and district governments independently conducted their own community-oriented public awareness campaigns for children, schools, and employers. The January 2012 law mandates a trafficking prevention council to coordinate government efforts to prevent human trafficking, but the council has not been convened. The government failed to implement two national action plans for anti-trafficking efforts and no coordinating body or resource has been dedicated to implement these plans. The government did not take any measures during the reporting period to reduce the demand for commercial sex acts or to address child sex tourism in the country.

MONTENEGRO (Tier 2)

Montenegro is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking identified in Montenegro are primarily women and girls from Montenegro, Serbia, Macedonia, Bosnia, Kosovo, and to a lesser extent, other countries in eastern Europe. Children of ethnic Roma, Ashkali, and Egyptian descent, displaced families, and other vulnerable children from Montenegro, Kosovo, Bosnia, and Serbia are forced to beg on the streets. There have been reports that ethnic Roma girls from Montenegro, who are often forced into domestic servitude, have been sold into servile marriages in Roma communities in Kosovo. Montenegrin women and girls are vulnerable to sex trafficking in other Balkan countries.

The Government of Montenegro does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased funding for victim protection during the reporting period. The government initiated prosecutions against more trafficking offenders, but investigations and convictions remained low. The government's practice of recognizing only those trafficking victims who have agreed to participate in criminal proceedings that result in convictions may limit efforts to identify and assist the much larger population of victims.



Recommendations for Montenegro: Vigorously pursue sex trafficking and forced labor investigations, prosecutions, and convictions, including against complicit officials; collect and share detailed data on the number of prosecutions, convictions, and victims identified within the country and abroad; encourage proactive formal identification of victims even in cases for which there may not be active criminal proceedings against the trafficking offenders; ensure that police, social workers, and other officials working with high risk populations are trained to proactively identify and refer trafficking victims to services; increase proactive screening and assistance to potential victims of trafficking among Roma, Ashkali, and Egyptian populations and other vulnerable children; encourage trafficking victims' participation in prosecutions against traffickers; and implement a national referral mechanism with a multidisciplinary approach to proactive victim identification and defined responsibilities for frontline responders.

Prosecution

The Government of Montenegro demonstrated modest law enforcement efforts in 2012; the numbers of investigations and convictions declined. Montenegro prohibits sex and labor trafficking through Article 444 of its criminal code, which prescribes penalties of up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government investigated only one suspected trafficking offender in a case involving seven victims, two of whom were children. The government initiated the prosecution of 23 alleged trafficking offenders and obtained the conviction of one offender in 2012, compared to no new prosecutions and 14 convictions in 2011. The conviction, a retrial following extradition of a trafficker initially done *in absentia*, resulted in a sentence of two years' and nine months' imprisonment. The government did not conclude the sentencing for three public officials convicted of complicity in human trafficking during the previous reporting period. The Government of Montenegro did not report any new investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. A former government official alleged to be complicit in a 2002 human trafficking case appealed the dismissal of his defamation lawsuit filed against a victim of trafficking. A 2012 report on Montenegro by the Council of Europe's Group of Experts on Action Against Trafficking in Human Beings (GRETA) noted serious concerns with the country's legislative and institutional framework for prosecuting trafficking and protecting victims; courts did not consider the case against complicit officials alleged to have physically and sexually assaulted the victim named in the lawsuit, despite extensive evidence collected during the investigation.

Protection

The government increased its protection of trafficking victims over the last year, though its efforts to identify victims remained inadequate. The government reported identifying eight new potential victims of trafficking in 2012, including two children, an increase from one victim identified in 2011. The government coordinated with the Government of Serbia for the safe return of an internally displaced Roma child from a camp in Podgorica who was transported to Serbia and subjected to forced begging. The government reported that police in the organized crime unit conducted numerous anti-trafficking raids in bars, nightclubs, and other commercial sex trade outlets, investigated escort agencies, and monitored street begging for labor trafficking. However, NGOs reported that proactive identification needed to improve in light of the low number of victims assisted in the country. GRETA noted that the government's legal definition of a trafficking victim is limited to those victims who take part in a successful prosecution and sentencing of their trafficker, which may narrow the number of formally identified victims. Limiting victim identification to those who assist in successful prosecutions excluded victims who chose not to cooperate with police and those who did cooperate but whose trafficker was not convicted. GRETA cited concerns that social workers' and other officials' stereotypes and views of Roma impeded progress on identifying and intervening in child trafficking cases.

The government encouraged victims to participate in investigations and prosecutions of trafficking offenders by providing free legal assistance and involving a psychologist when taking victims' statements. Seven victims cooperated with investigations in 2012. The government fully funded one NGO-run shelter for trafficking victims that was open to both domestic and foreign victims. During the reporting period, the government moved the shelter to a new facility where children could be housed separately from adults. Two newly identified victims were housed in the shelter during the reporting period; four victims identified in prior years continued to reside in the shelter. The national office for combating trafficking had a budget of the equivalent of approximately $182,000; approximately half of this funding was allotted for the shelter's operations, an increase from the equivalent of approximately $52,200 spent on the shelter in 2011. Victims in the shelter were provided with medical, psychological, social, and legal assistance. Victims were free to come and go from the shelter following an assessment by police and social welfare officials. Montenegro's law on foreigners provides for a temporary residence permit for trafficking victims lasting from three months to one year, though no victims applied for residency during the last year. NGOs reported that victims of trafficking were not punished for acts committed as a direct result of being subjected to trafficking.

Prevention

The government maintained its human trafficking prevention efforts in 2012, supporting an anti-trafficking public awareness campaign on television, displaying anti-trafficking messages publicizing the 24-hour national hotline for potential victims of trafficking on air and railway tickets in coordination with a regional campaign, and displaying posters with the hotline number at all border crossings. The government allocated the equivalent of approximately $3,900 to an NGO to operate the hotline. The government distributed flyers in schools informing youth about the risks of human trafficking and publicizing anti-trafficking resources and an educational brochure on forced early child marriage among ethnic Roma and Egyptian communities in Montenegro. In coordination with experts from various ministries and NGOs, the government adopted a new anti-trafficking strategy for 2012 to 2018 and a new national action plan for 2012 to 2013. The national anti-trafficking coordinator announced his resignation, but remained in his position during the reporting period. The government did not demonstrate efforts to reduce demand for commercial sex acts or forced labor during the reporting period. The Montenegrin government provided anti-trafficking training to its military personnel prior to their deployment abroad for international peacekeeping missions.

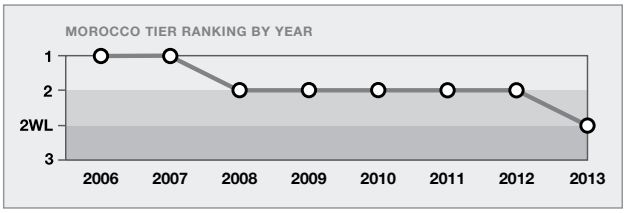
MOROCCO (Tier 2 Watch List)

Morocco is a source, destination, and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Some Moroccan girls from rural areas as young as six or seven years old are recruited to work as maids in cities and often experience conditions of forced labor, such as nonpayment of wages, threats, restrictions on movement, and physical, psychological, or sexual abuse; however, an NGO reports that the incidence of child maids has decreased since 2005, in part due to government-funded programs promoted in primary school, especially in rural areas, and awareness programs funded by UN agencies and NGOs. Some Moroccan boys experience forced labor as apprentices in the artisan and construction industries and in mechanic shops. Men, women, and an increasing number of children primarily from sub-

Saharan Africa and south Asia enter Morocco voluntarily but illegally with the assistance of smugglers; once in Morocco, some of the women and older girls are coerced into prostitution or, less frequently, forced into domestic service. International organizations and local NGOs report that unaccompanied children and women from Cote d'Ivoire, the Democratic Republic of the Congo, and Nigeria are highly vulnerable to sex trafficking and to a lesser extent forced labor in Morocco. Some women from Cote d'Ivoire, Philippines, and Indonesia are recruited to work as domestic workers in Morocco; some report being subjected to conditions of forced labor, including withheld wages and passports and physical abuse at the hands of their employers. Criminal networks operating in the northern border town of Oujda on the Algerian border commonly force undocumented foreign migrant women into prostitution and begging; these networks also reportedly force children into begging. Some female migrants transiting Oujda, particularly Nigerians, were forced into prostitution once they reached Europe. There is some sex tourism committed by foreigners in major cities in Morocco. Due to conflicts in the region, there has been a small increase in the number of irregular migrants and asylum seekers in this reporting period, including from Syria and the Central African Republic.

Moroccan men, women, and children are exploited for forced labor and sex trafficking in Europe and the Middle East. Moroccan women are forced into prostitution in the United Arab Emirates, Bahrain, Jordan, Libya, Syria, and European countries; some of them experience restrictions on movement, threats, and emotional and physical abuse. Some Moroccan men reportedly are promised jobs in the Gulf but experience confiscation of their passports and are coerced into debt bondage after arrival. A few Moroccan men and boys are lured to Europe by fraudulent job offers and are subsequently forced to sell drugs.

The Government of Morocco does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing efforts to address human trafficking since the previous reporting period; therefore Morocco is placed on Tier 2 Watch List. The government did not demonstrate progress in investigating, prosecuting, convicting, and adequately punishing trafficking offenders and failed to provide law enforcement data. It did not show progress in proactively identifying trafficking victims among vulnerable groups, especially the sub-Saharan migrant community, nor did it ensure that foreign trafficking victims were not subject to arrest and deportation. The government made some efforts, however, to offer protective services to Moroccan women and child victims of trafficking. The government continued to lack adequate anti-trafficking legislation.



Recommendations for Morocco: Complete the drafting and enactment of comprehensive anti-trafficking legislation that prohibits all forms of trafficking and increases prescribed penalties for forced labor; significantly increase investigations, prosecutions, and convictions of trafficking offenders with sufficiently stringent penalties for all forms of trafficking; institute a victim identification and referral mechanism to guide officials in the identification and assistance of trafficking victims; provide additional funds to NGOs providing specialized services for human trafficking victims; ensure that identified victims are not punished for acts committed as a direct result of being subjected to human trafficking, such as immigration violations or physical abuse by police; encourage victims to participate in investigations against their traffickers, including by offering relief from deportation; significantly improve data collection and reporting, including the disaggregation of data between human trafficking and human smuggling; and conduct public awareness campaigns addressing all forms of trafficking and encompassing child sex tourism.

Prosecution

The government made little progress in its law enforcement response to human trafficking during the reporting period. Morocco lacks a single comprehensive anti-trafficking law, which remained a serious obstacle to successfully prosecuting human trafficking and contributed to confusion among officials in differentiating human smuggling and human trafficking. Morocco's penal code prohibits forced child labor through Article 467-2, which prescribes punishment of one to three years' imprisonment. The penal code also prohibits forced prostitution and child prostitution through articles 497-499, which prescribe punishment of up to 10 years' or life imprisonment if found to have occurred with aggravated circumstances. Penalties prescribed by these various statutes for sex trafficking offenses are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In contrast, penalties prescribed for labor trafficking offenses do not appear to be sufficiently stringent. Article 10 of Morocco's labor code prohibits forced labor of a worker; this offense is punishable by a fine for the first offense and a jail term of up to three months in subsequent offences. Penalties for coerced child labor under Article 467 range from one to three years' imprisonment.

At the end of the reporting period, the government did not report data on investigations, prosecutions, or convictions of sex and labor trafficking offenders. The government has not developed an effective system to collect anti-trafficking law enforcement data, which continued to prevent the government from being able to report trafficking statistics in a timely manner. NGOs and the media reported that a woman was convicted and sentenced to 10 years' imprisonment in 2012 for beating her child maid to death; however, the details of this case were unavailable. The media also reported that an unspecified number of Filipina domestic workers, some of whom may be trafficking victims, filed lawsuits against their former employers for abusive conditions indicative of forced labor, including physical abuse and confiscated passports.

The government continued to provide and fund a variety of trafficking training events to law enforcement and judicial officials in 2012. In November and December 2012, the Ministry of Justice in collaboration with UNHCR provided anti-trafficking and victim identification training for judges, judicial police officers, *gendarmes*, and representatives of civil society. The Ministry of Interior also reported that security

officials received trafficking awareness training at the Training Institute for Auxiliary Forces.

Protection

The Moroccan government demonstrated minimal efforts to protect victims of trafficking over the past year. It did not develop or employ systematic procedures to proactively identify victims of trafficking, and it continued to show weak efforts in identifying victims of all forms of trafficking. The government was also limited in its ability to provide sufficient staffing and funding resources to protect victims of human trafficking. The government did not provide long-term shelter or housing benefits or other protection services to victims of trafficking. Some local and international NGOs, however, reported having an active working relationship with local law enforcement officials, who reportedly referred cases of at-risk children, some of whom may be trafficking victims, to local NGOs for assistance. The government did not provide official statistics on the number of identified victims of trafficking; however, an international NGO reported assisting 36 victims of trafficking in 2012. The Ministry of Employment and Professional Development (MOEPT) employed 463 labor inspectors for the entire country, and 51 of which were designated to child labor cases. The inspectors were hindered by inadequate staffing and did not have the legal authority to enter homes, preventing them from investigating and identifying instances of child labor or trafficking in domestic service situations. The government continued to protect child victims of violence found within the country, some of whom may be victims of trafficking, through its 75 children reception centers and five child protection centers for child victims; however, these centers often lacked adequate personnel, and it is unknown how many of the child victims receiving services at these centers were trafficking victims. The government reportedly provided assistance to Moroccan trafficking victims overseas with travel documents and transportation home; however, the government was unable to provide statistics for the number of victims assisted during the reporting period. The government lacked a policy to protect trafficking victims from being prosecuted for crimes committed as a direct result of being trafficked. Anecdotal information from NGOs suggested that authorities arrested, detained, and deported some foreign trafficking victims during the year. Undocumented migrants who arrived from Algeria, some of whom may be trafficking victims, were usually deported back to the Algerian border, reportedly often without food or water, and were susceptible to being robbed, assaulted, and sexually abused by criminal gangs operating in the area. During this reporting period, local media outlets and NGOs reported that government authorities conducted mass raids and arrests of sub-Saharan migrants in Oujda, expelling 5,400 irregular migrants into Algeria. There was no evidence to suggest that authorities made efforts to identify potential trafficking victims among those who were arrested and deported.

The government did not report whether it encouraged victims to participate in investigations against trafficking offenders. The government did not offer legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship. Sub-Saharan African women who were forced into prostitution in Morocco were unlikely to report crimes for fear of being treated as undocumented migrants and deported, though in reality, undocumented migrant women were rarely deported. Undocumented migrants were also allowed access to basic medical care at public health institutions.

Prevention

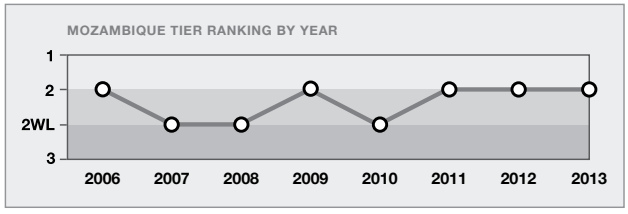
The Moroccan government made minimal efforts to prevent human trafficking over the last year. The government did not undertake campaigns to raise public awareness about human trafficking. Most child labor prevention programs focused on poverty reduction and providing financial support and education to targeted families to ensure that children stay in school. In 2012, the MOEPT continued to allocate the equivalent of approximately $187,500 to nine Moroccan NGOs focusing on child labor issues, and the Ministry of Solidarity, Women, Family, and Social Development provided the equivalent of approximately $2 million to NGOs focusing on women and child welfare. Two government-operated child protection units, an emergency telephone hotline, a mobile assistance program, and women and children focal points continued to assist vulnerable women and children in major cities in Morocco. An inter-ministerial committee on coordination for trafficking issues comprised of representatives from multiple ministries met occasionally during the reporting period. Authorities made no discernible efforts to raise public awareness of child prostitution or sex trafficking of women and did not take any reported measures to reduce the demand for commercial sex acts or child sex tourism, though media outlets reported several instances of alleged sexual tourism during the reporting period and the topic of child sexual exploitation became more widely discussed in the media and within the government during the reporting period. The government provided training on the issue of sexual exploitation to Moroccan soldiers prior to their deployment abroad on UN peacekeeping missions.

MOZAMBIQUE (Tier 2)

Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor is common in agriculture, and in commercial activities in rural areas of the country, often with the complicity of family members. Women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and the sex trade. Underage Mozambican girls are exploited in prostitution in bars, roadside clubs, and restaurants in border towns and overnight stopping points along Mozambique's southern transport corridor that links Maputo, Swaziland, and South Africa. Child prostitution—which is most prevalent in Maputo, Nampula, and Beira—is reportedly increasing in Maputo, Beira, Chimoio, and Nacala, which have highly mobile populations and large numbers of transport workers. Young Mozambican men and boys are subjected to forced labor on farms and in mines in South Africa, where they often labor for months without pay and under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and selling goods; some subsequently become victims of forced labor. Some Mozambican adults are subjected to forced labor and forced prostitution in Portugal. Some women and girls from Zimbabwe, Swaziland, and Malawi who voluntarily migrate to Mozambique are subsequently subjected to sex trafficking or domestic servitude. Mozambican

or South African trafficking networks are typically informal; larger Chinese and Nigerian trafficking syndicates are reportedly also active in Mozambique. South Asian people smugglers who move undocumented South Asian migrants throughout Africa reportedly transport trafficking victims through Mozambique; recent reports indicate that South Asian citizens and companies in Mozambique pay the initial travel costs of illegal Bangladeshi and Pakistani migrants who they later maintain in bonded labor. During the year, a Mozambican woman and two girls were intercepted in Zambia *en route* to Europe to be subjected to forced prostitution, and five Mozambican victims of forced prostitution were discovered in South Africa.

The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated an increase in anti-trafficking efforts in 2012, more than tripling the number of convictions. It continued its institutional training of officials at its police academy. The Attorney General's office coordinated the government's anti-trafficking efforts during the year by finalizing the first draft of a national action plan and establishing anti-trafficking coordinating bodies in four provinces. The Ministry of Justice collected anti-trafficking law enforcement data from provincial authorities. The government increased its efforts to cooperate with governments in the region through the signing of cooperation agreements that include anti-trafficking components with Tanzania and Swaziland, and by coordinating meetings and awareness campaigns with South African officials. Although it continued to provide in-kind support to NGOs assisting victims, and developed a referral mechanism for victims of all crimes, including trafficking, the government demonstrated weak provision of protective services to trafficking victims.



Recommendations for Mozambique: Take concrete steps to finalize and issue necessary regulations to implement the protection and prevention provisions of the 2008 anti-trafficking law; develop a formal system to identify proactively trafficking victims among vulnerable populations; build the capacity of the police anti-trafficking unit, the labor inspectorate, and the Women and Children's Victim Assistance Units (GAMC) to investigate trafficking cases and provide short-term protection to victims; continue training for law enforcement officers in victim identification, particularly at border points; investigate reports of official complicity in human trafficking and vigorously prosecute, where appropriate, those implicated in trafficking offenses; and launch anti-trafficking awareness campaigns in additional provinces.

Prosecution

The government continued to make significant progress in anti-trafficking law enforcement efforts during the reporting period, increasing the number of offenses prosecuted and offenders convicted. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, prohibits recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude. Article 10 prescribes penalties of 16 to 20 years' imprisonment for these offenses, penalties which are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape.

The government continued compiling anti-trafficking law enforcement data, which it began in 2011; however, it did not provide details on specific cases. During the year, the government prosecuted 19 trafficking cases, leading to the conviction of 23 defendants and eight acquittals, a significant increase over 11 prosecutions and six convictions in 2011. In one case, the Manica Provincial Court sentenced two convicted offenders to 16 years' imprisonment for unspecified trafficking offenses. All nine provinces and the city of Maputo reported conducting investigations during the year; 16 trafficking investigations continued from 2011, and 21 new investigations were opened, 18 of which remained ongoing at the close of the reporting period. Police investigative techniques, training, capacity, and forensic abilities continue to be weak, particularly outside of the capital.

The government, in partnership with UNICEF, continued offering a two-week anti-trafficking course at the police training center for all newly recruited police officers, border guards, customs and immigration agents, and rapid intervention (riot) police; taken by 3,500 recruits in 2012, the course covered recognition of trafficking cases, protection of victims, child rights, and child custody law. In addition, 54 judges were trained on trafficking at the Judicial Training Academy during the year. The government did not report investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses, including officials bribed to allow traffickers and smugglers to move persons within the country and across national borders into South Africa and Swaziland. During the year, the government increased its cooperation with governments in the region by participating in a cross border meeting with officials from South Africa's Mpumalanga provincial anti-trafficking task team to discuss the repatriation of children, including child trafficking victims, and signing a joint agreement with Swaziland on security issues, including trafficking in persons.

Protection

The Government of Mozambique made modest progress in its efforts to protect victims of trafficking during the year, in particular through its development of a referral mechanism for victims of crime, and continued in-kind support to NGOs providing victim care. In July 2012, the president signed into effect the Law on the Protection of Witnesses and Victims of All Crimes, including trafficking victims and those who cooperate with law enforcement in the investigation and prosecution of human trafficking cases. Additionally, in March 2012, the Council of Ministers approved the Multi-Sectoral Mechanism on Integrated Care for Women Who are Victims of Violence, which outlines the role of each ministry in providing assistance to victims of violence, including trafficking victims; this would not cover male trafficking victims. However, the government did not formalize procedures for identifying potential victims of trafficking. The Attorney General's office continued its drafting of regulations to implement the portions of the anti-trafficking law that address assistance to victims.

Government officials continued to rely on NGOs to provide shelter, counseling, food, and rehabilitation to victims, and to proffer only limited in-kind government support; it is unknown how many victims benefitted from such services during the year. An NGO managed the country's only permanent shelter for child trafficking victims, with the Ministry for Women and Social Action (MMAS) funding the shelter staff's salaries and the district of Moamba providing the land. MMAS staff at the shelter coordinated both the search for trafficking victims' families and, if necessary, their placement with foster families; in advance of victims' return or placement, MMAS staff counseled children and sensitized families, which were also able to receive government funding on a case-by-case basis. The Interior Ministry's GAMC continued to operate facilities in more than 200 police stations and 20 "Victims of Violence" centers throughout the country that provided temporary shelter, food, limited counseling, and monitoring following reintegration for an unknown number of trafficking victims; GAMC staff also referred and transported victims to NGOs or foster families for longer-term assistance. In 2012, GAMC staff provided food, shelter, and psycho-social support to a potential child trafficking victim from Kenya who was intercepted at the Maputo airport with a suspected trafficker; Mozambican officials worked with Kenyan officials to repatriate the child. Similar services were provided to an unknown number of Mozambican children returned from South Africa during the year, some of whom may have been trafficking victims; however, the government offered very limited reintegration assistance to repatriated trafficking victims overall. The Institute for Judicial Support offered legal assistance to abused women and children, but did not provide such assistance to trafficking victims during the year. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders; however, this did not occur during the year. The government did not provide temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution and it continued to deport foreign trafficking victims without screening them for possible victimization. Although NGO contacts reported no instances of trafficking victims having been detained, fined, or jailed for unlawful acts committed as a result of having been trafficked, and the 2008 anti-trafficking act exempted victims from prosecution for such acts, the lack of formal identification procedures impaired the government's ability to ensure that no trafficking victims received such penalties.

Prevention

The government made increased efforts to prevent trafficking in persons during the reporting period through its establishment of provincial coordinating bodies, finalization of a national action plan, and organization of awareness-raising events in Mozambique and South Africa. The Attorney General's office completed drafting a national action plan on trafficking in persons, which now awaits approval by the Council of Ministers. Although the government lacks a single national body to coordinate anti-trafficking efforts across ministries, the Attorney General's office continued to demonstrate leadership in overseeing national anti-trafficking efforts. For example, in 2012, with the encouragement of the Attorney General's office, provincial governments created inter-ministerial "reference groups" in Nampula, Gaza, and Manica consisting of provincial officials, police, border guards, social workers, NGOs, and faith based organizations; roll-out is planned for all provinces by 2014. The Maputo-based reference group, in existence since 2010, organized an awareness campaign in November 2012 in the border town of Ressano Garcia. The one-day campaign, funded in partnership with an NGO, involved the district attorney general; district chief administrator; and border, customs, and local police, reaching 200 community members with a march through the town and official speeches on trafficking risks within their community. As part of the event, trafficking awareness messages were broadcast on state-run radio. In December 2012, the Mozambican Consulate in Nelspruit, South Africa, worked with the Mpumalanga provincial task team to host a trafficking awareness meeting for members of the Mozambican community that provided instructions on how to report a suspected case of human trafficking. State-run Radio Mozambique and several district-run community radio stations ran anti-trafficking messages in January 2013. Although the Ministry of Labor acknowledged that child labor is pervasive and often abusive, it employed an inadequate number of labor inspectors, who lacked training and resources to adequately monitor for child trafficking and other labor violations, especially on farms in rural areas. The government did not make an effort to reduce the demand for commercial sex acts during the year.

NAMIBIA (Tier 2 Watch List)

Namibia is predominantly a country of origin and destination for children and, to a lesser extent, women subjected to forced labor and sex trafficking. Some victims are offered legitimate work for adequate wages, but eventually may be forced to work long hours and carry out hazardous tasks in urban centers and on commercial farms. Traffickers in Namibia exploit Namibian children in forced labor in agriculture, cattle herding, and domestic service. Children from Angola, Zambia, and Zimbabwe are subjected to prostitution in Namibia. Some Angolan boys may be brought to Namibia for forced labor in cattle herding; however, no such cases were reported during the year. Foreign nationals or persons resident in Namibia from southern Africa and Europe are among the clientele of children in prostitution in Namibia. Children are also coerced to conduct criminal activity, including drug smuggling and robbery. Namibians commonly house and care for children of distant relatives in order to provide expanded educational opportunities; however, in some instances, such children are exploited by their relatives in sex trafficking or forced labor. Among Namibia's ethnic groups, San girls are particularly vulnerable to forced labor on farms or in homes, and to a lesser extent, are exploited in prostitution.

The Government of Namibia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, including its prosecution of two suspected sex traffickers, the government did not demonstrate evidence of overall increasing efforts to address human trafficking during the previous reporting period; therefore, Namibia is placed on Tier 2 Watch List for a second consecutive year. Although the Ministry of Gender Equality and Child Welfare (MGECW) launched a National Plan of Action on Gender-Based Violence in 2012, which includes actions to address human trafficking, the government did not undertake systematic anti-trafficking efforts to ensure lasting progress, particularly in regard to the prosecution of trafficking crimes. Although the government developed a referral process for victims of gender-based violence, including trafficking, it failed to

Government officials continued to rely on NGOs to provide shelter, counseling, food, and rehabilitation to victims, and to proffer only limited in-kind government support; it is unknown how many victims benefitted from such services during the year. An NGO managed the country's only permanent shelter for child trafficking victims, with the Ministry for Women and Social Action (MMAS) funding the shelter staff's salaries and the district of Moamba providing the land. MMAS staff at the shelter coordinated both the search for trafficking victims' families and, if necessary, their placement with foster families; in advance of victims' return or placement, MMAS staff counseled children and sensitized families, which were also able to receive government funding on a case-by-case basis. The Interior Ministry's GAMC continued to operate facilities in more than 200 police stations and 20 "Victims of Violence" centers throughout the country that provided temporary shelter, food, limited counseling, and monitoring following reintegration for an unknown number of trafficking victims; GAMC staff also referred and transported victims to NGOs or foster families for longer-term assistance. In 2012, GAMC staff provided food, shelter, and psycho-social support to a potential child trafficking victim from Kenya who was intercepted at the Maputo airport with a suspected trafficker; Mozambican officials worked with Kenyan officials to repatriate the child. Similar services were provided to an unknown number of Mozambican children returned from South Africa during the year, some of whom may have been trafficking victims; however, the government offered very limited reintegration assistance to repatriated trafficking victims overall. The Institute for Judicial Support offered legal assistance to abused women and children, but did not provide such assistance to trafficking victims during the year. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders; however, this did not occur during the year. The government did not provide temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution and it continued to deport foreign trafficking victims without screening them for possible victimization. Although NGO contacts reported no instances of trafficking victims having been detained, fined, or jailed for unlawful acts committed as a result of having been trafficked, and the 2008 anti-trafficking act exempted victims from prosecution for such acts, the lack of formal identification procedures impaired the government's ability to ensure that no trafficking victims received such penalties.

Prevention

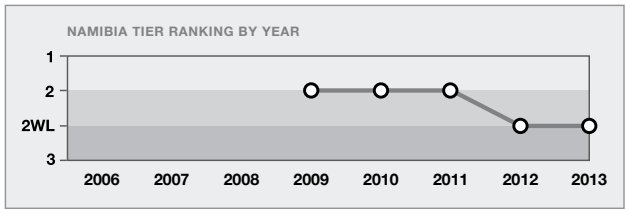
The government made increased efforts to prevent trafficking in persons during the reporting period through its establishment of provincial coordinating bodies, finalization of a national action plan, and organization of awareness-raising events in Mozambique and South Africa. The Attorney General's office completed drafting a national action plan on trafficking in persons, which now awaits approval by the Council of Ministers. Although the government lacks a single national body to coordinate anti-trafficking efforts across ministries, the Attorney General's office continued to demonstrate leadership in overseeing national anti-trafficking efforts. For example, in 2012, with the encouragement of the Attorney General's office, provincial governments created inter-ministerial "reference groups" in Nampula, Gaza, and Manica consisting of provincial officials, police, border guards, social workers, NGOs, and faith based organizations; roll-out is planned for all provinces by 2014. The Maputo-based reference group, in existence since 2010, organized an awareness campaign in November 2012 in the border town of Ressano Garcia. The one-day campaign, funded in partnership with an NGO, involved the district attorney general; district chief administrator; and border, customs, and local police, reaching 200 community members with a march through the town and official speeches on trafficking risks within their community. As part of the event, trafficking awareness messages were broadcast on state-run radio. In December 2012, the Mozambican Consulate in Nelspruit, South Africa, worked with the Mpumalanga provincial task team to host a trafficking awareness meeting for members of the Mozambican community that provided instructions on how to report a suspected case of human trafficking. State-run Radio Mozambique and several district-run community radio stations ran anti-trafficking messages in January 2013. Although the Ministry of Labor acknowledged that child labor is pervasive and often abusive, it employed an inadequate number of labor inspectors, who lacked training and resources to adequately monitor for child trafficking and other labor violations, especially on farms in rural areas. The government did not make an effort to reduce the demand for commercial sex acts during the year.

NAMIBIA (Tier 2 Watch List)

Namibia is predominantly a country of origin and destination for children and, to a lesser extent, women subjected to forced labor and sex trafficking. Some victims are offered legitimate work for adequate wages, but eventually may be forced to work long hours and carry out hazardous tasks in urban centers and on commercial farms. Traffickers in Namibia exploit Namibian children in forced labor in agriculture, cattle herding, and domestic service. Children from Angola, Zambia, and Zimbabwe are subjected to prostitution in Namibia. Some Angolan boys may be brought to Namibia for forced labor in cattle herding; however, no such cases were reported during the year. Foreign nationals or persons resident in Namibia from southern Africa and Europe are among the clientele of children in prostitution in Namibia. Children are also coerced to conduct criminal activity, including drug smuggling and robbery. Namibians commonly house and care for children of distant relatives in order to provide expanded educational opportunities; however, in some instances, such children are exploited by their relatives in sex trafficking or forced labor. Among Namibia's ethnic groups, San girls are particularly vulnerable to forced labor on farms or in homes, and to a lesser extent, are exploited in prostitution.

The Government of Namibia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, including its prosecution of two suspected sex traffickers, the government did not demonstrate evidence of overall increasing efforts to address human trafficking during the previous reporting period; therefore, Namibia is placed on Tier 2 Watch List for a second consecutive year. Although the Ministry of Gender Equality and Child Welfare (MGECW) launched a National Plan of Action on Gender-Based Violence in 2012, which includes actions to address human trafficking, the government did not undertake systematic anti-trafficking efforts to ensure lasting progress, particularly in regard to the prosecution of trafficking crimes. Although the government developed a referral process for victims of gender-based violence, including trafficking, it failed to

designate as trafficking victims any victims of crime discovered during the year or ensure its officials were informed of how to determine such status. In addition, it did not complete draft comprehensive anti-trafficking legislation. Furthermore, the government has never convicted a trafficking offender under any of its laws. However, the government discovered at least one trafficking victim and provided counseling to four during the year—a modest increase in its protection efforts in 2011. It also completed its renovation of one additional shelter for victims of gender-based violence, including trafficking.



Recommendations for Namibia: Draft and enact comprehensive anti-trafficking legislation; increase efforts to investigate and prosecute trafficking offenses, and to convict and punish trafficking offenders under existing law, including the Prevention of Organized Crime Act (POCA); continue to train law enforcement and judicial sector officials on the anti-trafficking provisions of the POCA and other relevant laws; in the implementation of the law, ensure consistent use of a broad definition of human trafficking that does not rely on evidence of movement, but rather focuses on exploitation, consistent with the 2000 UN TIP Protocol; continue to distribute and use standard guidelines for all government stakeholders for use in the identification of victims by law enforcement, immigration, labor, and social welfare officials; continue to dedicate adequate time and resources to complete ongoing shelter and safe house renovations; continue to strengthen coordination of anti-trafficking efforts among government ministries, including at the working level; and continue to collect, analyze, and disseminate data on trafficking cases.

Prosecution

The Government of Namibia continued its anti-trafficking law enforcement efforts during the year, initiating the prosecution of two suspects for the alleged sex trafficking of three girls. The government, however, did not convict any trafficking offenders or complete comprehensive anti-trafficking legislation during the year. In May 2009, the government enacted the POCA, which criminalizes all forms of trafficking. Under the POCA, persons who participate in trafficking offenses or aid and abet trafficking offenders may be imprisoned for up to 50 years and fined up to the equivalent of approximately $133,000, penalties which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. During the year, the government began its first sex trafficking prosecution under the POCA; however, it has never convicted a trafficking offender under this statute. In January 2013, the government, in partnership with UNODC, held an inter-ministerial workshop to reaffirm its plans to develop comprehensive anti-trafficking legislation to include specific protections for trafficking victims, prevention measures, and harsher punishments for child trafficking offenses. The pending Child Care and Protection Bill, drafted in 2009 and approved by the cabinet in March 2012, includes a provision criminalizing child trafficking; the bill remained pending parliamentary debate and passage.

In October 2012, the Swakopmund Magistrate's Court commenced the government's first known sex trafficking prosecution, charging two suspects for their alleged role in procuring three girls (aged 13, 14, and 18) for sexual exploitation by a South African miner for the approximate equivalent of $1,175. The trial was ongoing at the close of the reporting period. In August 2012, nine immigration officials participated in an IOM train the trainer course and, by the close of 2012, these officials had trained 124 of their colleagues using IOM's curriculum. Furthermore, in partnership with UNICEF, MGECW developed a police curriculum on gender-based violence, including trafficking.

Protection

The government increased its efforts to protect trafficking victims, identifying at least one victim and providing counseling to four child victims during the year. In addition, in March 2013, the government developed a formal process for the referral to assistance of victims of gender-based violence, including trafficking. However, although officials were trained on trafficking victim identification, the government remained without a process for officials to screen populations to determine victimization or provide official designation of trafficking victim status. Upon discovery of a woman or child victim of crime, including trafficking, police transfer them to the Women and Child Protection Unit (WACPU), which has responsibility for referring victims of all crimes to temporary shelter and medical assistance provided by NGOs or other entities. During the year, MGECW, in partnership with UNICEF, formalized these referral procedures through the development of a national protection referral network for crime victims. In 2012, WACPU's facilities provided initial psycho-social, legal, and medical support to trafficking victims, in cooperation with the Namibian Police, MGECW, the Ministry of Health, and NGOs. For example, the MGECW provided social workers to assist WACPU police in counseling victims of violent crimes, including human trafficking; during the year, at least four trafficking victims received such counseling, some of which involved several sessions and longer-term consultation. The MGECW trained gender-liaison officers in all 13 regions on trafficking and case management, who, in turn, trained police and all 60 of its social workers on these topics during the previous reporting period.

The government continued its renovation of buildings to be used for long-term accommodations for women and child victims of gender-based violence and human trafficking; five facilities continued operation, while one additional renovation was completed and a seventh renovation began during the reporting period. Five of the six renovated facilities are under the management of MGECW; in addition, MGECW provided a social worker and partial coverage of operational costs to an NGO managing one facility. These facilities offered overnight accommodation, medical examinations, and space for social workers to provide counseling and psycho-social support. In 2012, police caught a 14-year old San boy stealing cattle on behalf of his uncle, who had kidnapped the boy; authorities did not penalize the boy for this crime, but instead took him to WACPU for counseling and reintegration. The government actively encouraged victims to voluntarily assist in the prosecution of alleged trafficking offenders during the year. Though no foreign victims were identified in Namibia

in 2012, the government remained without the ability to provide temporary or permanent residency to foreign victims.

Prevention

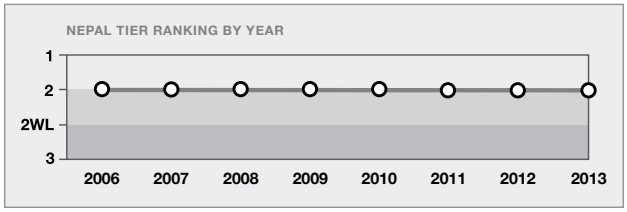
The Namibian government continued its efforts to prevent human trafficking during the reporting period. Under the leadership of MGECW, the National Advisory Committee on Gender-Based Violence—which included trafficking within its mandate—launched its "National Plan of Action on Gender-Based Violence 2012-2016," completed with donor funding and in partnership with UNDP, UNICEF, and local stakeholders. In November 2012, the government concluded its three-year "Zero Tolerance Against Gender-Based Violence and Trafficking in Persons" media campaign that included TV and radio broadcasts on human trafficking and the placement of billboards; the campaign was jointly funded by the MGECW and donors. In addition, the police, in partnership with several NGOs and international donors, continued an anti-trafficking and prostitution demand reduction campaign. In 2012, the MGECW began seeking proposals and bids that would enable the completion of a study to assess the extent of trafficking in the country and the effect of current counter-trafficking efforts. During the year, several officials, including the first lady, addressed community leaders, traditional leaders, and parents on child prostitution and child labor, advocating for them to increase children's awareness about these topics and facilitate their attendance in school.

NEPAL (Tier 2)

Nepal is a source, transit, and destination country for men, women, and children who are subjected to forced labor and sex trafficking. Nepali men are subjected to forced labor in the Middle East and within the country. Nepali women and girls are subjected to sex trafficking in Nepal, India, the Middle East, and China and subjected to forced labor in Nepal, India, and China as domestic servants, beggars, factory workers, mine workers, and in the adult entertainment industry. They are subjected to sex trafficking and forced labor elsewhere in Asia, including in Malaysia, Hong Kong, and South Korea. Nepali boys are also exploited in domestic servitude and, along with a number of Indian boys transported to Nepal, subjected to forced labor within the country, especially in brick kilns and the embroidered textiles, or *zari*, industry. Extreme cases of forced labor in the *zari* industry frequently involve severe physical abuse of children. Bonded labor exists in agriculture, cattle rearing, brick kilns, the stone-breaking industry, and domestic servitude. Bonded laborers freed by a government decree in 2000 are left vulnerable to human trafficking in the absence of sufficient government-mandated rehabilitation services. Children of *kamaiya* families that were formerly or are currently in bonded labor are also subjected to the *kamalari* system of domestic servitude. Human traffickers typically target low-caste groups.

Some of the Nepali migrants who willingly seek work in domestic service, construction, or other low-skilled sectors in India, Gulf countries, Malaysia, Israel, South Korea, and Lebanon subsequently face conditions indicative of forced labor such as withholding of passports, restrictions on movement, nonpayment of wages, threats, deprivation of food and sleep, and physical or sexual abuse. In many cases, this forced labor is facilitated by recruitment fraud and high recruitment fees charged by unscrupulous Nepal-based labor brokers and manpower agencies. Unregistered migrants—including the large number of Nepalis who travel via India or rely on independent recruiting agents—are more vulnerable to forced labor. Migrants from Bangladesh, Burma, and possibly other countries may transit through Nepal for employment in the Gulf states, fraudulently using Nepali travel documents, and may be subjected to human trafficking.

The Government of Nepal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so despite limited resources and the absence of a parliamentary body since May 2012. The national anti-trafficking inter-ministerial committee was strengthened under the new leadership of an undersecretary, officials took steps to regulate labor recruitment agencies, and the government published a report on its anti-trafficking efforts. Problems remained, however. Anti-trafficking structures were not fully effective, and trafficking victims did not receive sufficient support from the government. Anti-trafficking laws were inconsistently implemented, and the government ineffectively used funds allocated for protection. Victim identification efforts were weak; child sex trafficking victims were returned to their abusers in the wake of raids, increasing the debts by which they were bonded. Many government officials continued to employ a narrow definition of human trafficking, leaving domestic sex and labor trafficking victims and male victims of transnational labor trafficking unidentified, marginally protected, or re-victimized.



Recommendations for Nepal: Increase law enforcement efforts against all forms of trafficking, including the sex trafficking of Nepali females within Nepal, and against government officials complicit in trafficking-related crimes; ensure trafficking victims are not punished for their involvement in prostitution or forgery of official documents as a direct result of their being trafficked; prosecute labor trafficking offenders who exploit Nepalese migrants abroad and Nepali labor recruiters for charging excessive recruitment fees or engaging in fraudulent recruitment; raise awareness among government officials and the public of the existence of forced prostitution of Nepali women and girls within Nepal; work to revise the Human Trafficking and Transportation (Control) Act (HTTCA), or finalize a new draft law to bring the definition of human trafficking in line with international standards; institute a formal procedure to identify victims of trafficking, particularly by police who conduct raids, and refer them to protection services; lift the recent ban on women under age 30 working as domestic workers in the Gulf states, and publicize that policy change; continue to monitor and evaluate anti-trafficking shelters; ensure victim services are available to male victims of trafficking; implement the victim protection provisions of the HTTCA, including protections for victims who serve as witnesses in trafficking prosecutions; improve evidence collection, including by educating victims on the processes required to submit their testimony; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Nepal continued to convict transnational sex trafficking offenders during the reporting period. Nepal prohibits many, but not all, forms of trafficking in persons through the 2007 Human Trafficking and Transportation (Control) Act (HTTCA) and the 2008 Regulation. While the HTTCA criminalizes slavery, bonded labor, and the buying and selling of a person, it does not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor or services. It criminalizes forced prostitution but, in a departure from the 2000 UN TIP Protocol's definition of human trafficking, does not consider the prostitution of children as a form of human trafficking absent force, fraud, or coercion. The law also criminalizes non-trafficking in persons offenses, including engaging in prostitution and removal of human organs. Prescribed penalties range from 10 to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The HTTCA, however, shifts the burden of proof to the defendant, requiring the defendant prove he or she did not commit the offense; placing the burden of proof on the suspected victim thereby assumes his or her guilt. Bonded labor is prohibited through the Bonded Labor (Prohibition) Act (2002). Forced child labor and transnational labor trafficking offenses may be prosecuted under the Child Labor Act and the Foreign Employment Act. According to the office of the Attorney General, at least 189 trafficking offenders were convicted under the HTTCA during the Nepali fiscal year, compared with approximately 229 in the previous fiscal year; the government did not provide information on sentences or confirm the number of convicted trafficking offenders who served time in jail. In one case, a district court sentenced a sex trafficking offender to 170 years in jail—the longest sentence recorded in Nepal's history—and levied a substantial fine. Government officials and civil society groups noted that the vast majority of convictions under the HTTCA were for transnational sex trafficking, and some NGOs reported that many law enforcement authorities do not pay sufficient attention to the problem of sex trafficking within the country. The government included anti-trafficking elements in law enforcement officers' regular training programs and provided meeting spaces and participated as trainers for some NGO-organized and foreign government-funded trainings. Nevertheless, police officers' lack of awareness of the law, challenges in evidence collection, and poor investigation techniques impeded prosecutions. A prominent NGO reported that victims prefer civil action or compensation through informal negotiations with the defendant rather than pursuing lengthy criminal prosecutions.

There continued to be NGO reports that some government and political party officials were complicit in trafficking-related crimes. NGOs asserted that political parties sometimes support traffickers and pressure a variety of actors, including police, prosecutors, and the judiciary, to ignore or drop cases, but they did not provide specific examples. Traffickers reportedly use ties to government officials to facilitate trafficking, including by paying bribes for protection and favors, although the scope of the problem is not established. Some Nepali officials reportedly have been bribed to include false information in genuine Nepali passports or to provide fraudulent documents to prospective labor migrants. According to reports, the Government of Nepal continued to investigate nine airport officials for taking bribes to allow workers traveling on inappropriate visas to pass immigration control, a trafficking-related offense, but did not report any prosecutions of government employees for complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Nepal made limited efforts to protect trafficking victims in the reporting period. Government officials rarely proactively identified victims of trafficking among high-risk persons with whom they came in contact. Some victims of transnational labor exploitation faced legal action for possession of forged travel documents. In raids of "adult entertainment" establishments, some trafficking victims, including girls, were reportedly arrested and then bailed out by their traffickers, further indebting the girls to their exploiters. Other sex trafficking victims were charged under "public offense" provisions of the law. The government did not report the number of victims it identified in the reporting period. Two NGOs reported supporting 960 trafficking victims in 2012, at least 189 of whom were victims of labor trafficking. The government did not provide legally mandated benefits to many bonded laborers who, in past years were freed through government decree, leaving them impoverished and vulnerable to further trafficking. Government and NGO officials jointly rescued more than 120 Nepali and Indian child laborers, likely trafficking victims, in the *zari* industry. These children were referred to protection services and reunited with their families. The government issued 34 *zari* factory owners fines of only the equivalent of approximately $112, which anti-trafficking advocates consider an insufficient penalty. A government official noted the risk of these children being re-trafficked, and a follow-up visit six months later revealed that one of the rescued children was re-victimized in the *zari* industry.

The government continued to run emergency shelters for vulnerable female workers—some of whom were likely trafficking victims—in Saudi Arabia, Qatar, Kuwait, and the United Arab Emirates and continued to provide funding to its embassy in India to assist in repatriating Nepali trafficking victims. Some Nepali embassies have referred human trafficking cases to the police via the Department of Foreign Employment (DOFE). While the Foreign Employment Promotion Board (FEPB) collected fees from departing registered migrant workers for a welfare fund, most of the funds remain unused; the majority of pay-outs were to families of deceased migrant workers. In the reporting period, the Ministry of Labor did not contribute to its fund to assist exploited undocumented workers; there was no information as to whether any Nepali migrant workers benefited from this fund.

The national minimum standards for victim care outline procedures for referring identified victims to protection services; however, the referral system functioned inconsistently. The Ministry of Women, Children, and Social Welfare (MWCSW) continued to partially fund eight NGO-run shelter homes for female victims of trafficking, domestic violence, and sexual assault, as well as emergency shelters for victims of trafficking and other forms of abuse, run by local women's cooperatives, but it is unclear how many of those assisted were trafficking victims. While government officials reported that these shelters are available for men, there is little information on whether any men received protective services in these shelters. Most of the funds the government allocated for protection efforts remained unspent, and in practice many trafficking victims did not receive legally mandated compensation. All facilities that assist trafficking victims in Nepal were run by NGOs,

and most provided a range of services. Some of these shelters reportedly limited victims' ability to move freely and controlled their access to money and to family members. In April 2012, the government adopted psycho-social counseling guidelines developed by an international organization. In partnership with an international organization and the private sector, the government provided job opportunities for some victims. The government encouraged trafficking victims to participate in investigations against their traffickers on an *ad hoc* basis, such as by providing transportation costs to courts; however, the lack of effective victim-witness protections continued to be a major impediment to prosecutions.

Prevention

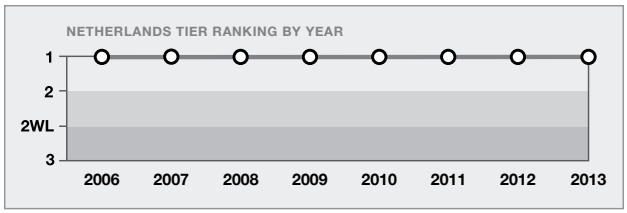
The Government of Nepal increased its efforts to prevent human trafficking during the reporting period. Under the improved leadership of an MWCSW undersecretary, the inter-ministerial National Committee for Controlling Human Trafficking (NCCHT) continued to meet regularly; formed three working groups to address issues of protection, prosecution, and prevention; and disseminated anti-trafficking policy documents to a number of government officials, particularly through training sessions. In March 2013, the NCCHT also published a report on the government's anti-trafficking efforts. The government re-imposed a ban on the migration of females under age 30 to the Gulf states for domestic work; according to a report by the UN Special Rapporteur on trafficking in persons, bans such as these may drive migration further underground and lead to increased human trafficking. The government allocated the equivalent of approximately $2,300 to mark the sixth annual national anti-trafficking day, and federal and district officials participated in rallies throughout the country. In January 2013, the president publicly honored a prominent anti-trafficking activist for her work. NGOs state that the majority of the District Committees for Controlling Human Trafficking (DCCHT) do not function well or are not active; the NCCHT assisted some of the better-performing DCCHTs to form village-level committees to address human trafficking at a local level. The FEPB sponsored a program and short public service announcements on safe migration on the radio.

In the reporting period, the Government of Nepal worked to improve the monitoring of labor recruitment agencies and brokers. For instance, DOFE registered approximately 200 recruitment brokers, an increase from fewer than a dozen registered brokers a year ago, and formally linked those brokers to a single recruitment agency in an effort to clarify lines of responsibility. This is a small fraction of the estimated 30,000 recruitment brokers in Nepal, according to a report by an international anti-trafficking organization. Government-mediated complaints of recruitment agencies resulted in fines and the closure of a number of agencies, but it is unknown whether these recruiters were involved in human trafficking-related activities. Nepali recruitment agencies often register multiple companies; in the event of license cancellation, the agent continues business under a different name. There were no known cases of the criminal prosecution of recruitment agencies for facilitating human trafficking. Efforts by the government to reduce the demand for commercial sex acts and child sex tourism, including the prosecution of clients of prostitution in the adult entertainment sector, were mitigated by the government's punishment of sex trafficking victims. All Nepali military troops and police assigned to international peacekeeping forces were provided pre-deployment anti-trafficking training. Nepal is not a party to the 2000 UN TIP Protocol.

NETHERLANDS (Tier 1)

The Netherlands is a source, destination, and transit country for men, women, and children subjected to trafficking in persons, specifically forced prostitution and forced labor. A significant number of underage Dutch residents continued to be subjected to sex trafficking in the country. The Netherlands, Hungary, Nigeria, Romania, Bulgaria, Sierra Leone, and Poland are the top seven countries of origin for identified victims of forced prostitution in 2012; victims are also from Africa, China, and other parts of Asia. Men and boys are subjected to forced prostitution and various forms of forced labor, including in the maritime sector, agriculture, horticulture, catering, food processing, cleaning, construction, and illegal narcotics trafficking. Male victims originate primarily from Romania, Nigeria, Poland, Pakistan, Sierra Leone, Angola, China, Ghana, and Guinea, but are also from India, Bulgaria, Egypt, Hungary, the Netherlands, and the Philippines. Domestic workers employed in the Netherlands remain vulnerable to forced labor, including by foreign diplomats posted in the Netherlands. Groups vulnerable to trafficking include unaccompanied children seeking asylum, women with dependent residence status obtained through fraudulent or forced marriages, women recruited in Africa and Eastern Europe, and East Asian women working in massage parlors. Local recruitment of domestic trafficking victims over the internet continued to increase.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The government continued to employ a multidisciplinary, whole-of-government approach to its anti-trafficking efforts and maintained an effective and independent national anti-trafficking rapporteur. It used creative methods to detect and proactively identify both foreign and domestic trafficking victims in the country and mobilized a range of governmental, non-governmental, and private entities in this endeavor. In 2012, the government continued to investigate and prosecute sex trafficking and forced labor cases vigorously; police and investigators referred the highest number of trafficking cases to date for prosecution during the reporting period. While the average sentences for convicted traffickers increased, courts in the Netherlands continued to hand down lenient sentences for these perpetrators. The government increased its international anti-trafficking cooperation during the year, sharing best practices and lessons learned with source countries, EU partners, and other countries.



Recommendations for the Netherlands: Ensure convicted trafficking offenders receive sentences commensurate with the seriousness of the crime; continue to develop pragmatic approaches to victim outreach within illegal and legal labor sectors, including potential victims inadvertently held in

detention centers; ensure sufficient shelter capacity for the delivery of comprehensive and specialized services for trafficking victims; continue to employ innovative methods to prevent and uncover forced labor; continue to mentor officials in the former Antilles as well as Bonaire, St. Eustatius, and Saba (BES) to improve identification of victims and prosecution of traffickers in the Caribbean; and continue to share best practices and lessons learned with other countries, in particular, methods to uncover and respond to local sex trafficking of domestic victims, the development of a multi-disciplinary approach and practices on victim protection, and the importance of employing a self-critical approach to improve anti-trafficking results.

Prosecution

The Dutch government continued to pursue innovative approaches to addressing human trafficking through law enforcement. During the year, it convicted an increased number of trafficking offenders and increased the average sentence for trafficking offenders. The Netherlands prohibits all forms of trafficking through Article 273 of its criminal code, which prescribes sentences ranging from eight to 18 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, the government prosecuted and convicted 141 trafficking offenders, an increase from 108 in 2011. The average sentence for convicted trafficking offenders was approximately 25 months in 2011, the most recent year this data was available, an increase from 21 months in 2010. The government did not disaggregate forced labor cases from sex trafficking cases, but one official estimated approximately one-quarter of all cases involved labor trafficking. One official noted judges consistently handed down more severe penalties for rape than for sex trafficking. Local police reported that low sentences for traffickers continued to result in the reappearance of the same offenders and thus the continued exploitation of trafficking victims within the regulated commercial sex sector. In October 2012, the Administrative Office of the Courts announced the appointment of specialized anti-trafficking judges after the rapporteur reported that disparities in the way judges across the country interpret Article 273 were resulting in widely varying verdicts and sentences for trafficking offenders. In addition, in January 2013, the Administrative Office of the Courts designated four courts to specialize in complex human trafficking cases.

In a landmark verdict in July 2012, a court in Leeuwarden sentenced a sex trafficker to six years' imprisonment for subjecting a woman to forced prostitution for seven years. The court also awarded the victim the equivalent of approximately $1.3 million in restitution as part of its verdict. During the reporting period, local authorities, including specialized social workers, interpreters, and lawyers, conducted two major operations to investigate human trafficking in red-light districts in Eindhoven and Alkmaar based on the successful model utilized in The Hague's red-light district in 2011 that uncovered useful information about the sex trade, the persons operating in it, potential victims, and suspected perpetrators.

The government increasingly focused its law enforcement efforts on sectors vulnerable to forced labor in 2012. In December 2012, a court in Zwolle sentenced two co-directors of a temporary agency to respective sentences of four and eight years' imprisonment for forced labor involving Polish workers. The court found the offenders guilty of coercing and exploiting one male and six female workers in a meat-processing facility, in addition to other charges; one suspect was also found guilty of raping three of the victims. The court found that the victims were completely dependent on the suspects for work, housing, and transportation. In November 2012, the national police service published the results of a two-year study on human trafficking in Chinese restaurants, massage parlors, and nail salons. The study revealed trafficking victims in these sectors and found they were reluctant to leave these situations out of fear of deportation, loyalty to their community, or fear of reprisal by their traffickers against their families in China. There were no reported official cases of trafficking-related complicity in 2012; however, Amsterdam police believe that police assigned to anti-prostitution law enforcement efforts carry inherent temptations for corruption. The force therefore requires anti-trafficking officers in Amsterdam to pass three examinations in a specialized, 256-hour training course focused on working with trafficking victims and policing the sex industry. Potential officers also must sign a code of conduct before they are eligible to work in this sector. During the reporting period, the government re-opened an investigation into allegations that a former Ministry of Justice official had engaged in child sex tourism in the 1990s after an alleged victim presented a deposition. The investigation, the third in the case, ended in October 2012 when the Prosecutor's Office concluded that there was insufficient evidence on which to proceed. An appeal to compel prosecution by court order was thereafter filed by the complainants and alleged victims; the appeal remained pending at the end of the reporting period.

Protection

The Netherlands demonstrated appreciable progress in its efforts to protect trafficking victims during the reporting period. In 2012, Comensha, the government-funded national victim registration center and assistance coordinator, registered 1,024 potential trafficking victims in the first 11 months of 2012, compared with 1,222 victims in 2011. The government continued to operate an extensive network of facilities providing a full range of trafficking-specialized services for children, women, and men; the government provided victims with legal, financial, and psychological assistance, shelter, medical care, social security benefits, and education financing. Victims in government shelters were not detained involuntarily. The government reported that single underage asylum seekers suspected to be trafficking victims were provided intensive counseling in secure shelters to protect them from traffickers. Comensha continued to report a shortage of accommodation for trafficking victims requiring shelter in 2012. Dutch authorities provided temporary residence permits to allow foreign trafficking victims to stay in the Netherlands for a three-month reflection period, during which victims received immediate care and services while they considered whether to assist law enforcement. The government provided updated comprehensive data regarding temporary and permanent residency permits reported last year. In 2011, the government reported it granted 390 three-month reflection periods, 400 B-9 temporary residency permits, and 70 permanent residency permits to trafficking victims. The government did not provide preliminary figures for 2012, though it confirmed that the number of permits issued during the first four months of the year were on par with residency permits issued in 2011. Victims with B-9 status are permitted access to the labor market. Permanent residency is granted to victims if their case results in conviction of their trafficker and to victims who had held B-9 status for three or more years.

The government encouraged victims to assist in the investigation and prosecution of traffickers, although it lacked figures on the percentage of trafficking victims who filed charges against their traffickers during 2012. The National Prosecutor's office reported that many victims did not file complaints, fearing retaliation by traffickers or deportation by officials. The government, however, continued to seek ways to increase incentives for victims to cooperate with law enforcement. In 2012, the government granted a two-year extension to a successful 2012 pilot project that demonstrated dedicated shelters for trafficking victims facilitated recovery and led to higher rates of cooperation in criminal investigations. The government also decided to extend until 2015 a pilot project in which male trafficking victims are offered shelter. There were no reports that any victims were punished for unlawful acts committed as a direct result of being trafficked. However, one NGO expressed concern that some unidentified trafficking victims may have been mistakenly detained by law enforcement officials who may have missed signs of trafficking. In 2012, the government initiated training for staff working with asylum seekers on ways to identify trafficking victims among this population. To facilitate safe and voluntary repatriation, the Ministry of Foreign Affairs has developed a system to evaluate victims' safety in five countries of return.

Prevention

The government continued to pursue innovative approaches to prevent trafficking and address demand for commercial sex acts and forced labor; its multi-agency human trafficking taskforce continued to coordinate the country's anti-trafficking response in 2012. In June 2012, the government renewed a previously successful campaign to educate clients of women in prostitution about trafficking and encouraged them to anonymously report signs of exploitation to authorities through the national anti-trafficking hotline. Local police in Amsterdam conducted and publicized a sting operation at three hotels in 2012 to ensure compliance with a ban on illegal prostitution on their premises; in response the Dutch hotel association announced an industry policy favoring the dismissal of hotel managers who fail to prevent illegal prostitution in their hotels. In 2012, the government implemented a number of measures targeting local pimps who seduce young women and then coerce them into sex trafficking and forced prostitution in the Netherlands, including through an awareness campaign for students co-created by a former domestic trafficking victim. In January 2012, the Social Affairs Ministry launched a campaign against fraudulent temporary employment agencies prompted by concerns that temporary agencies may exploit laborers, mostly in agriculture and horticulture, and thus disrupt the competitive market. The ministry compiled a list of the 100 agencies most susceptible to fraud for increased scrutiny by the labor inspectorate. During the reporting period, the foreign ministry continued to conduct outreach with foreign diplomats' domestic staff members, without their employers present, on how to report cases of abuse.

The government pursued formal cooperation with source countries and established mentoring relationships via a memorandum of understanding (MOU) between Dutch experts and their counterparts in the Caribbean islands of Curacao, Aruba, and St. Maarten during the year. In April 2012, the ministry initiated a pilot program to train foreign consulates from common source countries in the Netherlands on how to identify and report potential trafficking victims. The Dutch government continued to demonstrate anti-trafficking leadership by transparently reporting and publishing self-critical, public reports on its anti-trafficking efforts. The National Rapporteur's office published six reports on human trafficking in 2012. The military provided training on the prevention of trafficking and additional training on recognizing trafficking victims for troops being deployed abroad on missions as international peacekeepers. In October 2012, the government, in partnership with NGOs and private sector travel agencies, launched an awareness campaign to address child sex tourism by distributing a flyer to all travelers flying internationally from the Netherlands to encourage them to report suspicious activity.

Bonaire, St. Eustatius, and Saba

On October 10, 2010, the Kingdom of the Netherlands established a new constitutional structure under which the "Netherlands Antilles" ceased to exist as an entity within the Kingdom. As of that date, the BES islands became municipalities of the continental Netherlands. On September 27, 2010, the government adjusted the Criminal Code of the BES islands to reflect the new structure. The criminal code prohibits both sex and labor trafficking under Article 286f. The government reported this article is similar to the human trafficking article in the Netherlands' criminal code, although prescribed penalties are lower, ranging from six to 15 years' imprisonment. The BES islands are a transit and destination area for women and children subjected to trafficking, specifically forced prostitution, and for men and women in conditions of forced labor. Women in prostitution in both regulated and illegal commercial sex sectors in the BES islands are highly vulnerable to trafficking, as are unaccompanied children. Local authorities believe that men and women also have been subjected to involuntary domestic servitude and other forms of forced labor in the agricultural and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

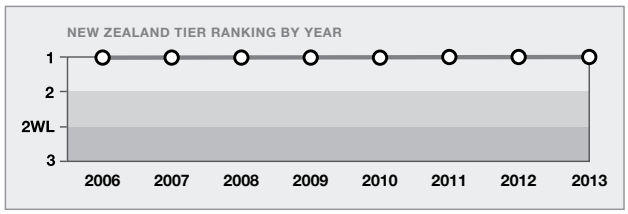
In 2012, the Netherlands, also representing BES, continued to implement its June 2011 MOU with Aruba, Curacao, and St. Maarten to increase cooperation on anti-trafficking to improve victim identification and prosecution of traffickers on the islands. Part of the MOU includes establishment of a mentoring or "twinning" system for officials from the four countries of the Kingdom and the BES to provide each other with technical support to develop anti-trafficking investigations and prosecutions, as well as shelter and information campaigns. In October 2012, local authorities, in partnership with Dutch officials, reported investigating the first trafficking case in Bonaire, involving Colombian women in forced prostitution. No victims were identified in Saba or St. Eustatius. No trafficking prosecutions or convictions were initiated on these islands during the reporting period. The central government continued to provide in-kind support for human trafficking hotlines in St. Maarten and Bonaire, though there were no awareness campaigns specifically targeting potential clients of the sex trade in the BES islands to reduce demand for commercial sex acts.

NEW ZEALAND (Tier 1)

New Zealand is a destination country for foreign men and women subjected to forced labor and to an extent, a source country for underage girls subjected to sex trafficking within

the country. Foreign men aboard foreign-flagged fishing vessels in New Zealand waters, mainly from Indonesia, are subjected to conditions of forced labor, including debt bondage, underpayment of wages, and some cases of physical and sexual abuse. Conditions experienced by workers on these boats include confiscation of passports, imposition of significant debts, physical violence, mental abuse, and excessive hours of work. Foreign women, including some from China and Southeast Asia, may be recruited from their home countries by labor agents for the purpose of prostitution and may be at risk of coercive practices. A small number of girls and boys, often of Maori or Pacific Islander descent, engage in street prostitution while some are victims of gang-controlled trafficking rings. The problem of street prostitution of children in South Auckland continues, in which some children were recruited by other girls or compelled by family members. The Christchurch School of Medicine's 2007 survey reported that due to their age, children in forced prostitution are more likely to have suffered more violence, threats, rape, and theft. According to police reports, health personnel testified to several instances of underage women seeking emergency care for sexual violence. Some Asian and Pacific Islander individuals migrate voluntarily to New Zealand to work in the agriculture, horticulture, and viticulture sectors, and are subsequently subject to forced labor through fraudulent employment contracts they signed before arrival. In addition, some foreign workers report being charged excessive and escalating recruitment fees, experiencing unjustified salary deductions and restrictions on their movement, having their passports confiscated and contracts altered, or being subjected to a change in working conditions without their permission—all indicators of human trafficking.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. However, the government has not prosecuted or convicted any trafficking offenders under its trafficking legislation in the last seven years, nor has it identified or certified any trafficking victims in the last nine years. A legal review of national anti-trafficking legislation to expand the availability of anti-trafficking prosecutorial tools, and to conform the existing New Zealand anti-trafficking laws with international standards, was submitted to the Cabinet; approval of the review's recommendations remained pending at the end of the reporting year. While three trafficking investigations continued at the end of the reporting period, the government did not formally identify any persons as trafficking victims during the year.



Recommendations for New Zealand: Draft and enact legislation that will expand New Zealand's current anti-trafficking legal framework to prohibit and adequately punish all forms of human trafficking; significantly increase efforts to investigate and prosecute both sex and labor trafficking offenders; update and fully implement the 2009 national plan of action to reflect the current trafficking in persons situation in the country; make greater efforts to assess the full extent of sex and labor trafficking occurring in New Zealand; investigate and prosecute employment recruiting agencies or employers who subject foreign workers to debt bondage or involuntary servitude; increase efforts to proactively screen vulnerable populations, including women in prostitution, foreign workers, and illegal migrants, in order to identify and assist trafficking victims; increase efforts to identify and assist child sex trafficking victims; continue to make proactive efforts to identify victims of labor trafficking, particularly among populations of vulnerable foreign laborers; and establish an ongoing anti-trafficking awareness campaign directed at clients of both the legal and illegal sex trades.

Prosecution

The Government of New Zealand demonstrated modest efforts to investigate suspected trafficking offenses—an increase from six reported last year to eight this year—but failed to convict and punish any trafficking offenders for a ninth consecutive year. New Zealand does not have a comprehensive anti-trafficking law that prohibits all forms of trafficking and the government's recommendations from its review of the scope of these laws are still pending with the Cabinet. Current New Zealand statutes define human trafficking as a transnational offense akin to smuggling, though it does not include exploitation as an element of the crime, and criminalizes in the Crimes Act of 1961 only some specified forms of forced labor. Slavery is criminalized, but limited to situations of debt bondage and serfdom; this prohibition does not cover forced labor obtained by means other than debt, law, custom, or agreement that prohibits a person from leaving employment. The Dealing in Slaves statute and the Prostitution Reform Act criminalize inducing or compelling a person to provide commercial sex and, with regard to children, provide a broader prohibition to include facilitating, assigning, causing, or encouraging a child to provide commercial sex. While statutory penalties for these crimes are generally commensurate with those prescribed for other serious crimes, such as rape, the maximum penalty of seven years' imprisonment prescribed for the sex trafficking of children does not commensurate with penalties imposed for rape or with the maximum penalty of 14 years' imprisonment prescribed for inducing or compelling the commercial sexual services of an adult. The Crimes Act of 1961 and the Wages Protection Act of 1983 prohibit fraudulent employment and recruiting practices and prescribe sufficiently stringent penalties of up to 20 years' imprisonment and a fine equivalent to approximately $250,000 and commensurate with those prescribed for other serious crimes, such as rape. However, the government has never prosecuted suspected trafficking offenders under any of these laws. The Immigration Act prohibits retention or control of a person's passport or any other travel or identity document, though there were no prosecutions for passport confiscation during the year.

During the reporting year, the government investigated eight alleged trafficking offenses; three of which were ongoing at the close of the reporting period. No prosecutions of suspected sex or labor trafficking offenders were initiated and no convictions of trafficking offenders were obtained. According to NGOs and government officials, the reason for the absence of anti-trafficking prosecutions and identification of victims is the high evidentiary bar of the current law. The government prosecuted fishing companies on boats in the New Zealand economic zone for environmental offenses. Although the government investigated allegations of forced labor on the same boats, despite allegations of underpayment of wages, physical abuse, and threats against the crewmen, no

prosecution resulted. Despite the lack of prosecutions and certification of trafficking victims, the government trained new customs officers on trafficking as part of the mandatory induction course and provided training sessions on victim identification and interviewing skills to frontline officers at various agencies. The government did not report any efforts to investigate or prosecute public officials for alleged complicity in trafficking-related offenses.

Protection

The government demonstrated limited efforts to protect trafficking victims during the reporting period. The government did not proactively identify any victims of trafficking. However, the government adopted a victim-centered approach to monitoring industries with high numbers of migrant workers. In the decriminalized sex industry, government labor inspectors periodically visit legal brothels to ensure that workers' conditions satisfy New Zealand law. The government investigated allegations of underage children in prostitution, though no child victims were identified. Police referred other underage girls to social services from areas where street prostitution was common. One member of parliament reported discovering a child in prostitution as young as 13 years of age.

The country's laws require that victims of crime, including human trafficking, receive access to and information about services including medical care, legal aid, and psycho-social counseling; the government offers these services to individuals. On a case-by-case basis, the New Zealand police provide amenities, such as food and shelter, to meet the immediate needs of victims of crime and refer them to NGOs or other service providers. Immigration officers and labor inspectors use templates that contain interrogation techniques; these were augmented with a new online learning module that raised awareness of trafficking; it is unclear whether any victims were identified using this method during this reporting year. New Zealand's laws authorize temporary residency to victims of trafficking for up to 12 months and make them eligible for a variety of government-provided or government-funded services. Although not identified as trafficking victims, nine Indian students who alleged forced labor and underpayment of wages at an Auckland liquor store were provided work visas by the government for the pendency of the trial; the trial began in February 2013 and was still pending at the end of the reporting year. In addition, the government provided temporary work visas and collaborated with the New Zealand Charter Party to provide care to 35 crew members of foreign charter vessels (FCVs) during the investigations of alleged abuse onboard the vessels.

Prevention

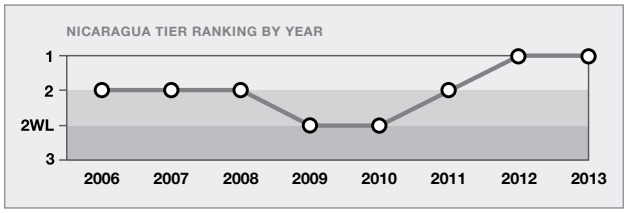
The Government of New Zealand increased its efforts to prevent trafficking during the reporting year. After the March 2012 release of the ministerial inquiry report on forced labor aboard foreign-flagged fishing vessels operating in New Zealand waters, the government implemented short- and long-term legislative and regulatory changes. In the short-term, the government suspended visas for the crews of foreign fishing vessels, effectively shutting down fishing operations until operators showed credible evidence that they are providing back pay to former crew and adequate pay to current crew. This reportedly resulted in significant economic losses for the fishing companies. Apparently as result, several fleets no longer fish in New Zealand waters. A new law, the adoption of which had been recommended by the ministerial inquiry into the allegations of trafficking of fishing boat crews, requires that by 2016, all FCVs fishing in New Zealand waters must operate as New Zealand-flagged vessels, and to extend the applicability of New Zealand's health and labor laws to such vessels. Also in the wake of the inquiry, the duties of the existing fisheries observers to report on labor trafficking abuses was expanded; the Ministry of Business, Innovation and Employment is now empowered to suspend or cancel fishing registrations for noncompliance with relevant regulations. The previous Code of Practice on Foreign Fishing Crew to ensure fair payments is also being updated. In March 2013, a Ukrainian vessel re-designated under the New Zealand flag was the first vessel to comply with this new requirement. The government continued to distribute brochures on trafficking indicators to community groups in six languages through its regional offices; they were also distributed to those in the sex trade and the horticulture and viticulture industries. The Ministry of Business, Innovation, and Employment developed a train-the-trainer module to raise awareness about trafficking crimes and to teach indicators to front-line officers, targeting vulnerable populations in migrant communities. The government did not take significant steps to reduce the overall demand for commercial sex acts in the country's decriminalized commercial sex industry. The government provided anti-trafficking training to military personnel prior to their deployment abroad on international peacekeeping missions. The government continued to cooperate with foreign governments to identify child sex tourists and to prioritize the prevention of child sex tourism abroad by New Zealand residents. In November 2012, the government notified authorities in the Philippines of a New Zealand resident with previous convictions for child sex tourism who was in the Philippines. He was subsequently arrested for child rape in the Philippines, where he awaits trial.

NICARAGUA (Tier 1)

Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country as well as in neighboring countries, most often in other Central American states, Mexico, and the United States. Trafficking victims are recruited in rural areas for work in urban centers—particularly Managua, Granada, and San Juan del Sur—and subsequently coerced into prostitution. Nicaraguan girls are subjected to sex trafficking in locations along the country's Atlantic Coast, where the lack of strong law enforcement institutions, higher crime rate, and presence of drug trafficking increases the vulnerability of the local population. Nicaraguan adults and children are subjected to conditions of forced labor in agriculture, the informal sector, and domestic servitude within the country and in Costa Rica, Panama, and other countries in the region. Managua, Granada, Esteli, and San Juan del Sur are destinations for tourists from the United States, Canada, and Western Europe, some of whom engage in the commercial sexual exploitation of Nicaraguan children.

The Government of Nicaragua fully complies with the minimum standards for the elimination of trafficking. Nicaraguan authorities significantly strengthened law enforcement efforts over the year, particularly through increased prosecutions and convictions, including for forced labor. The government provided limited services for victims of trafficking—mostly for

female victims—and NGOs provided most specialized care. Authorities maintained public awareness efforts in partnership with civil society organizations. Prosecution, protection, and prevention efforts in the two Atlantic autonomous regions of Nicaragua continued to be much weaker than in the rest of the country.



Recommendations for Nicaragua: Ensure that victims identified within the country and repatriated Nicaraguan victims are referred to appropriate services; provide adequate funding for specialized services for trafficking victims, as well as for specialized anti-trafficking police units; increase training and resources for government officials to facilitate increased victim identification and assistance, particularly in the autonomous regions; institute clear, formal, and proactive procedures for identifying trafficking victims among vulnerable populations; strengthen law enforcement and victim protection efforts in the Atlantic autonomous regions, including through increased staff and funding; continue to investigate and prosecute all forms of human trafficking, and convict and punish trafficking offenders; partner with civil society organizations to ensure that victims receive long-term care and reintegration services; continue to strengthen mechanisms for interagency coordination and partnership with civil society organizations at the local level; continue to improve the management of statistical case data across agencies; further support all departmental and regional anti-trafficking coalitions; and raise awareness of all forms of human trafficking through increased public awareness efforts and campaigns.

Prosecution

The Government of Nicaragua significantly strengthened law enforcement efforts during the year, including by convicting 35 trafficking offenders. While most investigations focused on sex trafficking, labor trafficking prosecutions and convictions increased greatly in 2012. Nicaragua criminalizes all forms of human trafficking through Article 182 of its penal code, prescribing penalties of seven to 12 years' imprisonment. In August 2012, reforms came into effect increasing penalties to 10 to 14 years' imprisonment and broadening the scope of offenses that can be prosecuted as human trafficking. A separate statute, Article 315, prohibits the submission, maintenance, or forced recruitment of another person into slavery, forced labor, servitude, or participation in an armed conflict; these offenses carry penalties of five to eight years' imprisonment. These prescribed punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities maintained anti-trafficking units in the capital within the intelligence and judicial police forces, as well as within the women's police commission. Additionally, there was a designated anti-trafficking unit in each of the country's 15 departments and two autonomous regions, and in each of the capital's 10 districts that was responsible for collaborating with the specialized units on investigations. A lack of resources hindered the specialized units' abilities to carry out investigations outside of the major cities, particularly in remote parts of the autonomous regions. In particular, the lack of a prosecutor in the town of Waspam, on the Nicaraguan border with Honduras, was a debilitating factor in the prosecution of trafficking along the northern autonomous region's border. Prosecutors and police improved coordination on data collection by using a shared case log, leading to more uniform law enforcement statistics, though inconsistencies remained.

Police investigated 27 potential trafficking cases in 2012, including 10 labor trafficking cases, compared with 26 investigations in 2011, two of which were for labor trafficking. Judicial authorities prosecuted 57 accused trafficking offenders in 2012, compared with 32 individuals prosecuted in 2011. The government convicted 35 trafficking offenders during the reporting period, all but one under the human trafficking statute, and sentenced them to seven to 30 years' imprisonment. In comparison, during the previous reporting period, authorities reported 15 convictions. Notably, 18 traffickers were convicted of forced labor crimes in 2012, 13 of whom were also convicted of sex trafficking. Nicaraguan authorities collaborated with Guatemalan counterparts to investigate and prosecute two sex trafficking cases. There were no reported investigations, prosecutions, or convictions of government employees for their alleged complicity in trafficking-related offenses during the year. There were reports that some law enforcement and labor officials in the autonomous regions incorrectly categorized potential trafficking cases as home abandonment or labor infractions. The government increased efforts to train law enforcement, justice, consular, and labor officials on human trafficking, often in partnership with civil society organizations. For example, the anti-trafficking judicial police unit trained over 600 police officers.

Protection

The Government of Nicaragua continued to provide some services to trafficking victims, but most specialized care was provided by civil society organizations, and long-term care and reintegration services remained limited. The government did not have formal procedures for identifying trafficking victims among high-risk populations, such as adults and children in prostitution, and victim identification in the autonomous regions continued to lag behind national efforts. Police and prosecutors reported identifying 50 potential trafficking victims in 2012, all of whom were Nicaraguan, but it is unclear how many of these victims received specialized services. The Ministry of Family identified 65 children in commercial sexual exploitation, all of whom were transferred to NGO shelters in Managua, as the government had no adequate facilities for these victims. During the reporting period, at least 25 adult women received services at a temporary open shelter managed by the women's police anti-trafficking unit. In 2012, the women's police in Jinotega opened a small shelter for victims of domestic violence that could also house trafficking victims. The regional departments most affected by human trafficking lacked adequate services. NGOs operated shelters for at-risk children and female adult victims of domestic abuse in Rio San Juan, Esteli, Rivas, Puerto Cabezas, and Managua. While the government did not provide funding to these NGOs, officials referred victims to them for assistance. Victims received legal support as well as limited medical and psychological assistance from the government, as well as education when appropriate, though longer-term care was minimal. Services and shelter for male victims remained limited.

The government encouraged victims to participate in trafficking investigations and prosecutions, though some were reluctant to do so due to social stigma and fear of retribution from trafficking offenders. Nicaraguan law allows for trafficking victims to provide documented testimony in advance of the trial, and during the year, some victims testified against trafficking offenders. There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Humanitarian visas are specifically available to foreign trafficking victims, but the government identified no foreign victims in Nicaragua during the year.

Prevention

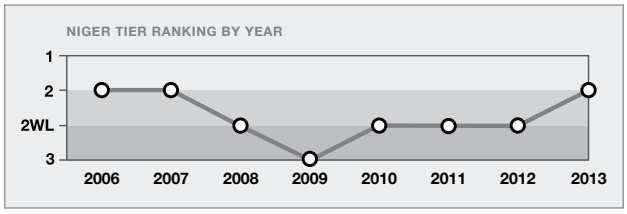
The Nicaraguan government sustained awareness efforts and maintained regional anti-trafficking working groups across the country during the reporting period. The government-run anti-trafficking coalition, which is composed of government and civil society actors, met on a bimonthly basis and was responsible for coordinating anti-trafficking efforts and implementing its strategic plan. The government continued to support regional anti-trafficking working groups in the country's 15 departments and two autonomous regions: these regional groups varied in effectiveness, and some were reportedly inactive. Different government entities coordinated with the coalition on awareness efforts and the women's police reported reaching over 29,000 Nicaraguans with general information on women's issues and human trafficking. Authorities reported prosecuting six individuals from Belgium, Canada, and the United States for child sex tourism offenses and achieving three convictions. The anti-trafficking coalition launched one awareness campaign against the sex trade, and the government reported no other initiatives to reduce demand for commercial sexual acts or for forced labor.

NIGER (Tier 2)

Niger is a source, transit, and destination country for children, women, and men subjected to forced labor and sex trafficking. Caste-based slavery practices continue primarily in the northern part of the country. Nigerien boys are subjected to forced begging or forced labor within the country, as well as in Mali and Nigeria, by corrupt *marabouts* (religious instructors); these individuals, or other loosely organized clandestine networks, may also place Nigerien girls into domestic servitude or in the sex trade. Nigerien children are subjected to forced labor in gold mines, agriculture, and stone quarries within the country. Girls are subjected to prostitution along the border with Nigeria, particularly along the main highway between the towns of Birni N'Konni and Zinder. Nigerien girls reportedly enter into "marriages" with citizens of Nigeria and other foreign nationals living in Saudi Arabia and the United Arab Emirates, after which they are forced into domestic servitude upon arrival in these countries. In the Tahoua region of Niger, girls born into slavery are forced to marry men who buy them as "fifth wives" and subsequently subject them to forced labor and sexual servitude; their children are born into slave castes. Traditional chiefs play a primary role in this form of exploitation, either through enslaving children in their own families or arranging "marriages" for other powerful individuals. A small number of girls in forced marriages may be prostituted by their "husbands," and a larger number are exploited in the sex trade after fleeing their nominal marriages. Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe where they are subsequently subjected to domestic servitude, sex trafficking, and forced labor in agriculture or animal herding.

Niger is a transit country for men, women, and children from Benin, Burkina Faso, Chad, Cameroon, Cote d'Ivoire, Gabon, Ghana, Liberia, Mali, Nigeria, and Togo migrating *en route* to Algeria, Libya, and Western Europe; some may be subjected to forced labor in Niger as domestic servants, mechanics, welders, laborers in mines and on farms, or as staff in bars and restaurants. NGOs reported that returnees from Libya and the approximately 50,000 refugees from Mali were likely at increased vulnerability to trafficking, but did not provide details on the forms of exploitation experienced by this population.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Following two years of negligible action in implementing its 2010 anti-trafficking law, the government demonstrated significant progress in prosecuting and punishing trafficking offenders, obtaining 22 convictions of sex and labor traffickers. During the year, it also appointed staff to the National Commission for the Coordination of the Fight against Trafficking in Persons (CNLTP), making it fully operational to coordinate and implement the government's policies, as required by the 2010 law. The government took steps to address officials' lack of awareness of anti-trafficking laws and policies; the Ministry of Justice distributed copies of the law to prosecutors' offices throughout the country, and the CNLTP held a series of awareness-raising events for government officials and members of the public. The government, however, relied on NGOs to provide services to victims, and overall victim protection efforts were inadequate to address the needs of victims. Neither the government nor NGOs made sufficient efforts to identify and protect adult trafficking victims.



Recommendations for Niger: Vigorously prosecute and punish trafficking offenders, including those guilty of slavery offenses, using the anti-trafficking law; hand down adequate sentences for individuals convicted of committing trafficking offenses and enforce court judgments; train law enforcement and judicial officials throughout the country on the provisions of the anti-trafficking law in coordination with NGOs and international organizations; train law enforcement officials to identify trafficking victims proactively among vulnerable populations, such as women in prostitution, girls born into slave castes, and children at worksites, and to refer them to protective services; develop systematic procedures to refer identified victims to protective services and support NGO partners in providing victim care; increase the quantity and quality of services available to victims; increase efforts to rescue victims of traditional slavery practices and adult victims; initiate law enforcement investigations into suspected cases of local officials colluding with traffickers or accepting bribes

to obstruct criminal investigations of trafficking crimes, particularly traditional slavery; continue to include civil society representatives in anti-trafficking policy discussions and ensure they are given a platform to provide meaningful input to policymaking decisions; allocate adequate funding for the operation of the National Commission for the Coordination of the Fight against Trafficking in Persons; conduct labor inspections in the informal sector of the economy; and continue an initiative to raise public awareness about anti-trafficking law—specifically targeting vulnerable populations, religious leaders, and traditional chiefs—and encourage victims to exercise their rights under the law.

Prosecution

The Government of Niger demonstrated notable progress in its anti-trafficking law enforcement efforts during the year. Order No. 2012-86 on Combating Trafficking in Persons, enacted in 2010, prohibits all forms of trafficking, including slavery and practices similar to slavery. This law prescribes punishments of five to 10 years' imprisonment for committing trafficking offenses against adults and 10 to 30 years' imprisonment when the victim is a child, penalties that are sufficiently stringent. Penalties for child trafficking are commensurate with those prescribed for other serious offenses, such as rape, but penalties prescribed for the trafficking of adults are not. The law defines slavery and practices similar to slavery and specifically prohibits exploitative begging. Other statutes prohibit certain forms of trafficking; the country's penal code prohibits slavery, procurement of a child for prostitution, and the encouragement of or profiting from child begging in Articles 270 (as amended in 2003), 292-293, and 181, respectively, and its new labor code enacted in September 2012 outlaws forced labor. The penal code's prescribed penalties of 10 to 30 years' imprisonment for slavery offenses are sufficiently stringent and reflect the serious nature of the crime. The penalties prescribed in the labor code for forced labor are also sufficiently stringent, but the law allows for the option of a fine in lieu of jail time, which does not reflect the serious nature of this crime.

Having taken initial steps towards making the 2010 anti-trafficking law operational at the close of the previous reporting period, the government has since implemented the law through the prosecution and punishment of trafficking offenders, investigating 30 suspected trafficking offenses, prosecuting 24 cases (19 involving sex trafficking and five involving labor trafficking), and convicting 22 trafficking offenders during the year, a significant increase from the two investigations and no prosecutions or convictions during the previous year. Thirteen convicted offenders were sentenced to two-year prison terms and nine offenders were sentenced to six months' probation. Two prosecutions remained ongoing at the close of the reporting period and four suspected traffickers were still under investigation. The government did not make progress in ending impunity for *marabouts* who force children to beg or traditional chiefs who facilitate the enslavement of children. The actions of two *marabouts* were investigated, but the Koranic teachers were ultimately released without charges being filed. Structural barriers impeded victims' access to justice, as they were often uninformed about their legal rights and lacked the necessary capacities and resources to seek punitive action against their exploiters. One slavery case dating from 2009 was reportedly brought to a judge in February 2013, but remained pending at the close of the reporting period. There were no reported developments in a 2010 case in which a man was accused of re-enslaving two former slaves. NGOs reported that 10 additional slavery prosecutions that have been ongoing for years remained pending, but no defendants have been detained. Awareness of the country's anti-trafficking laws remained low among officials outside Niamey, but the government undertook efforts to improve this during the year; the Ministry of Justice distributed copies of the 2010 anti-trafficking law to all prosecutors' offices throughout the country and issued official instructions to fully implement the law to prosecute violators. There were reports that local officials chose not to pursue slavery cases brought to their attention due to social or political connections of the alleged traffickers. There was no evidence of public officials' complicity in trafficking, though civil society representatives argued that judicial failure to focus adequately on slavery cases brought to their attention amounted to tacit complicity. The government did not report its investigation or prosecution of any public officials for alleged complicity in trafficking or trafficking-related criminal activities during the reporting period.

Protection

The government increased its efforts to identify victims during the year, though overall victim protection efforts remained inadequate. Authorities did not develop or employ systematic measures to identify trafficking victims among vulnerable populations, such as women and girls born into traditional slave castes or children at worksites, and there were no formal procedures to guide officials in referring identified victims to protective services. The government provided medical assistance and temporary shelter in social service facilities to a small number of child victims and referred others on an *ad hoc* basis to local NGOs for care. The government relied almost exclusively on NGOs and international organizations to provide services to victims, though NGOs' capacity to provide shelter or long-term services to victims was inadequate; their primary role was often to facilitate repatriation or family reunification of victims. There were no specialized services available in Niger for adult victims or victims of hereditary slavery. In one case, in which an NGO mediated the release of 14 slaves, the government reported it undertook efforts to prevent re-trafficking after the victims were returned to their families, but did not describe the nature of these efforts. Victims were often forced to return to their villages after a few months if NGO resources ran out, and some children spent the night in police stations when shelter space was not available.

The government identified 183 child trafficking victims during the year and NGOs identified an additional 395 child trafficking victims; the total number of victims identified, 578, is an increase from the 490 victims identified during the previous year, and the government played a larger role in these efforts than it had in the past. The regional government of Agadez continued to operate a committee comprised of police and local officials to assist in returning Nigerien migrants deported from North Africa to their communities of origin, though it did not make efforts to identify trafficking victims among this population. The 2010 anti-trafficking law includes provisions to ensure victims would be safe upon return to their countries of origin and provides for the possibility of granting victims legal status in Niger, including the ability to obtain employment. The government reported that adult victims would be encouraged to assist in the investigation and prosecution of trafficking cases, though no such victims were identified during the year. Victims of forced labor and caste-based servitude were able to file civil and criminal complaints simultaneously; although legal aid for victims was

limited, NGOs helped victims file complaints in slavery cases. Victims' lack of awareness of the legal options available to them, fears of retaliation by traffickers, and lack of adequate shelter and protective services impeded efforts to obtain their participation in investigations and prosecutions. There were no reports that identified victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked; however, the government did not make adequate efforts to identify trafficking victims, which may have led to some victims being treated as criminals. Front-line officials did not receive training in identifying victims and referring them to protective services, and border guards often denied entry to suspected traffickers and victims rather than attempting to rescue victims and place them in protective care.

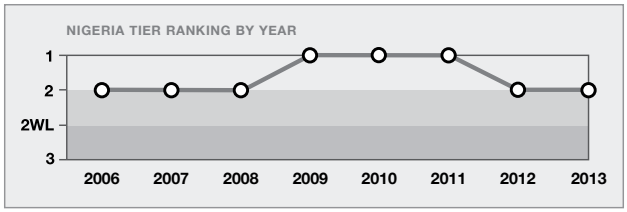
Prevention

The Government of Niger increased its efforts to prevent human trafficking during the year. It appointed staff—including representatives from civil society—to the CNLTP, making it operational as the coordinating body for the government's anti-trafficking efforts. Senior officials increasingly recognized publicly the problem of human trafficking and Niger's policies to combat it; for example, in January 2013, the Minister of Justice chaired a seminar for 200 participants from government, civil society, and the community to raise awareness about laws prohibiting slavery and additional outreach meetings were held in the country's nine district courts and the tribunal of Niamey in March 2013. The Ministry of Justice allocated the equivalent of approximately $32,000 to fund three workshops held by the CNLTP in December 2012 and March 2013 to train 695 law enforcement officials, community leaders, and civil society on the provisions of the country's anti-trafficking law and policies. The government took no discernible measures to address the demand for forced labor or commercial sex acts. Bylaws governing Niger's armed forces require troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though there is no evidence the government implemented such training during the reporting period.

NIGERIA (Tier 2)

Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficked Nigerians are recruited from rural and, to a lesser extent, urban areas within the country; women and girls for domestic servitude and sex trafficking, and boys for forced labor in street vending, domestic service, mining, stone quarrying, agriculture, and begging. Nigerian women and children are taken from Nigeria to other West and Central African countries, as well as to South Africa, where they are exploited for the same purposes. Children from West African countries – primarily Benin, Ghana, and Togo – are forced to work in Nigeria, and many are subjected to hazardous labor in Nigeria's granite mines. Nigerian women and girls – primarily from Benin City in Edo State – are subjected to forced prostitution in Italy, while Nigerian women and girls from other states are subjected to forced prostitution in Spain, Scotland, the Netherlands, Germany, Turkey, Belgium, Denmark, Finland, France, Sweden, Switzerland, Norway, Ireland, Slovakia, the Czech Republic, Greece, and Russia. Nigerian women and children are also recruited and transported to destinations in North Africa, the Middle East, and Central Asia, where they are held captive in the sex trade or in forced labor. Nigerian women are trafficked to Malaysia, where they are forced into prostitution and to work as drug mules for their traffickers. Nigerian traffickers rely on threats of voodoo curses to control Nigerian victims and force them into situations of prostitution or labor. Nigerian gangs traffic large numbers of Nigerian women into forced prostitution in the Czech Republic and Italy, and the European Police Organization (EUROPOL) has identified Nigerian organized crime related to trafficking in persons as one of the largest law enforcement challenges to European governments.

The Government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. During the reporting period, the government demonstrated a modest increase in anti-trafficking law enforcement efforts through the conviction of 25 traffickers and the provision of specialized anti-trafficking training to officials by various government ministries and agencies. The National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) received a slight increase in funding in 2012. Despite these efforts, the government has yet to pass draft legislation that would restrict the ability of judges to offer fines in lieu of prison time during sentencing and the Nigerian Police Force (NPF) continued to experience difficulty identifying trafficking victims. The Ministry of Labor did not make any new efforts to address labor trafficking during the reporting period.



Recommendations for Nigeria: Ensure that the activities of NAPTIP receive sufficient funding, particularly for prosecuting trafficking offenders and providing adequate care for victims; vigorously pursue trafficking investigations and prosecutions of trafficking offenses, and impose adequate sentences on convicted trafficking offenders, including imprisonment whenever appropriate; take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offenses; train police and immigration officials to identify trafficking victims among vulnerable populations, such as women in prostitution and young females traveling with non-family members; fully integrate counter-trafficking responsibilities into the work of the NPF and the Ministry of Labor; develop a formal system to track the number of victims repatriated from abroad, and upon repatriation ensure they are aware of available protective services; and ensure NAPTIP productively interacts with and receives support from other government agencies that have a stake in addressing human trafficking.

Prosecution

The Government of Nigeria demonstrated modest progress in its anti-trafficking law enforcement efforts during the year. The 2003 Trafficking in Persons Law Enforcement and Administration Act, amended in 2005 to increase the penalties for trafficking offenders, prohibits all forms of human trafficking. The law prescribes penalties of five years' imprisonment or a fine not to exceed the equivalent of approximately $645 or both for labor

trafficking offenses; these are sufficiently stringent, but the law allows convicted offenders to pay a fine in lieu of prison time for labor trafficking or attempted trafficking offenses, resulting in penalties not proportionate to the crimes committed. The law prescribes penalties of 10 to 15 years' imprisonment for sex trafficking offenses and a fine of the equivalent of approximately $1,250, or both. For sentences that include only a fine, penalties are not sufficiently stringent. In 2011, NAPTIP introduced amendments to the anti-trafficking law, which would give prosecutors more authority and restrict the ability of judges to offer fines in lieu of prison time during sentencing; this amendment was awaiting approval by the National Assembly at the end of the reporting period.

The government reported that NAPTIP initiated 117 trafficking investigations, commenced at least 17 prosecutions, and achieved 25 convictions during the reporting period. Another 143 prosecutions remained pending at the end of 2012. There was a significant decrease in the number of investigations from the previous reporting period's 279 investigations, but this is likely due to the fact that law enforcement officials are now better trained to identify trafficking cases and are not mistakenly referring numerous non-trafficking crimes to NAPTIP for investigation. All prosecutions occurred under the 2003 Trafficking Act, and sentences upon conviction ranged from three months' to 18 years' imprisonment. Of the 25 convictions, 17 resulted in prison sentences without the option of paying a fine. The NPF reportedly also investigated and prosecuted human trafficking offenses; data regarding these cases was unavailable. The government also collaborated with law enforcement agencies from the Netherlands, the United Kingdom, Malaysia, Austria, and Taiwan on investigations involving Nigerian nationals during the reporting period. Three of the pending prosecutions involve government officials alleged to have committed child labor trafficking offences.

The government conducted extensive training sessions throughout the reporting period. NAPTIP, collaborating with foreign governments and international organizations, provided specialized training to approximately 465 government actors, including officials from NAPTIP, the Nigerian Police Force, the Nigerian Immigration Service, the Nigeria Security and Civil Defense Corps, the Department of State Services, and the Ministry of Foreign Affairs, as well as judges, prosecutors, and border patrol officers. These programs focused on border control procedures, obtaining and processing digital evidence, identification and investigation of trafficking cases, criminal intelligence, gender-based violence, prosecution of trafficking crimes, counseling of victims, and migration policy. Despite these efforts, however, high levels of training remained difficult to maintain, as police officers within the NPF were frequently rotated to different positions and many never receive anti-trafficking training.

Protection

The Government of Nigeria made slightly increased efforts to protect trafficking victims during the year. The government and NGOs identified 480 trafficking victims within the country, including 303 victims of sex trafficking and 177 victims of labor trafficking. Another 92 individuals were identified as victims of trafficking-related crimes. All victims identified by NAPTIP received initial screening and assistance by NAPTIP, after which 250 victims were referred to government-run care facilities for further medical care, vocational training, education, and shelter. In 2012, the Government of Nigeria allocated the equivalent of approximately $11.9 million to NAPTIP, a slight increase from the 2011 budget, and an additional equivalent of approximately $160,000 to help evacuate Nigerian victims of trafficking who were stranded in Cote d'Ivoire. State governments also contributed the equivalent of approximately $15,900 in additional funds to support NAPTIP efforts during the reporting period.

In 2012, NAPTIP continued to operate eight shelters with a total capacity of 293 victims, an increase in capacity from 2011. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, trade and financial empowerment, and business management skills. Victims who required additional medical and psychological treatment were provided services by hospitals and clinics through existing agreements with NAPTIP. While all shelter staff received basic training in victim care, NAPTIP funded additional specialized training for 50 counselors during the reporting period that was conducted by a local university and UNODC. The NAPTIP shelters offered short-term care, generally limiting victims' stays to six weeks, though victims were allowed to extend their stays under special circumstances. If victims needed longer-term care, they could be referred to two shelters operated by the Ministry of Women's Affairs in Kano and Benin City; during the reporting period, NAPTIP referred 20 victims to these two shelters. Additionally, NAPTIP collaborated with NGO-run shelters, which also provided longer-term care. Victims in NAPTIP shelters were not allowed to leave unless accompanied by a chaperone. NAPTIP paid a monthly stipend of the equivalent of approximately $2,900 to a local NGO-run shelter and provided limited funding, in-kind donations, and services to NGOs and other organizations that afforded protective services to trafficking victims. On occasion, state and local governments also provided in-kind assistance through training and technical support to NGOs. Overall, NAPTIP spent roughly one-fifth of its operational budget, or the equivalent of approximately $666,000, on victim protection and assistance during 2012.

The government has formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of victims of trafficking among high-risk populations. Additionally, police, immigration, and social services personnel received specialized training on how to identify victims of trafficking and direct them to NAPTIP. Although NAPTIP has yet to establish an official national referral mechanism, authorities continued to utilize an informal referral process whereby the police, immigration, and NGOs could transport suspected victims to NAPTIP. Additionally, in May 2012, NAPTIP signed a memorandum of understanding with the Network of Civil Society Organizations Against Child Trafficking, whose membership includes the vast majority of anti-trafficking NGOs and international organizations working on the issue within Nigeria. Despite the growing number of Nigerian trafficking victims identified abroad, the government has yet to implement formal procedures for the return and reintegration of Nigerian victims; consequently, many victims are not afforded adequate care upon their return to Nigeria. This is of particular concern, as some European countries deny Nigerian victims' attempts to seek asylum or access to European victim programs on the basis of the perceived availability of adequate victim services in Nigeria.

Per provisions of the 2003 Trafficking in Persons Law Enforcement and Administration Act, Nigerian authorities ensured that trafficking victims were not penalized for unlawful

acts committed as a result of their being trafficked. On occasion, authorities initially detained individuals involved in prostitution or other unlawful acts before they were identified as trafficking victims. Once identified, NAPTIP worked with security services to remove victims from custody and provide them care. Officials encouraged victims to assist in the investigation and prosecution of trafficking cases, and NAPTIP reported that 26 victims served as witnesses or gave evidence during trial in 2012. All victims were eligible to receive funds from the victims' trust fund, which was financed primarily through confiscated assets of convicted traffickers. During the reporting period the equivalent of approximately $22,000 was disbursed to 10 victims for purposes ranging from medical costs to school tuition, although not necessarily in equal amounts. The government provided a limited legal alternative – short term-residency that could not be extended – to the removal of foreign victims to countries where they may face hardship or retribution.

Prevention

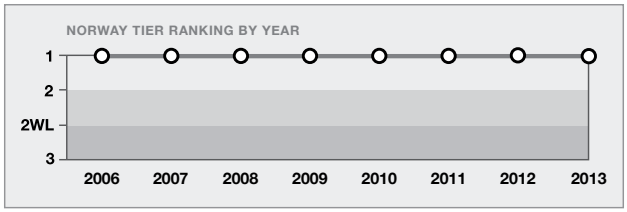
The Government of Nigeria sustained modest efforts to prevent human trafficking through campaigns to raise awareness and educate the public about the dangers of trafficking. NAPTIP's Public Enlightenment Unit continued to conduct extensive national and local programming through radio and print media in all regions of the country to raise awareness about trafficking, including warning about fraudulent recruitment for jobs abroad. The objective of these and several related programs was to sensitize vulnerable people, sharpen public awareness of trends and schemes traffickers use to lure victims, warn parents, and encourage community members to participate in efforts to prevent trafficking. NAPTIP also carried out advocacy visits with community leaders, opinion leaders, traditional and religious leaders, and government officials at both the local and national levels. Each of NAPTIP's six zonal offices also completed their own awareness and education campaigns, including constructing outdoor billboards throughout the country.

During the reporting period, the Government of Nigeria demonstrated a commitment to increased coordination between NAPTIP and various relevant ministries, primarily through improved referral mechanisms and training efforts. NAPTIP also developed a new five-year strategic plan on the coordination of anti-trafficking efforts for 2012-2017 and held stakeholders' workshops to begin implementation of the plan. The Ministry of Labor took no additional steps to address labor trafficking nor to decrease the demand for forced labor. In an attempt to reduce the demand for commercial sex in Abuja, the Minister of the Federal Capital Territory declared that soliciting prostitution is illegal; the government made no other discernible efforts to decrease the demand for commercial sex acts. NAPTIP officials assisted other West African governments with their anti-trafficking efforts, including providing training to officials employed by The Gambia's recently established National Agency Against Trafficking in Persons from May 29-June 4, 2012. The government, with foreign donor support, provided anti-trafficking training to Nigerian troops prior to their deployment abroad on international peacekeeping missions.

NORWAY (Tier 1)

Norway is a destination and, to a lesser extent, a transit and source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor in domestic service, in nursing, and construction sectors. Children are subjected to forced begging and forced criminal activity, such as shoplifting and drug sales. Most trafficking victims identified in Norway originated in Nigeria, while others came from Eastern Europe (Belarus, Bulgaria, Lithuania, and Romania) and Africa (Cameroon, the Democratic Republic of Congo, Eritrea, Ghana, Kenya). These victims usually travel to Norway on Schengen visas issued by other European countries, and transit through several countries, such as Italy, Spain, and Morocco. African trafficking offenders often coerce victims into prostitution through threats to family at home and threats of voodoo. Traffickers from Eastern Europe are typically members of small family mafias; offenders seduce young women in their home countries and convince them to come to Norway, where they are forced into prostitution. Some foreign *au pairs*, including those from the Philippines, are vulnerable to trafficking in Norway.

The Government of Norway fully complies with the minimum standards for the elimination of trafficking. The Norwegian government has adopted a victim-centered approach, offering generous and diverse victim services through specialized NGOs and local governments. Norwegian law obligates municipalities to offer trafficking victims shelter, regardless of residence status and the victim's willingness to testify in court. In 2012, authorities investigated and prosecuted more labor trafficking cases, although prosecutions for sex trafficking offenses continued to decline. Government-funded NGOs opened more shelter facilities for male victims, but specialized care for children remained deficient. The government studied the vulnerability of *au pairs* to trafficking and created a new telephone counseling service.



Recommendations for Norway: Continue efforts to vigorously prosecute and convict both sex and labor trafficking offenders; investigate why few labor trafficking investigations result in prosecutions; ensure that child victims of trafficking receive specialized care; ensure that male trafficking victims receive adequate shelter and that all governmental anti-trafficking efforts are structured to address male as well as female victims of trafficking; ensure that front-line responders understand and offer a reflection period to identified victims, during which victims can receive services and recover from their trauma; consider options for the provision of longer-term victim assistance in non-emergency shelters; and fund a national or targeted anti-trafficking awareness campaign.

Prosecution

The Norwegian government demonstrated some progress in its law enforcement efforts during the reporting period through increased investigations and prosecutions for labor trafficking, though sex trafficking prosecutions continued to decrease. Norway prohibits all forms of trafficking in persons through Criminal Code Section 224, which prescribes a maximum penalty of 10 years' imprisonment, which is

sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. Norwegian authorities initiated 26 sex trafficking investigations and 22 labor trafficking investigations in 2012, compared with 32 sex trafficking and 12 labor trafficking investigations initiated in 2011. The government prosecuted a total of at least eight trafficking suspects—two for sex trafficking and six for labor trafficking—under Section 224 in 2012, compared with six sex trafficking suspects and one labor trafficking suspect in 2011. Authorities convicted at least seven trafficking offenders —three for sex trafficking and four for labor trafficking—in 2012, compared with seven offenders convicted in 2011; all of the convicted traffickers received jail sentences. In January 2013, the Supreme Court upheld the sentences of two traffickers who had received sentences of four and a half and five years' imprisonment for forcing children into criminal activity.

The cities of Bergen, Ostfold, Oslo, and Trondheim maintained specialized anti-trafficking units in their police forces. In April 2012, the Ministry of Justice sponsored a national seminar for 125 police officers and prosecutors on Norway's trafficking situation and techniques to detect, investigate, and prevent trafficking. Experts reported that some prosecutors interpreted anti-trafficking laws too narrowly and, as a result, did not always apply trafficking charges when needed. The government continued to provide new police officers with training on identifying and assisting trafficking victims, as well as periodic in-service training to all police officers on the referral processes. The government also supplied the police with "action cards" that detail the procedures when encountering a trafficking victim. Norwegian authorities collaborated with counterparts in several other European countries to investigate transnational trafficking cases, including Moldova and Sweden. The Norwegian government did not report the investigation or prosecution of any public officials for trafficking-related complicity.

Protection

The Government of Norway demonstrated strong victim protection efforts during the reporting period through sustained funding and increased services to male victims, although specialized care for children remained deficient. The Norwegian government provided protection to trafficking victims through government-funded NGOs, church associations, and municipalities. These NGOs offered both foreign and domestic victims a generous range of assistance, including shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. An NGO specializing in caring for trafficking victims who have received a reflection period offered vocational programs, education, and sponsored internships for victims who had completed a reflection period. Although some of the specialized NGOs primarily offered services to women, a few programs opened new facilities, including apartments, for men. By law, Norwegian municipalities were obligated to offer trafficking victims shelter, regardless of their immigration status. One of the main government-funded institutions for trafficking victim care received 146 contacts from trafficking victims in 2012, in contrast to 128 contacts in 2011. Sixteen of these initial contacts were men. Of these 146 initial contacts, 42 women or girl trafficking victims ultimately were housed by the victim care institution. According to the Rosa Center, there were no shelters to assist men or boy trafficking victims. The primary government-funded project received the equivalent of approximately $440,000 in funding for trafficking victim care; this sum does not include the costs for most of the aid given to victims by municipalities—including free medical care—nor the financial allocations to other NGO anti-trafficking projects. In 2012, the Norwegian government reported identifying and providing services for 274 trafficking victims, including 191 women, 18 men, and 65 children, compared with 272 trafficking victims assisted in 2011. NGOs reported fairly extensive coordination efforts with the government on victim assistance. The government's Child Welfare Services assisted children directly. In 2012, the government passed the Child Welfare Act, which enabled authorities to place children, who are assumed victims of trafficking, in an institution without their consent for a period of up to six months. However, observers reported that some child welfare staff members were not adequately aware of human trafficking or of how to assist child victims of trafficking.

The Norwegian government permitted trafficking victims to stay in Norway without conditions during a six-month reflection period, a time for them to receive immediate care and assistance while they consider whether to assist law enforcement with a trafficking investigation and prosecution. The government also offered a permanent residency permit for victims facing retribution or hardship in their countries of origin, on the condition that they give statements to the police outside of court. Any victim of trafficking—regardless of potential retribution or hardship at home—who made a formal complaint to the police, could remain in Norway for the duration of court proceedings; victims who testified in court were entitled to permanent residency. In 2012, Norwegian authorities issued 51 temporary residence permits to trafficking victims and granted asylum to 18 trafficking victims. At least four victims testified in human trafficking cases in court. NGOs reported that several trafficking victims received restitution in 2012. NGOs did not report the detention or punishment of any identified trafficking victims, but some potential victims may have been punished for document forgery.

Prevention

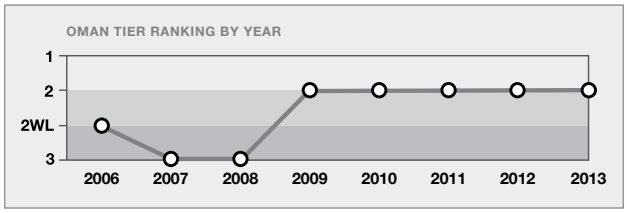
The Norwegian government sustained its trafficking prevention efforts during the reporting period. It framed many of its anti-trafficking prevention efforts in terms of preventing trafficking from source countries. The Norwegian government continued to be a leading international anti-trafficking donor, significantly supporting victim care throughout the world, including in Bangladesh, Indonesia, Kazakhstan, Kenya, Malawi, Mozambique, Nigeria, South Africa, and Thailand. The government did not fund any broad-based national trafficking awareness campaigns targeting labor or sex trafficking. The Ministry of Justice did not report any cases of authorities punishing labor recruiters involved in the recruitment of workers through knowingly fraudulent offers of employment. The national coordinator enhanced transparency of the government's anti-trafficking efforts by publishing statistical reports on them. In 2012, the government evaluated the Norwegian *au pair* system and in January 2013, it created a telephone counseling service for *au pairs* in case they experience problems, including exploitative employers. The government undertook steps to reduce the demand for commercial sex acts. The Norwegian national criminal investigation service monitored the travel of Norwegian nationals to known child sex tourism destinations. The government provided anti-trafficking training to Norwegian troops prior to their deployment abroad on international peacekeeping missions.

OMAN (Tier 2)

Oman is a destination and transit country for men and women, primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, who are sometimes subjected to conditions indicative of forced labor and, to a lesser extent, forced prostitution. Most migrants travel willingly and legally to Oman with the expectation of employment in domestic service or as low-skilled workers in the country's construction, agriculture, or service sectors. Some subsequently face conditions indicative of forced labor, such as the withholding of passports and other restrictions on movement, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Government sources note that runaway domestic workers are also susceptible to forced prostitution. Unscrupulous labor recruitment agencies and their sub-agents in migrants' original communities in South Asia, as well as labor brokers in the United Arab Emirates (UAE), Oman, and Iran, may deceive workers into accepting work that constitutes forced labor. Many of these agencies provide false contracts for employment either with fictitious employers or fictitious wages, and charge workers high recruitment fees (often in an amount exceeding the equivalent of approximately $1,000) at usurious rates of interest, leaving workers vulnerable to trafficking.

Oman is also a destination and transit country for women from China, India, Morocco, Eastern Europe, Uganda, Kenya, and parts of South Asia who may be forced into commercial sexual exploitation, generally by nationals of their own countries. The majority of women identified as sex trafficking victims in the reporting period were of Asian descent, primarily from Indonesia and India, as well as North Africa; identified victims in the previous year included women from countries in East Africa, namely Ethiopia, Somalia, Kenya, Uganda, and Burundi. Women working in Oman as domestic workers from Ethiopia, Nepal, and Vietnam—countries without diplomatic presence in Oman—are especially vulnerable to domestic servitude. Male Pakistani laborers and other workers from India, Bangladesh, Sri Lanka, and East Asia transit Oman *en route* to the UAE; some of these migrant workers are exploited in situations of forced labor upon reaching their destination.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking; however, it is making efforts to do so. Over the last year, the government prosecuted and convicted sex trafficking offenders, but it did not investigate or prosecute any suspected labor trafficking offenders. The government continued to assist victims of trafficking at a government-run shelter for trafficking victims, though the facility remained underused. The government identified and referred two victims to the shelter, which was a significant decrease from the number of victims identified during the previous reporting period. Omani authorities continued to lack formal procedures to proactively identify trafficking victims among those detained for immigration violations or prostitution charges. As a result, the government may not have adequately identified victims of forced labor or sex trafficking nor punished the trafficking offenders.



Recommendations for Oman: Vigorously investigate and prosecute trafficking offenses and sentence convicted traffickers to imprisonment; make greater efforts to investigate and prosecute forced labor offenses, including those perpetrated by recruitment agents and employers; ensure that victims of trafficking are not punished for acts committed as a direct result of being subjected to human trafficking; institute formal procedures for identifying trafficking victims among all vulnerable populations, such as migrant workers and people in prostitution; refer all suspected victims of trafficking, including victims of both forced labor and forced prostitution, to a shelter, regardless of whether there is a corresponding prosecution of an alleged offender; as a measure to prevent labor trafficking, enact and enforce strict penalties for employers who withhold their employees' passports; increase and enforce legal protections for domestic workers, including coverage under Oman's labor laws; continue training government officials in all relevant departments to recognize and respond appropriately to human trafficking crimes; and increase public awareness campaigns or other prevention programs to reduce the demand for forced labor and commercial sex acts.

Prosecution

The Government of Oman made no discernible progress in its anti-trafficking law enforcement efforts during the reporting period as the number of investigations, prosecutions, and convictions of trafficking offenders significantly decreased. Through its Royal Decree No. 126/2008, also known as the Law Combating Trafficking in Persons, issued in 2008, the Omani government prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment, in addition to financial penalties, for trafficking crimes. These punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. A Ministry of Manpower circular (No. 2/2006) prohibits employers from withholding migrant workers' passports, a practice widespread among employers in Oman, including government officials, that is known to contribute to forced labor. The circular does not specify penalties for noncompliance; the government did not report any investigations or other actions using this circular during the reporting period. The government reported investigating five cases of sex trafficking. The government reported prosecuting 15 sex trafficking offenders and convicted two sex trafficking offenders in this reporting period; however, it failed to prosecute or convict any forced labor offenders. As part of these court cases, however, the government also prosecuted three trafficking victims and convicted two of them for immigration offenses. Also, the government often failed to investigate reported abuses of domestic workers due, in part, to their status outside the Omani labor law. The government did not report investigating or punishing government employees for alleged complicity in trafficking-related offenses during the reporting period. All Royal Oman police cadets received training on how to recognize trafficking in persons during

the reporting period. The National Committee for Combating Human Trafficking also conducted an anti-trafficking training in May 2012 for prosecutors, judges, and law enforcement officials.

Protection

The government's efforts to identify and protect victims of trafficking remained weak during the reporting period. The government continued to lack formal procedures to proactively identify victims of trafficking among all vulnerable groups, including migrants detained for immigration violations and women in prostitution. During the reporting period, the Public Prosecution—the only entity that can refer victims to the government shelter and only if it determines the case against the alleged offender will go to trial—identified and referred only two identified victims of sex trafficking to the shelter. This is a significant decrease from the 14 victims the Public Prosecution referred last year. As in previous years, the government identified and referred no labor trafficking or child trafficking victims to the government care facility for assistance. The Royal Oman Police continued to operate and fund a permanent shelter that could accommodate up to 50 men, women, and children who were victims of forced labor or sex trafficking. Victims in this shelter could not leave the premises unchaperoned, but they could reportedly readily access shelter employees to accompany them offsite. The shelter is able to provide social, psychological, legal, and medical services at no cost to victims. The shelter remained underused due to the strict government entry requirements; most trafficking victims in Oman sought care in shelters run by the embassies of their home countries.

Due to a lack of comprehensive victim identification and protection procedures, the government failed to ensure that migrant workers subjected to forced labor or sex trafficking were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. In this reporting period, three identified victims of sex trafficking were prosecuted and two were convicted for acts committed as a result of being trafficked, including having outdated residency permits; in at least one case, a trafficker and a trafficking victim were both charged in the same case. Furthermore, the government failed to provide protection services to these identified victims. In years prior to this reporting period, the government claimed to have encouraged suspected foreign trafficking victims to assist in investigations and prosecutions regarding their cases, though it did not provide foreign victims with a legal alternative to removal to countries in which they may face retribution or hardship. The government also did not provide information on the number of victims who assisted in trafficking investigations or prosecutions in this reporting period. Victims were permitted to stay in Oman on a case-by-case basis but were not permitted to work while awaiting court proceedings.

Prevention

The government sustained modest efforts to prevent human trafficking during the reporting period. The government published brochures in numerous languages, highlighting the rights and services to which workers are legally entitled; however, it did not conduct an anti-trafficking public awareness campaign during this reporting period. The government did not report conducting investigations or imposing fines under Royal Decree 113/2011, which requires employers to pay all wages by electronic deposit to the employee's local bank account. The Ministry of Manpower implemented an annual inspection plan in 2012 under which the ministry undertook field visits to 1,913 facilities to ensure that businesses and employers adhered to the Omani labor law and to investigate complaints of labor violations; the government did not report if these visits resulted in the identification of forced labor victims. The government required that all employers post labor law regulations in the languages of their workers in prominent locations at worksites. There were no reported efforts by the government to reduce the demand for commercial sex acts or forced labor in Oman.

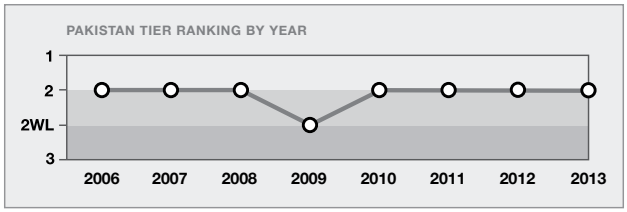
PAKISTAN (Tier 2)

Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking, with a large percentage of trafficking occurring within the country. Trafficking, particularly of children, remains elevated due to effects from natural disasters, a weak economy, and deteriorating security and rule of law. The country's largest human trafficking problem is bonded labor, in which traffickers or recruiters exploit an initial debt assumed by a worker as part of the terms of employment, which sometimes persist through generations. Bonded labor is concentrated in the Sindh and Punjab provinces, but also takes place in the Balochistan and Khyber Paktunkhwa provinces, in agriculture and brick-making and to a lesser extent in the mining, carpet-making, and fishing industries. In some cases, when bonded laborers attempt to escape or seek legal redress, police return them to the landowners and brick kiln owners who then hold laborers and their families, including children, in chains in private jails. Boys and girls as young as five years old are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops and factories, and prostitution, according to child rights experts; NGOs report that boys are particularly vulnerable to sex trafficking, particularly around hotels, truck stops, bus stations, and shrines. Illegal labor agents charge high recruitment fees to parents for giving work to their children, who are subsequently subjected to forced labor and sometimes forced into prostitution. Trafficking experts describe a structured system for forcing women and girls into prostitution, including the presence of physical markets in which victims are offered for sale. Women and girls are also sold into forced marriages; in some cases their new "husbands" move them across Pakistan's land borders and force them into prostitution in Iran or Afghanistan, and in other cases, sometimes organized by extra-judicial courts, the transaction is used to settle debts or disputes. Non-state militant groups kidnap children or coerce parents into giving away children as young as nine with fraudulent promises or threats and then force the children to spy, fight, or die as suicide bombers in Pakistan and Afghanistan. These militants often sexually and physically abuse the children and use psychological coercion to convince the children that the acts the children commit are justified.

Many Pakistani women and men migrate voluntarily to the Gulf states, Iran, Turkey, South Africa, Uganda, Maldives, Greece, and other European countries for low-skilled employment such as domestic work, driving, or construction work; once abroad, some become victims of labor trafficking. False job

offers and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters increase Pakistani laborers' vulnerabilities to debt bondage. Pakistani workers abroad face restrictions on movement, nonpayment of wages, threats, and physical and sexual abuse. Traffickers use violence, psychological coercion, and isolation, often seizing travel and identification documents as a means to coerce Pakistani women and girls into prostitution. There are reports of child sex trafficking between Iran and Pakistan, and of Pakistani children and adults with disabilities who are forced to beg in Iran. Pakistan is a destination for men, women, and children from Afghanistan, Iran, and, to a lesser extent, Bangladesh, who are subjected to forced labor and prostitution. Afghan refugees and religious and ethnic minorities are particularly vulnerable to human trafficking. In 2012, six Pakistani victims were subjected to human trafficking in Malawi.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of human trafficking; however, it is making significant efforts to do so. Despite these measures, the government still showed insufficient political will and capacity to address trafficking fully, as evidenced by ineffective law enforcement measures, the punishment of trafficking victims, and limited efforts in trafficking prevention. Government officials' complicity in human trafficking was a persistent, serious problem.



Recommendations for Pakistan: Vigorously investigate and prosecute suspected human trafficking offenders, respecting due process, as well as government officials suspected of complicity in trafficking; develop and pass an anti-trafficking law that prohibits and penalizes all forms of human trafficking; in partnership with civil society groups, work to identify trafficking victims among vulnerable populations, including street children, people in prostitution, Afghan refugees, and laborers in brick kilns and agriculture; work to ensure that trafficking victims are not penalized for acts committed as a result of being trafficked; clearly distinguish between human trafficking and human smuggling in trainings, policies, and programs; strengthen the capacity of provincial governments to address human trafficking, including bonded labor, through training, raising awareness, providing funding, and encouraging the adoption of provincial-level anti-trafficking action plans; undertake awareness campaigns on human trafficking in local languages, targeted to parents who sell their children, particularly in the Punjab province; improve efforts to collect, analyze, and accurately report counter-trafficking data; and accede to the UN TIP Protocol.

Prosecution

The Government of Pakistan continued to prosecute human trafficking offenses over the last year. The government does not prohibit and penalize all forms of trafficking. Several sections in the penal code criminalize some forms of human trafficking, such as slavery, selling a child for prostitution, and unlawful compulsory labor, prescribing punishments for these offenses that range from fines to life imprisonment. Transnational trafficking in persons offenses, as well as some non-trafficking crimes—such as people smuggling and fraudulent adoption—are prohibited through the Prevention and Control of Human Trafficking Ordinance, 2002 (PACHTO), which prescribes penalties of seven to 14 years' imprisonment. Prescribed penalties for the penal code and PACHTO offenses are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Bonded Labor System (Abolition) Act (BLSA) prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment, a fine, or both. Pakistani officials have yet to secure a conviction under this law. Under the devolution process that started in 2010, federal laws apply to provinces until corresponding provincial laws are enacted; as of the reporting period, only Punjab has adopted such a law.

The government did not report disaggregated data on trafficking convictions under the penal code. It is unclear how many traffickers were prosecuted during the reporting period, because the government's data does not reflect the number of prosecutions; instead, it reports how many prosecutions were brought under each provision of the penal code, without indicating whether specific cases were prosecuted under several provisions. The government reported that penal code provisions were used approximately 80 times to prosecute trafficking cases from April 2012 to March 2013, compared with 55 times in 2011. Government officials continued to conflate human smuggling and human trafficking, and the Federal Investigative Agency's (FIA) anti-trafficking units dealt with undocumented migration and smuggling, in addition to human trafficking. During 2012, the government reported that it convicted trafficking offenders under PACHTO; however, since PACHTO also prohibits non-trafficking offenses and some government officials conflated trafficking and smuggling, the actual number of convicted trafficking offenders is unknown. Many police and prosecutors did not pursue trafficking cases or simply did not prioritize anti-trafficking activities. The FIA reported it continued to train officials on transnational trafficking issues at the FIA academy, but experts noted these trainings conflated trafficking with human smuggling.

Government employees' complicity in human trafficking remained a significant problem. Some feudal landlords were affiliated with political parties or were officials themselves and used their social, economic, and political influence to protect their involvement in bonded labor; a 2012 ILO report asserted that those who use bonded labor have been able to do so with impunity. Additionally, some police received bribes to ignore human trafficking activities from brothel owners, landowners, and factory owners who subjected Pakistanis to forced labor or forced prostitution. Some reports asserted that low-level officials in the FIA anti-trafficking unit, including police, did not register cases against trafficking offenders in exchange for bribes. Other reports noted that some FIA officials solicited bribes from deported Pakistani citizens who arrived in Pakistani airports to avoid having charges filed against them; some of these citizens may have been trafficking victims. The Government of Pakistan did not report any convictions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Pakistan did not make progress in the protection of victims of human trafficking during the reporting period. Pakistani authorities did not have systematic methods for identifying trafficking victims among vulnerable populations and referring them to protective services.

NGOs reported that government officials often detained, fined, or jailed trafficking victims. For example, rural police were inclined to return "runaway" bonded laborers to brick kiln and landowners on the grounds that they tried to avoid repayment of debts. Undocumented foreign nationals were detained and charged under the penal code regardless of whether they had been subjected to human trafficking. Authorities detained returning Pakistani adults and boys, some of whom were trafficking victims, for having left the country illegally. Victims of sex trafficking were often charged with crimes, while their traffickers remained free. Various government-run jail-like facilities that did not allow women to leave without a male relative or a court order, commonly called "women's shelters," were available to female trafficking victims; there were not only reports of abuse and severe lack of freedom of movement in these centers, but also allegations that staff and police sold some women unclaimed by their families to men under the guise of marriage. Some child trafficking victims received shelter or other protective services through broad child protection programs and centers offered by provincial governments, although there was no information on how many victims were assisted. A news report described the rescue of 165 bonded laborers by police per the directive of local courts; however, in responding to the traffickers' grievances of outstanding loans, the courts permitted the traffickers to file civil suits against the bonded laborers in order to recover funds, and the disposition of these civil suits is unknown. Civil society groups report that government rescues of trafficking victims are not accompanied by efforts to protect victims, leading to the victims' re-trafficking. The Punjab provincial government continued implementation of its project launched in 2008 to eliminate bonded labor in brick kilns, which included helping an unknown number of bonded laborers obtain identity cards and interest-free loans. The Pakistani military continued to run a rehabilitation program in Swat for children who had been exploited by extremist groups; there was no information on how many trafficking victims were assisted by this program during the reporting period. There was also no information on whether the government encouraged victims of trafficking to participate in investigations against their traffickers. The government did not provide foreign victims with legal alternatives to their removal to countries where they may face retribution or hardship.

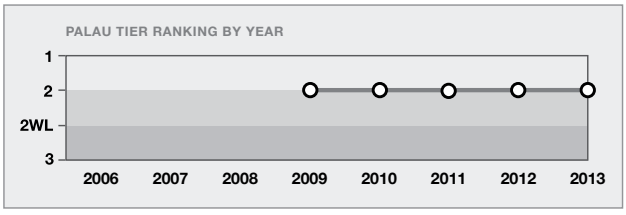
Prevention

The Pakistani government made only limited efforts to prevent human trafficking during the year. The FIA reportedly placed anti-trafficking posters at airports and border crossings to raise awareness of transnational trafficking. Many of the district vigilance committees charged with curbing bonded labor and mandated by law continued to be either inactive or ineffectual. Under the government's devolution process, which started in 2010, labor regulation and other civil matters, as well as social service delivery, were devolved from the central government to provincial jurisdictions, which often did not have the financial resources and technical capacity to carry them out; this hampered the government's overall efforts to effectively address forced labor and to provide protective services to trafficking victims. There was no information on whether Pakistani forces deployed to UN peacekeeping missions received training on combating human trafficking prior to their deployment abroad. The government's efforts to reduce the demand for commercial sex acts by arresting some clients of prostitution were mitigated by the government's punishing of females in prostitution without ensuring that they were not victims of trafficking. Pakistan is not a party to the 2000 UN TIP Protocol.

PALAU (Tier 2)

Palau is a destination country for women subjected to sex trafficking and for women and men subjected to forced labor. Palau's foreign population—the majority of which are from the Philippines, China, and the Republic of Korea—is estimated to comprise nearly one-fifth of the county's population of 17,400. Filipino, Chinese, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, restaurants, or construction; upon arrival, they are forced to work in conditions substantially different from what was presented in contracts or recruitment offers. Women from China and the Philippines migrate to Palau expecting to work as waitresses or clerks, but are subsequently forced into prostitution in karaoke bars and massage parlors; prime perpetrators of illegal recruitment are from the Philippines, who recruit for karaoke bars and massage parlors operated by Taiwanese nationals. Recent reports indicate that some Indonesian men who voluntarily migrate to Palau for work on fishing boats face fraudulent recruitment, altered working conditions, and withholding of salaries. Noncitizens are by law excluded from the benefits of the minimum wage law, and regulations make it extremely difficult for foreign workers to change employers once they arrive in Palau, increasing their vulnerability to involuntary servitude and debt bondage.

The Government of Palau does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government prosecuted and convicted a Palauan senator for human trafficking, but relied on a labor law statute—a far lesser offense—that does not reflect the serious nature of the human trafficking offense allegedly committed. The government also initiated two investigations involving foreign women masseuses and a locally hired U.S. government employee. The government, however, still lacks an adequate understanding of trafficking and how its law can be applied to identify trafficking victims and investigate and prosecute trafficking offenders.



Recommendations for Palau: Establish formal procedures for front-line officers to identify and refer trafficking victims to protective services; continue efforts to proactively investigate, prosecute, and punish trafficking offenders; continue publicly

to highlight the issue and to recognize and condemn incidences of trafficking; increase resources devoted to address anti-trafficking efforts; develop a national plan of action to combat human trafficking; continue to make vigorous efforts to combat corruption by officials involved in regulating the immigration and employment of foreign workers; monitor employment agents recruiting foreign men and women for work in Palau for compliance with existing labor laws to prevent their facilitation of trafficking; continue to develop and implement anti-trafficking information and education campaigns; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Palau demonstrated modest anti-trafficking law enforcement efforts during the year. Palau's Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking in persons and prescribes sufficiently stringent penalties for these offenses, ranging from 10 to 50 years' imprisonment and fines of up to $500,000; these are commensurate with penalties prescribed for other serious crimes, such as rape. Instead of using this more serious statute, prosecutors sometimes bring charges under the less serious labor violations. For example, in June 2012, the government convicted a Palauan senator, in a case that involved nine alleged trafficking victims, using a labor law violation of unlawful wage deductions and penalties, which led to an imposed sentence of only 90 days' imprisonment—less than the punishment prescribed under the 2005 trafficking law. The government reported investigating two additional suspected trafficking cases involving foreign masseuses who were serving tourists, prominent politicians, and businessmen, and another involving a locally hired U.S. government employee.

The Attorney General's office and members of the Department of Public Safety provided administrative support for a law enforcement training co-hosted by the Guam Attorney General's office, which included a session on anti-trafficking. However, the government did not train officers to proactively identify and assist victims or to identify victims among vulnerable populations, such as foreign workers or foreign women in prostitution. The government did not report any new investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting year, though it did continue its efforts in the labor case against the senator that began in 2011.

Protection

The Government of Palau made modest efforts to identify and protect victims of trafficking during the reporting period. The government did not provide shelter or other services for trafficking victims, though it sustained partnerships with local churches to offer shelter, food, and housing to potential trafficking victims. The Department of Labor assisted six alleged trafficking victims in finding new employment. The government reported that while it did not have a policy of identifying and referring trafficking victims to legal services, the Attorney General's Office has increased its efforts to encourage victims' participation in investigations and prosecutions by holding counseling sessions to address victims' trauma and by reducing their fear of reprisals from traffickers. The government facilitated the departure of victims from Palau, but also offered work permits to alleged victims of trafficking who remained in the country.

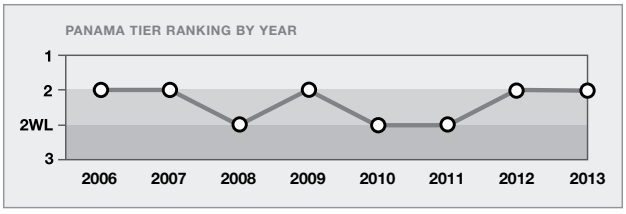
Prevention

The Government of Palau sustained its previous efforts to prevent new incidents of human trafficking during the reporting period. The Department of Labor and the Attorney General's office developed a brochure that informs foreign workers of their rights and provided them with a contact number to report any misconduct. The closure of the Philippines embassy in July 2012 stymied the adoption of a Philippine-Palau memorandum of understanding to address the use of illegal recruiters. The government has yet to develop a national action plan against trafficking in persons and has not designated sufficient resources for anti-trafficking purposes. The government signed an extradition agreement with Taiwan authorities in December 2012 to strengthen cooperation on crime prevention and judicial mutual assistance. The government made no discernible effort to address the demand for commercial sex acts or the demand for forced labor during the reporting period. Palau is not a party to the 2000 UN TIP Protocol.

PANAMA (Tier 2)

Panama is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Most Panamanian trafficking victims are exploited in sex trafficking in the country. The majority of foreign trafficking victims found in Panama are adult women from Colombia and, to a lesser extent, from neighboring Central American countries and the Dominican Republic. Most of these women migrate voluntarily to Panama to work, but are subsequently exploited in sex trafficking or in domestic servitude. In recent years, authorities have identified several East European women working in nightclubs as potential sex trafficking victims. NGOs report that some Panamanian children, mostly young girls, are subjected to domestic servitude in the country. Some Chinese men and women have been smuggled into the country to work in grocery stores and laundries, apparently in situations of debt bondage. There were reports that Nicaraguan migrants were also vulnerable to forced labor in Panama.

The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities convicted three sex trafficking offenders and launched a national anti-trafficking action plan. The government did not initiate any new trafficking prosecutions and the lack of police and victim care experts with specialized training hindered law enforcement efforts. Victim services and victim identification efforts remained inadequate; while two victims received shelter and other assistance, the majority of potential victims reported by authorities during the year were offered no specialized services or shelter after interacting with officials, leaving some to engage in prostitution for survival.



Recommendations for Panama: Increase funding for specialized victim services, particularly for adult victims, in partnership with civil society; ensure that identified victims are referred to appropriate services and shelters; intensify law enforcement efforts to investigate and prosecute both labor and sex trafficking crimes, and convict and sentence trafficking offenders, including officials complicit in trafficking offenses; strengthen government-provided training for police officers, prosecutors, immigration officials, social workers, and other government officials in anti-trafficking laws and victim identification and care; develop formal guidelines for identifying trafficking victims among vulnerable populations, particularly people in prostitution and migrant workers, to standardize victim identification and referral mechanisms; and strengthen interagency coordination mechanisms.

Prosecution

The Government of Panama convicted three sex trafficking offenders but did not initiate any new trafficking prosecutions during the year. It continued to investigate possible sex trafficking cases; however, there were no reported investigations of forced labor, and an ongoing prosecution of officials accused of trafficking complicity was dismissed. Panamanian law prohibits all forms of trafficking, with prescribed sentences ranging from six to 30 years' imprisonment, depending on the nature of the offense. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Panamanian law also prohibits moving people for the purposes of prostitution and illegal adoption as forms of trafficking, offenses that are not considered trafficking under the 2000 UN TIP Protocol. Panamanian officials categorized cases of human trafficking that did not involve movement as different crimes, such as commercial sexual exploitation, and treated these differently than human trafficking cases involving movement.

During the reporting period, authorities reported investigating eight sex trafficking cases and no labor trafficking cases. The government initiated no new prosecutions, while three prosecutions for sex trafficking commenced in previous years continued during 2012. In January 2013 the government convicted three sex trafficking offenders in one case under commercial sexual exploitation statutes: these offenders were each sentenced to 72 months' imprisonment. The government convicted no labor trafficking offenders. During the previous reporting period, authorities prosecuted four sex trafficking offenders, but convicted none. There was no dedicated anti-trafficking police unit, and the organized crime prosecutorial unit continued to be responsible for investigating trafficking cases. The lack of systematic data collection for trafficking crimes remained an impediment to assessing anti-trafficking law enforcement efforts. A judge dismissed the prosecution of six former immigration officials for their roles in a possible forced labor case initiated in 2010; the dismissal remained under appeal. Some officials lacked understanding of human trafficking, thereby at times impeding law enforcement efforts, and some trafficking cases were categorized as other crimes with lesser penalties. In 2012 Panamanian authorities cooperated with international organizations and foreign governments to train judicial and immigration officials on human trafficking.

Protection

While authorities reported assisting two sex trafficking victims, the government failed to refer the vast majority of potential victims to victim services, raising serious concerns about victim identification and referral capacity. Authorities did not employ formal procedures for identifying trafficking victims among vulnerable populations, such as detained undocumented migrants and people in prostitution. Officials characterized 45 foreign women as potential sex trafficking victims, including 40 Colombian women in prostitution identified in one case after one victim escaped and identified herself as a victim to prosecutors. In comparison, Panamanian authorities reported identifying 80 potential trafficking victims in 2011 through law enforcement investigations. The government did not report how many children in prostitution it identified in 2012. Specialized services for trafficking victims remained inadequate, and authorities did not report funding NGOs to provide specialized services or shelter to victims or referring any potential victims to NGOs for care. Some NGOs received limited government funding for general operations, and NGOs reported identifying five victims during the year. In the absence of shelters for adults, authorities noted that they could house adult victims in hotels on an *ad hoc* basis, although they did not do so in practice during the year. In fact, after being identified as sex trafficking victims by authorities, a significant number of Colombian women remained in the lodging in which they were exploited and were reportedly locked inside for hours at a time by police responsible for their security. Some engaged in prostitution after being identified due to the lack of support from the government for food or basic needs. Two sex trafficking victims were housed in a temporary government shelter for female victims of violence, including the self-identified victim who remained there for three weeks before being repatriated, as well as a pregnant woman.

There were no medical, psychological, or legal services provided to the majority of potential victims identified during the year, and there were no long-term services available to trafficking victims. Panamanian authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, although officials reported difficulties in obtaining victim participation in investigations and did not report how many victims did so in 2012. Panamanian law provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face hardship or retribution; while the government did not report issuing any temporary resident permits for trafficking victims during the reporting period, it reported that two such permits were in process. Seven foreign sex trafficking victims were voluntarily repatriated, and in one case police officers paid out of their own pocket for some travel expenses. Trafficking victims were not known to have been penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Due to the lack of victim identification guidelines, however, it was not clear that all foreign victims were identified before their deportation.

Prevention

During the reporting period, the Government of Panama strengthened efforts to prevent human trafficking through awareness activities and launching a national anti-trafficking plan. The five-year plan assigned different government entities responsibilities for increasing prosecution, protection, and prevention efforts. The government anti-trafficking

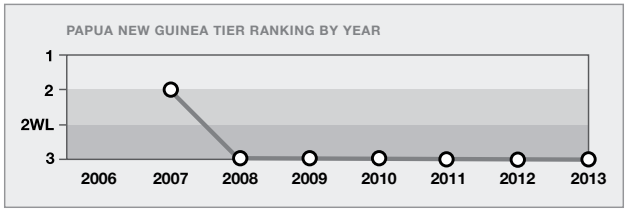
commission met regularly during the reporting period; it reported conducting a month-long awareness campaign, as well as partnering with an airline to raise awareness. Child sex tourism is prohibited by law, though there were no reported investigations, prosecutions, or convictions of foreign tourists engaged in the commercial sexual exploitation of children in 2012. The government did not report other efforts to reduce the demand for commercial sex acts or for forced labor.

PAPUA NEW GUINEA (Tier 3)

Papua New Guinea is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Women and children are subjected to sex trafficking and domestic servitude, and men are subjected to forced labor in logging and mining camps. Child labor is outlawed in Papua New Guinea, but it is estimated that 19 percent of the labor market is composed of child workers. Teenagers, particularly underage girls, are employed in night clubs as hostesses, dancers, and bartenders. The vulnerability to human trafficking of "Mosko Girls"—young girls who are employed in bars to provide companionship to male patrons and sell an alcoholic drink called *mosko*—emerged as a new trend around major cities in Papua New Guinea in 2012. There are reports of internal trafficking involving children, including girls from tribal areas as young as five, being subjected to commercial sexual exploitation or forced labor by members of their immediate family or tribe. Tribal leaders sometimes trade with each other the exploitative labor and service of girls and women for guns and political advantage. Traditional customs in Papua New Guinea permit parents to sell their daughters into forced marriages—often to wealthy men and politicians—to settle debts, leaving them vulnerable to forced domestic service. Polygamy in Papua New Guinea is also a serious concern, as it affirms patriarchal attitudes that men own women and perpetuates discrimination against women and girls. Young girls sold into polygamous marriages are often forced into domestic service for their husbands' extended families. In more urban areas, some children from poorer families are prostituted by their parents or sold to brothels. Young boys, as young as 12, are exploited by "market taxis" in urban areas, carrying extremely heavy loads for low pay.

Asian crime rings, foreign logging companies, and foreign businesspeople arrange for some foreign women to voluntarily enter Papua New Guinea with fraudulently issued tourist or business visas. Subsequent to their arrival, many of the women, from countries including Malaysia, Thailand, China, and the Philippines, are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites, and then exploit them in forced prostitution and domestic servitude. Chinese and local men are exploited for labor at commercial mines and logging camps, where some receive little pay and are compelled to continue working for the company indefinitely through debt bondage schemes. Employers exacerbate workers' indebtedness by paying substandard wages and charging artificially inflated prices at the company store; in such circumstances, an employee's only option is to buy food and other necessities on usurious terms of credit.

The Government of Papua New Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Despite an overall low level of awareness of trafficking among many government officials, the government acknowledged that human trafficking was a problem in the country and expressed its commitment to increasing law enforcement's capacity to address it. However, it has not yet enacted draft legislation that would criminalize all forms of trafficking, nor has it investigated or prosecuted suspected trafficking offenders under existing laws, or identified or assisted any trafficking victims during the year. The government appeared to take no action against trafficking-related corruption. Government officials continued to facilitate trafficking by accepting bribes to allow illegal migrants to enter the country or to ignore victims forced into prostitution or labor, and by trading female trafficking victims in return for political favors or votes.



Recommendations for Papua New Guinea: Enact the draft legislation that prohibits and punishes all forms of trafficking; investigate, prosecute, and punish trafficking offenders, including officials who facilitate or directly benefit from trafficking; develop and institute a formal procedure to identify victims of trafficking among vulnerable groups, such as individuals in prostitution and foreign women arriving for work in Papua New Guinea; train law enforcement officers to proactively identify victims and refer them to protective services; ensure that victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a direct result of being trafficked; work with NGOs and international organizations to increase protective services to victims of trafficking; increase collaboration with civil society, religious, and tribal leaders to raise awareness of and reduce demand for forced labor and commercial sex acts; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Papua New Guinea did not demonstrate significant progress in its anti-trafficking law enforcement efforts during the year. The government's draft legislation, which would amend the country's criminal code by prohibiting human trafficking, was resubmitted to the National Executive Council in early 2012 for signature under a newly elected administration. However, despite the expressed support and recognized importance of the bill from government leaders, it remains pending at the end of the reporting cycle. Papua New Guinea's existing criminal code prohibits some forms of human trafficking, such as the trafficking of children for commercial sexual exploitation and slavery and the forced labor and slavery of adults. Its definition of forced labor, however, appears to exclude victims who initially consented to a particular job, but were subsequently maintained in that labor or service through force or coercion. Therefore, Papua New Guinea's laws do not prohibit all forms of trafficking. Penalties prescribed for the crime of child trafficking are up to life imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The criminal code prescribes various penalties under different definitions of forced prostitution of women. These offenses, including holding a woman in a

brothel against her will, prescribe fines or sentences of up to two years' imprisonment, which are not sufficiently stringent. Prescribed penalties of up to seven years' imprisonment for perpetrators who use fraud, violence, threats, abuse of authority, or drugs to procure a person for purpose of forced prostitution are sufficiently stringent. However, the government did not report investigating, arresting, or prosecuting any trafficking offenders under these statutes. Instead of handling trafficking-related crimes in criminal courts and assigning trafficking offenders criminal penalties, these cases were often referred to village courts, which administered customary law and adjudicated cases resulted in restitution paid by the trafficking offender to the victim. Some victims of internal trafficking (or their parents) who received customary compensation payments from the offender were reluctant to notify police or bring additional criminal charges against traffickers.

Department of Justice and Attorney General (DJAG), with the assistance of foreign funding, trained a total of 78 law enforcement and non-law enforcement government officers and 82 NGO representatives on human trafficking. Wealthy businesspeople, politicians, and police officials who benefitted financially from the operation of commercial sex establishments were not prosecuted. Law enforcement agencies were underfunded, and most government offices remained weak as the result of corruption, cronyism, a lack of accountability, and a promotion system based on patronage. The government did not investigate or prosecute any government officials for complicity in trafficking-related crimes during the year, despite NGO claims that government ministers, police, and other officials may be complicit in commercial sexual exploitation.

Protection

The Government of Papua New Guinea did not make any discernible efforts to proactively identify or assist victims of trafficking among vulnerable populations during the reporting period. The government does not operate any victim care facilities for trafficking victims, nor did it refer victims to NGO service providers. Shelters run by NGOs may be available to trafficking victims, but none of these organizations reported identifying or assisting any victims of trafficking during the year. The government did not fund any international organizations or NGOs to assist trafficking victims. Due to poor victim identification by authorities, potential victims who came to the attention of police may have been punished for crimes committed as a direct result of being trafficked. This was especially true for victims of sex trafficking, who may have been prosecuted for violation of the country's prostitution laws. While laws are in place to protect sex trafficking victims from being penalized for unlawful acts they might have committed as a direct consequence of their being trafficked, there are no such provisions to protect victims of forced labor. The government did not offer legal alternatives to the removal of foreign victims of trafficking to countries where they may face hardship or retribution.

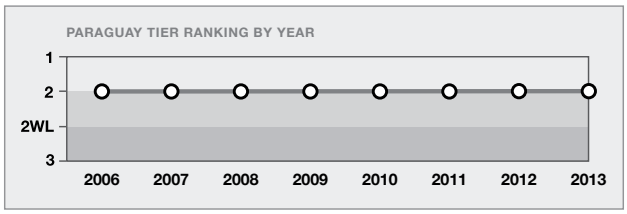
Prevention

During the past year, the Government of Papua New Guinea initiated modest efforts to prevent human trafficking. DJAG, in partnership with an international organization and with funding from a foreign donor, conducted research in four provinces, which identified Papua New Guineans vulnerable to labor and sexual exploitation. This research resulted in organizing various activities. For example, in partnership with an international organization, DJAG conducted several two-hour community-level awareness sessions in various villages and communities during May and June 2012. They also hosted the "One Day Against Human Trafficking" events in which films, presentations, and interactive panel discussions were utilized to increase awareness on human trafficking. Radio campaigns surrounding these awareness events were also delivered nationally, in addition to a special one-day workshop in June at one of the four provinces featured in the report. The National Human Trafficking Committee, chaired by the DJAG, provided informational and logistical support for an anti-trafficking seminar in February 2013, which invited 35 people from seven government agencies to discuss adult and child sex trafficking. The government took no discernible actions, however, to decrease the demand for forced labor or commercial sex acts, and it did not provide anti-trafficking training to Papua New Guinean troops prior to their deployment abroad on international peacekeeping missions. Papua New Guinea is not a party to the 2000 UN TIP Protocol.

PARAGUAY (Tier 2)

Paraguay is a source country for women and children subjected to sex trafficking, and for men, women, and children subjected to forced labor. To a more limited extent, Paraguay is a destination and transit country for men and women subjected to forced labor and forced prostitution. Paraguayan victims of sex trafficking and forced labor are found in Argentina, Chile, Bolivia, and Spain, and during the year a significant number of Paraguayan victims were identified in Brazil. Paraguayan victims of sex trafficking have also been identified in other countries, most recently including Ecuador and Colombia. There were continued reports of child sex trafficking in the tri-border area with Argentina and Brazil. There are reports that Paraguayan women are recruited as couriers of illicit narcotics to Europe, where they are subsequently coerced into forced prostitution. Domestic servitude and sex trafficking of women and girls within the country remain a serious problem; some victims are recruited from rural areas, in particular from the departments of Caazapa, Caaguazu, and San Pedro, and exploited in urban centers. Indigenous persons are particularly at risk of being subjected to forced labor and sex trafficking, especially in the Chaco region. Street children and children involved in hazardous work are vulnerable to human trafficking.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government maintained law enforcement efforts against sex trafficking offenders and took action against official complicity by convicting a police officer involved in sex trafficking. Authorities passed a new trafficking law strengthening the country's legal framework, maintained provision of victim services for some sex trafficking victims, and strengthened prevention efforts. Specialized victim services, however, remained limited, and authorities lacked a formal system to proactively identify trafficking victims or to refer them to care services. Trafficking-related corruption remained a serious concern.



Recommendations for Paraguay: Enhance access to comprehensive services and shelter for victims of sex and labor trafficking alike through increased funding for victim services and enhanced partnerships with civil society organizations; institute formal referral mechanisms to ensure that all identified victims can access care services; increase efforts to proactively investigate forced labor cases and identify labor trafficking victims, including those exploited within the country; continue to intensify efforts to investigate and prosecute trafficking offenses, including forced labor crimes and crimes involving official complicity, as well as efforts to convict and punish trafficking offenders; consider increasing resources for dedicated anti-trafficking units; increase training for government officials, including law enforcement officials, labor officials, judges, and social workers on how to identify and respond to trafficking cases; improve data collection on human trafficking cases; and continue to strengthen efforts to raise public awareness about all forms of human trafficking, including internal trafficking.

Prosecution

The Government of Paraguay passed a law prohibiting all forms of human trafficking in December 2012, and it maintained strong efforts to investigate and prosecute sex trafficking offenses throughout the year; however, efforts to investigate forced labor remained weak. The new law also strengthened investigative tools available to prosecutors, raised penalties for trafficking crimes, and outlined victim protection commitments. The law prescribes penalties of up to eight years' imprisonment, which can be increased to up to 20 years with aggravating factors; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Previously, Paraguay's penal code did not sufficiently prohibit internal trafficking, though articles 129(b) and (c) prohibited transnational sex and labor trafficking, prescribing penalties up to 12 years' imprisonment. Other statutes, including those penalizing commercial sexual exploitation of children, were used to investigate domestic trafficking cases.

The police maintained anti-trafficking units in five cities with a total of 33 officers; these units also investigate crimes such as extortion and the production of fraudulent documents, and reportedly faced resource and staffing challenges during the year. The government increased the staff of the dedicated anti-trafficking unit in the attorney general's office to a total of three prosecutors and 20 assistants, including a social worker and a psychologist. The unit worked with prosecutors across the country to investigate and prosecute human trafficking cases. Some civil society and government actors noted that these units had limited human and material resources, that law enforcement response in some parts of the country was severely limited or delayed, and that awareness of internal trafficking crimes was weak among many officials. In 2012, Paraguayan prosecutors reported 128 new trafficking investigations; out of these, only two involved forced labor. Authorities initiated 23 new prosecutions and convicted 14 sex trafficking offenders: eight offenders were convicted under article 129 (b), while six offenders were convicted under a statute prohibiting pimping. Sentences ranged from six months to seven and a half years' imprisonment, and at least six sentences were suspended. There were no reported convictions for forced labor. This compares with 2011, when authorities reported prosecuting 30 cases and convicting eight sex trafficking offenders and one labor trafficking offender.

Some government officials, including police, border guards, judges, and public registry employees, reportedly facilitated human trafficking, including by protecting brothels where children were prostituted, extorting suspected trafficking offenders in order to prevent arrest, and producing fraudulent identity documents. There were also reports that some traffickers used their connections with local politicians to intimidate judges and police officers. In 2012, the government convicted a police officer of forcing two Paraguayan women into prostitution in Chile, and he was sentenced to seven and a half years' imprisonment. Much of the specialized training on human trafficking for Paraguayan officials was either funded by, or provided by, foreign governments and international organizations; the women's ministry trained hundreds of local officials on human trafficking, prosecutors created anti-trafficking modules with foreign government funding to incorporate into mandatory training for new prosecutors. Paraguayan officials collaborated with Argentine, Bolivian, Chilean, German, and Spanish counterparts on trafficking investigations, and extradited two Argentine citizens to Argentina to face trafficking charges.

Protection

The Government of Paraguay maintained efforts to protect some female victims of sex trafficking during the reporting period, but victim assistance remained uneven, particularly outside of the capital. Authorities did not employ formal procedures for proactively identifying trafficking victims among vulnerable populations such as those in prostitution, domestic workers, or street children. Officials referred identified victims to services on an *ad hoc* basis. During the reporting period, prosecutors identified 58 trafficking victims and reported referring all sex trafficking victims to care facilities. The coordinator of the anti-trafficking roundtable stated that the government identified 174 victims during the year, while the foreign ministry reported assisting 202 Paraguayan victims abroad. While the majority of victims identified within the country were Paraguayan, authorities reported identifying two Bolivian citizens exploited in forced labor, and a potential Brazilian victim of forced labor. The differing figures reflect the continued difficulties in collecting comprehensive and accurate victim data. It is unclear how many of the victims exploited abroad or within the country received specialized services.

The women's ministry ran one open shelter in Asuncion for female trafficking victims that provided medical, psychological, and legal services to 18 victims during the year, 10 girls and eight adult women. This represents a decrease from 38 victims assisted at the shelter in 2011. The government increased funding for the anti-trafficking unit in the women's ministry during the year, which had a staff of five. The women's ministry maintained other assistance programs, including seven drop-in centers for a variety of women's issues, four of

which opened in 2012. These centers provided assistance to 47 trafficking victims during the year, 37 women and 10 girls; the women's ministry provided follow-up assistance to 20, including participation for six victims in social reintegration programs. Government-provided services for child sex trafficking victims were inadequate. NGOs and international organizations provided victim services, mostly focused on vulnerable children, and one NGO providing specialized services and shelter for child sex trafficking victims in Asuncion ceased providing this care due to a funding decrease from international donors. Specialized services, including shelters, remained inadequate for the number of identified victims, including for child sex trafficking victims. The Paraguayan government did not offer shelter facilities for male victims.

Paraguayan authorities encouraged victims to participate in the investigation and prosecution of trafficking offenders, and some victims filed complaints to open investigations. Victims generally avoided the court system, however, due to social stigma, fear of retaliation, and the lengthy judicial process. Identified victims generally were not jailed, deported, or otherwise penalized for acts committed as a direct result of being subjected to human trafficking. The government could offer temporary or permanent residency status for foreign trafficking victims through its liberal immigration system, but did not report doing so in the past year.

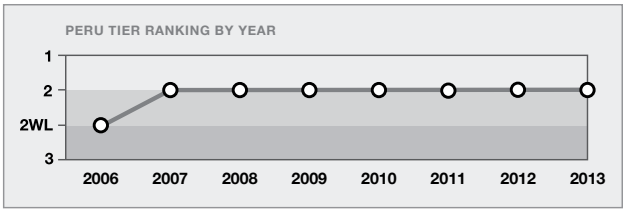
Prevention

The Paraguayan government strengthened its prevention activities during the reporting period. Government agencies, civil society organizations, and foreign diplomatic missions participated in a government-run anti-trafficking roundtable, which met several times during the year, and whose four sub-committees each met frequently. In 2012, authorities also formed several regional anti-trafficking roundtables which varied in effectiveness. With funding from a private company, the women's ministry launched an awareness campaign targeting vulnerable Paraguayan citizens seeking jobs. Authorities continued to distribute pamphlets on the rights of migrant workers to citizens applying for passports. Some government agencies issued public reports of their anti-trafficking efforts. There were no reports of Paraguayans engaged in child sex tourism abroad. Authorities reported no efforts to reduce demand for commercial sex acts or forced labor. The government provided anti-trafficking training to Paraguayan troops prior to their deployment abroad on international peacekeeping missions.

PERU (Tier 2)

Peru is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Peruvian men, women, and children are exploited in forced labor within the country, principally in informal gold mining and related services, logging, agriculture, and domestic service. Research conducted during the reporting period found various forced labor indicators among Peruvians working in artisanal gold mines, including deceptive recruitment, debt bondage, restricted freedom of movement or inability to leave, withholding of or nonpayment of wages, and menace and use of physical violence. Peruvian women and girls, and to a lesser extent boys, are exploited in sex trafficking in Peru's urban areas and mining centers, often recruited through deceptive employment offers. Women and girls exploited near mining communities are often indebted due to the cost of transportation, and unable to leave due to remoteness of camps and complicity of miners in their exploitation; many are forced to consume alcohol with clients. Forced child begging remained a problem in urban areas. Peruvian authorities continued to identify an increasing number of children involved in illicit activities, including in cocaine production and transportation, and some of these children are coerced or forced to participate in these illegal enterprises. There are continued reports that the terrorist group Sendero Luminoso, or Shining Path, recruited children and adults to serve as combatants and in the illicit narcotics trade. To a lesser extent, Peruvian women and children are found in forced prostitution in Ecuador and Argentina, and men, women, and children are found in forced labor in Argentina, Chile, Ecuador, Brazil, and the United States, among other countries. Peru also is a destination country for foreign female trafficking victims from other South American countries including Bolivia in conditions of forced labor. Child sex tourism is present in areas such as Cuzco, Lima, and the Peruvian Amazon.

The Government of Peru does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The anti-trafficking police unit continued to identify a large number of potential victims and the public ministry's victim assistance program provided 140 trafficking victims with services, including psychological and legal support. A new law passed during the year requires the government to report annually to Congress on progress in fighting trafficking. Regional governments formed anti-trafficking commissions, some of which approved anti-trafficking plans. In spite of the existence of forced labor in various sectors, there appeared to be no proactive efforts to prosecute forced labor cases, and efforts to identify and assist forced labor victims were weak. Given the large number of victims identified during the year, the low number of trafficking defendants convicted was of particular concern. Trafficking-related complicity among officials remained a serious concern; in one high-profile sex trafficking case prosecutors allegedly accepted bribes from trafficking defendants to interfere with the trial. Government funding for victim services continued to be inadequate, particularly for adults, and officials did not report referring the majority of identified victims to care services. There were no dedicated shelters for trafficking victims. The lack of shelters left victims vulnerable to revictimization and some child victims were housed in police stations.



Recommendations for Peru: Significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, especially for forced labor crimes; fund dedicated shelters and specialized services for all victims of trafficking, including adults, or provide funding to NGOs with capacity to provide these services; initiate proactive investigations of forced labor crimes through enhanced partnerships between law enforcement officials,

labor officials, and civil society organizations; create and implement formal victim identification and referral mechanisms; ensure that law enforcement officials conduct intelligence-based raids and employ effective victim screening during operations; hold corrupt officials who facilitate trafficking activities accountable through criminal investigations and prosecutions; increase funding for resources and training for specialized anti-trafficking police and prosecutorial units; and improve data collection on trafficking crimes.

Prosecution

The Government of Peru investigated trafficking crimes during the year, but convictions were low in comparison to the number of victims identified and efforts to prosecute and convict forced labor offenders were inadequate. Peruvian law prohibits all forms of trafficking in persons, prescribing penalties of eight to 25 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Despite guidance from the judicial branch, some investigators, prosecutors, and judges classified trafficking cases as less serious criminal offenses and prescribed lower penalties. The anti-trafficking police division was based in the capital, with a smaller unit in Iquitos; the division's effectiveness, particularly outside the capital, was hampered by limited resources. Most law enforcement operations focused on sex trafficking, and investigations, prosecutions, and convictions for forced labor remained disproportionately low. In some parts of the country, lack of government presence and officials' fear of retaliation from trafficking offenders prevented them from investigating reported cases of forced labor or forced prostitution. Data collection suffered a setback during the year, as police did not use an existing electronic case database to track human trafficking investigations. Law enforcement officials continued to conflate prostitution and sex trafficking. There were no dedicated prosecutors for trafficking cases, and police and prosecutors continued to suffer from a lack of coordination with each other.

In 2012, the police investigated 215 potential trafficking cases in the capital and the surrounding region. The government initiated 113 new prosecutions. The government did not report the number of trafficking offenders convicted in 2012, but prison statistics indicated that at the end of 2012 there were nine more individuals incarcerated after being convicted of human trafficking in comparison with 2011. Information was not available about the range of prison sentences given, although one press report indicated that a convicted sex trafficking offender was sentenced to four years and six months' imprisonment. In 2011, the government reported convicting four sex trafficking offenders and one forced labor offender.

Tolerance by and corruption of officials facilitated trafficking in certain instances. Some officials permitted the operation of unlicensed brothels and the commercial sexual exploitation of children; during the year, six police officers were accused of extorting nightclub owners using the threat of sex trafficking charges. Civil society organizations reported that some officials' involvement in the mining industry resulted in a conflict of interest in terms of taking law enforcement action against sex trafficking in mining areas. In a high-profile case, officials in Piura suspended two prosecutors for 30 days for accepting money to interfere with the prosecution of an alleged trafficker; although authorities continue to investigate these prosecutors, the accused trafficking offenders that allegedly bribed the prosecutors were acquitted in January 2013. There were no reported prosecutions or convictions of government employees complicit in human trafficking in 2012. In partnership with civil society organizations and often with international organization and foreign government funding, the government provided anti-trafficking training to police, prosecutors, and other officials.

Protection

The Peruvian government provided inadequate services to trafficking victims during the year, and the lack of specialized shelters remained a challenge. Authorities did not develop or employ systematic procedures for identifying trafficking victims among vulnerable populations and law enforcement had a limited ability to distinguish between people engaged in prostitution and sex trafficking victims. The government did not maintain comprehensive victim identification statistics. Law enforcement officials reported identifying 518 potential trafficking victims in the city and region of Lima in 2012, including 446 adults and 72 children. This number appears to include a significant number of adult women in prostitution who were not trafficking victims. Eleven children identified during a raid on a Shining Path camp were referred to government shelters for vulnerable children. Of the 11 adults also identified during the raid, all of whom were determined to have been kidnapped or forcibly recruited to work for the Shining Path, only three received services from the government—these three were provided victim witness protection by the state.

The government had no formal process for referring trafficking victims to services, and it was unclear how many total victims received services, including shelter. Civil society organizations provided most specialized services to victims without government funding, and specialized psychological, legal, and other services remained unavailable in many parts of the country, particularly for adults. The public ministry's national program for assistance to victims and witnesses reported assisting 140 trafficking victims in total, including 65 labor trafficking victims, 69 sex trafficking victims, and six victims of both labor and sex trafficking. Of these 140 victims, 79 were children and 61 were adults; 107 received psychological assistance, 95 received legal services, and 85 received social services. Of those victims receiving social services, 49 were referred to shelters, 20 were referred to medical services, and only seven were referred to reintegration services. Police reported returning to their parents the majority of child victims identified in Lima in 2012 and referring an additional 18 child victims to government-run shelters for vulnerable children. Two government-funded shelters for girl victims of sexual exploitation could shelter child sex trafficking victims, though they were not equipped to provide specialized care for victims of trafficking. Other government-run general shelters for vulnerable children lacked basic infrastructure, including space to house victims. Likewise, government-run emergency centers for women provided no specialized services to trafficking victims and no shelter, but reported assisting 34 trafficking victims during the year. The Peruvian national police were responsible for temporarily housing victims after raids; in some cases, however, child victims remained at police stations in "preventative centers" for months if shelters lacked available beds. In some cases, police or prosecutors used their own personal money to help victims due to a lack of victim services. Specialized services for male victims were virtually non-existent, and while authorities reported paying

for repatriation of Peruvian victims exploited abroad, funding for reintegration and other services was lacking.

Victim participation in the investigation or prosecution of traffickers remained limited. NGOs noted that victims received inadequate protection and assistance during the legal process, and one victim under the witness protection program was reportedly unable to come and go at will or pursue gainful employment. Some police, prosecutors, and judges did not sufficiently protect the privacy of trafficking victims. The government did not, however, penalize victims for unlawful acts committed as a direct result of being trafficked. Foreign trafficking victims were eligible for temporary and permanent residency status under Peruvian refugee law, though there were no reports of victims requesting or receiving this status during the year.

Prevention

The Government of Peru maintained its prevention efforts, including by supporting regional-level anti-trafficking working groups and action plans. The government's interagency committee, which also included civil society actors, continued to receive limited funds to coordinate anti-trafficking efforts. However, most government entities lacked adequate funding to implement their responsibilities as outlined in the national anti-trafficking action plan. NGOs and officials alike reported that the committee suffered from a lack of commitment on the part of some participating ministries and was ineffective. The government passed a law requiring annual reports to Congress on anti-trafficking efforts, including efforts to implement the action plan. Authorities conducted some awareness raising efforts, often in partnership with civil society organizations. Several regional governments maintained anti-trafficking working groups or worked on regional anti-trafficking plans, some of which were launched during the year. In an effort to prevent forced labor, the labor ministry provided training for staff at government-run job search centers on how to identify fraudulent job offers. During the reporting period, Peruvian authorities trained tourist service providers on preventing child sex tourism and investigated potential cases. Authorities reported no prosecutions or convictions of child sex tourists in 2012. The government provided Peruvian peacekeepers training on human trafficking prior to their deployment abroad on international peacekeeping missions.

PHILIPPINES (Tier 2)

The Philippines is a source country and, to a much lesser extent, a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. A significant number of Filipino men and women who migrate abroad for work are subsequently subjected to conditions of involuntary servitude. Men, women, and children are subjected to conditions of forced labor in factories, at construction sites, on fishing vessels, on agricultural plantations, and in the shipping industry, as well as in domestic service and other service sector jobs in Asia and increasingly throughout the Middle East. A significant number of Filipina women working in domestic service in foreign countries also face rape, physical violence, and sexual abuse. Skilled Filipino migrant workers such as engineers and nurses are also subjected to conditions of forced labor abroad. Filipina women were subjected to sex trafficking in Malaysia, Singapore, Hong Kong, Republic of Korea, China, Japan, Saudi Arabia, United Arab Emirates, Qatar, Kuwait, and Syria.

Trafficking of men, women, and children within the country also remains a significant problem. People are trafficked from rural areas to urban centers including Manila, Cebu, the city of Angeles, and increasingly cities in Mindanao, as well as within other urban areas and tourist destinations such as Boracay, Olongapo, Puerta Galera, and Surigao. Men are subjected to forced labor and debt bondage in agriculture, including on sugar cane plantations, and in the fishing industry. Women and children were trafficked within the country for forced labor as domestic workers and small-scale factory workers, for forced begging, and for exploitation in the commercial sex trade. Hundreds of victims are subjected to sex trafficking each day in well-known and highly visible business establishments that cater to Filipinos' and foreign tourists' demand for commercial sex acts. Filipino migrant workers, both domestically and abroad, who became trafficking victims are often subjected to violence, threats, inhumane living conditions, nonpayment of salaries, confinement, and withholding of travel and identity documents.

Traffickers, at times in partnership with organized crime syndicates and corrupt government officials, recruit family and friends from villages and urban neighborhoods, sometimes masquerading as representatives of government-registered employment agencies. During the year, traffickers increasingly used email and social networking sites to fraudulently recruit Filipinos for overseas work. Fraudulent recruitment practices and the institutionalized practice of paying recruitment fees leave workers vulnerable to forced labor, debt bondage, and commercial sexual exploitation. Reports that illicit recruiters used student, intern, and exchange program visas to circumvent the Philippine government and receiving countries' regulatory frameworks for foreign workers are not uncommon. Recruiters continued to employ various methods to avoid government-run victim detection units at airports and seaports. Traffickers utilized budget airlines, inter-island ferries and barges, buses, small private boats, and even chartered flights to transport their victims domestically and internationally. Organized crime syndicates transported sex trafficking victims from China through the Philippines *en route* to third-country destinations.

Child sex tourism remained a serious problem in the Philippines, with sex tourists coming from Northeast Asia, Australia, New Zealand, Europe, and North America to engage in the commercial sexual exploitation of children. Increasingly, Filipino children are coerced to perform sex acts for internet broadcast to paying foreign viewers. An NGO reported an increasing risk of boys becoming victims of commercial sexual exploitation.

Children in conflict-afflicted areas were particularly vulnerable to trafficking. The Moro Islamic Liberation Front, a separatist group, and the New People's Army were identified by the UN as among the world's persistent perpetrators of violations against children in armed conflict, including unlawfully recruiting and using children. During the year, the UN reported on the Abu Sayyaf Group's continued targeting of children for conscription as both combatants and noncombatants. There were reports that, in one incident, the Armed Forces of the Philippines (AFP) forced two children aged 12 and 13 to serve as guides; the children were reportedly released the same day. There were also reports that one child was inadvertently

recruited into a paramilitary entity operational under the AFP during the year.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government sustained its levels of funding for the Inter-Agency Council Against Trafficking (IACAT) at the equivalent of approximately $1.2 million in 2012 and continued efforts to implement anti-trafficking laws and policies at the national, regional, and provincial levels. It undertook notable efforts to prevent the trafficking of overseas workers and to protect Filipino victims exploited abroad, and increased many of its financial and human resource allocations to combat trafficking. It did not, however, make significant progress in addressing the underlying weaknesses in its judicial system, which stymied efforts to hold trafficking offenders accountable, and the overall number of prosecutions and convictions remained disproportionately low for the size of the problem. It enacted amendments to its anti-trafficking legislation that could facilitate prosecution of a wider range of cases, but the excessive length of trials and lack of public prosecutors dedicated to trafficking cases continue to limit progress. The government identified and provided protections to trafficking victims but did not make significant efforts to increase the availability of specialized services. Rampant corruption at all levels enabled traffickers and undermined efforts to combat trafficking.



Recommendations for the Philippines: Increase efforts to investigate, prosecute, and convict an increased number of both labor and sex trafficking offenders implicated in the trafficking of Filipinos within the country and abroad; address the significant backlog of trafficking cases by developing mechanisms to track and monitor the status of cases filed with the Department of Justice (DOJ) and those under trial in the courts; conduct immediate and rigorous investigations of complaints of trafficking complicity by government officials, and ensure accountability for leaders that fail to address trafficking-related corruption within their areas of jurisdiction; ensure the government's armed forces or paramilitary groups supported by the government do not recruit or use children; continue to strengthen anti-trafficking training for police recruits, front-line officers, and police investigators; increase the number of government officials whose duties are dedicated solely to anti-trafficking activities; continue and improve collaboration between victim service organizations and law enforcement authorities with regard to law enforcement operations; make efforts to expand the use of victim processing centers to additional localities to improve identification of adult victims and allow for victims to be processed and assisted in a safe environment after a rescue operation; examine "off-loading" policies to ensure this practice does not interfere with individuals' freedom of movement; increase victim shelter resources and expand the government shelter system to assist a greater number of trafficking victims, including male victims of sex and labor trafficking; increase funding for the DOJ's witness protection program and facilitate the entry of trafficking victims into the program; increase efforts to identify trafficking victims in destination countries and to pursue criminal investigation and prosecution of their traffickers; and develop and implement programs aimed at reducing the demand for commercial sex acts, including child sex tourism.

Prosecution

The government continued to prosecute sex and labor trafficking offenders and to impose stringent sentences on convicted offenders, but it convicted fewer offenders than it did during the previous year. The Philippines criminally prohibits sex and labor trafficking through its 2003 Anti-Trafficking in Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In February 2013, the government enacted an amendment to its 2003 law that defined additional acts as constituting trafficking in persons and included provisions for the prosecution of attempted trafficking; the new law also provides for extraterritorial jurisdiction of trafficking crimes committed by Filipino citizens or legal residents or against Filipino citizens abroad. During the reporting period, 227 cases were filed with the DOJ for potential prosecution, but it is unknown how many cases were prosecuted. The government convicted 24 trafficking offenders, a decrease from the 29 traffickers convicted during the previous year; three convictions were for labor trafficking, a slight increase from the two labor trafficking convictions obtained during the previous year. An international NGO assisted the government with seven of the 19 cases that resulted in convictions. Sentences for those convicted ranged from 17 years to life imprisonment, with the majority of offenders sentenced to life imprisonment. In one successful case, a sex trafficking conviction was obtained in the Philippines for a local Filipina recruiter, and IACAT support was given to the court in Malaysia that reportedly convicted her Singaporean counterpart for human trafficking violations in Malaysia. The government's anti-money laundering law could be used to file a civil action requesting courts freeze and seize assets of suspected traffickers, but there were no reports that victims received this form of redress during the year. Nonetheless, hundreds of victims continue to be trafficked each day in well-known, highly visible establishments, many of which have never been the target of anti-trafficking law enforcement action.

Although the DOJ encouraged courts' expedited processing of trafficking cases based on a 2010 supreme court circular setting a six-month limit, inefficiencies in the judicial system posed serious challenges to the successful prosecution of some cases; government and NGO observers estimated the average length of trafficking cases to be between three-and-a-half and five years. The DOJ, which houses the IACAT secretariat, is responsible for the prosecution of suspected offenders and protection of witnesses in trafficking cases and assigned 93 prosecutors to work on trafficking in persons cases, a significant increase from 58 in the previous year. Nineteen of these prosecutors were with the IACAT secretariat, while 74 were assigned to airport and regional taskforces. Most of these prosecutors, however, were given this responsibility in addition to their regular workloads. The government continued to employ a taskforce model, in which prosecutors were assigned to assist law enforcement in building cases against suspected trafficking offenders; eight new taskforces were established during the year, bringing the total to 14. Observers reported that constant collaboration between law enforcement officers

and prosecutors led to more organized investigations during the reporting period.

The government continued strong efforts to provide anti-trafficking training to government officials: IACAT independently conducted 90 training sessions for government and NGO stakeholders and 14 in cooperation with other partners, police trained 1,616 officers working on women and children's desks, and NGOs and foreign donors provided additional training to law enforcement officers. Nonetheless, NGOs continue to report a lack of understanding of trafficking and the country's anti-trafficking legal framework among many judges, prosecutors, social service workers, and law enforcement officials; low awareness and high rates of turnover among officials continue to pose a significant impediment to successful prosecutions. Philippine officials cooperated with counterparts in other countries to rescue victims and pursue law enforcement action against suspected traffickers; two such cases led to convictions of recruiters in China and Malaysia for labor and immigration infractions.

Law enforcement officials' complicity in human trafficking remained a problem in the Philippines, and corruption at all levels of government enables traffickers to prosper. Officials in government units and agencies assigned to enforce laws against human trafficking reportedly permitted trafficking offenders to conduct illegal activities, allowed traffickers to escape during raids, extorted bribes, facilitated illegal departures for overseas workers, and accepted payments or sexual services from establishments known to traffic women and children. During the year, a judge was reported to have criminally mishandled trafficking cases, and a city prosecutor allegedly accepted a bribe to downgrade a human trafficking charge to child abuse. There were ongoing allegations that police officers at times conducted indiscriminate or fake raids on commercial sex establishments to extort bribes from managers, clients, and female victims in the sex industry, sometimes threatening the victims with imprisonment.

During the year, the government took some steps to identify and prosecute officials complicit in human trafficking, and it dismissed officials who may have facilitated trafficking, though no public officials were criminally convicted for trafficking or trafficking-related corruption. Two officials were charged under the anti-trafficking law for facilitating illegal departures of overseas workers, but these cases had not been concluded by the close of the reporting period. A Philippine ambassador abroad, accused of sexual exploitation of a domestic worker, was investigated for possible trafficking; the ambassador was recalled and currently faces charges in the Philippines for sexual harassment.

Protection

The government sustained its efforts to identify and protect trafficking victims during the year, but overall there were inadequate resources available to serve the large number of victims in the country. In 2012, the government allocated equivalent of approximately $615,000 to the Department of Social Welfare and Development (DSWD) to fund the Recovery and Reintegration Program for Trafficked Persons. The government reported the majority of the 2,569 victims assisted by DSWD received skills training, shelter, medical services, and legal assistance under this program; an unknown number of these also received financial assistance to seek employment or start their own businesses. The DSWD operated 42 temporary shelters for victims of all types of abuse, and IACAT referred 135 trafficking victims to DSWD for support through its residential and community-based services. Facilities were generally inadequate to address the specific needs of trafficking victims, and at times, shelters lacked the space necessary to accommodate the influx of victims following large-scale law enforcement operations. Specialized services for male victims were inadequate; this led to male victims, including children, being released from protective care prematurely and negatively affected their rehabilitation and reintegration. The government established a center for male victims, but at the close of the reporting year it was not yet fully operational. The lack of services was particularly detrimental to male victims of sex trafficking, a growing population in the Philippines. The IACAT Operations Center established a temporary shelter for witnesses and trafficking victims that was subsequently transferred to a local government agency; the shelter offered some social services and vocational opportunities to 15 victims during the year.

The government followed formal procedures to identify and assist victims and refer them to government or NGO facilities for short- and long-term care. Numerous government agencies employed proactive identification measures; victims were identified through rescue operations, screening at departure points, embassies abroad, and calls to the national anti-trafficking help line. Many police units had specialized facilities for processing women and child victims. Due to overlapping and incomplete data collection systems across various agencies, reliable statistics for the total number of victims identified and assisted during the year were not available. Government shelters did not detain adult victims against their will, though victims who chose to reside in shelters were not permitted to leave the premises unattended. The Department of Labor and Employment (DOLE) led four operations rescuing 223 children and removed additional children from the worst forms of child labor, including forced labor and sex trafficking; as a result of these operations, four businesses alleged to be engaged in sex trafficking of minors were permanently closed. Two children captured during fighting against armed groups were allegedly detained and charged with crimes. One child inadvertently recruited into a paramilitary entity under AFP operational control was removed and referred to DSWD. During the year, the government finalized the development of a monitoring and response system for grave child rights violations, including child soldiering. No foreign trafficking victims were identified during the year. IACAT operated an anti-trafficking help line; during the year, the line received over 7,000 calls leading to the identification of 133 trafficking victims. The government encouraged victims to assist in the investigation and prosecution of their traffickers, but the serious lack of victim and witness protection programs, exacerbated by a lengthy trial process and fear of retaliation by traffickers, caused many victims to decline or withdraw cooperation. During the year, the IACAT launched its Operations Center Witness Location Program, which located 25 witnesses and victims willing to testify in cases, and assisted 88 witnesses attending hearings; DOJ increased the number of victims assisted by its witness protection program from 18 to 60, but the majority of victims did not have access to this form of protection. The DSWD continued to hold trainings on victim identification and protection throughout the year. Most local social welfare officers, however, remain inadequately trained on how to assist rescued trafficking victims, particularly children and victims of labor trafficking.

The DSWD and the Department of Foreign Affairs (DFA) coordinated with NGOs in other countries to provide temporary shelter, counseling, and medical assistance to 1,029 victims of trafficking and illegal recruitment identified abroad, and established 15 new multi-agency Filipino workers' resource centers overseas to assist workers in 36 countries with 20,000 or more Filipino workers. DSWD social workers were deployed to Philippine diplomatic missions in Malaysia and Saudi Arabia, where they assisted 2,604 Filipinos overseas. Services to victims identified overseas included plane tickets, shipment of personal items, temporary shelter, counseling, and medical assistance.

Prevention

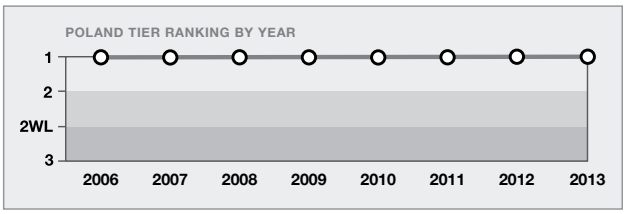
The government continued its robust efforts to prevent human trafficking during the reporting period; numerous government agencies conducted seminars and training sessions for government officials and community members, and the government provided funding to two NGOs to implement additional awareness campaigns. The IACAT and other government taskforces involved in anti-trafficking activities continued to meet regularly to share information and coordinate policies, and the IACAT partnered with the presidential taskforce against illegal recruitment to establish a joint operations center to respond to reported cases. The Philippine Overseas Employment Agency (POEA) conducted 862 pre-employment orientation seminars for over 150,000 prospective and outbound Filipino overseas workers, and the Commission on Filipinos Overseas (CFO) held targeted counseling programs for groups considered at-risk, including Filipinos seeking overseas marriages or those migrating to Europe to work as *au pairs*. The IACAT conducted a two-day anti-trafficking awareness seminar for media professionals in a region known to be a center of trafficking, and the CFO partnered with a private radio and television broadcasting association to develop a short public service announcement that aired on numerous stations between April and June 2012. During the reporting year, POEA investigated 9,029 allegations of unlawful practices by recruitment agencies and filed two cases of trafficking. The government continued to operate its two overseas passenger assistance centers to distribute awareness materials and screen passengers for signs of trafficking in regions where seaports are known to be a departure point for victims. The immigration department continued its intensified efforts to screen for potential trafficking victims at airports and seaports; this aggressive effort to "off-load" suspected victims for interviews—in essence blocking their travel from the Philippines—raised concerns that Filipinos' right to travel out of the country might be unduly restricted. There was a significant increase over the previous year in the number of potential victims identified through this method.

In January 2013, the government enacted the Domestic Workers Act, which provides specific protections to domestic workers including mandatory daily and weekly rest periods and the prohibition of recruitment fees charged to workers by a private agency or third party. The government's amended law on migrant workers continued the ban on deployment of Filipinos or "de-certifications" to 14 countries or territories deemed to lack adequate legal protections for workers. Afghanistan, Chad, Cuba, Haiti, Libya, Mali, Mauritania, Nepal, Niger, the Democratic People's Republic of Korea, the Palestinian Territories, Somalia, Uzbekistan, and Zimbabwe are designated as noncompliant by the DFA. During the year, the government issued resolutions certifying Iraq, Yemen, and Eritrea, thereby allowing the flow of workers to these countries to resume. To decrease the vulnerability to trafficking of thousands of undocumented Filipino workers in the Malaysian state of Sabah, the DFA sent a Philippine consul from its embassy in Kuala Lumpur four times during the year to provide services to this population, including the provision of passports and other documents. The DFA provided anti-trafficking training to new overseas diplomats hired during the year, and the DOLE maintained 42 labor attaches in 36 diplomatic missions to assist overseas workers. The CFO, in cooperation with the IACAT, launched a series of international toll-free help lines in 16 countries that forward calls to the Philippines' national help line. In February 2013, the help line in the Philippines implemented free text messaging capabilities, though this is not yet available for all mobile phone users. Despite significant local demand in the country's thriving commercial sex trade, the government's efforts to reduce the demand for commercial sex acts in the Philippines were negligible. During the year, the government charged two child sex tourists under the anti-trafficking law and deported 15 foreign nationals for child sex crimes. The government provided training, including a module on human trafficking, to Philippine troops prior to their deployment abroad on international peacekeeping missions.

POLAND (Tier 1)

Poland is a source, transit, and destination country for men and women subjected to forced labor and for women and children subjected to sex trafficking. Men and women from Poland are subjected to conditions of forced labor in Belgium, Czech Republic, Italy, the Netherlands, the Scandinavian countries, and the United Kingdom (UK). Women and children from Poland are subjected to conditions of sex trafficking within their country and also in Austria, Germany, Italy, Japan, the Netherlands, Sweden, and the UK. Women and children from Belarus, Bulgaria, Romania, and Ukraine are subjected to sex trafficking in Poland. A smaller number of women from Africa, including Cameroon, the Democratic Republic of the Congo, Djibouti, and Uganda are subjected to forced prostitution in Poland. Men from Romania, Ukraine, and Vietnam are brought to Poland for forced labor. Roma persons are recruited from Romania for forced begging in Poland.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. In 2012, authorities increased the number of trafficking investigations, prosecutions, and convictions, although half of all convicted offenders continued to receive suspended sentences. The government sustained its funding of victim protection mechanisms in all areas of the country and it provided services to more victims compared to the previous year, though it continued to face challenges in identifying victims of labor trafficking and referring child victims of sex trafficking for specialized care. The government continued to sponsor an array of awareness campaigns that targeted populations at risk for trafficking.



Recommendations for Poland: Continue to vigorously investigate and prosecute trafficking offenses and take steps to ensure that a majority of trafficking offenders serve time in prison; improve victim identification procedures and training to better identify victims of labor trafficking; ensure child victims of sex trafficking are referred to specialized care; increase training for prosecutors and judges on labor trafficking cases; continue to increase the shelter system's capacity to assist victims, including men and children; take systemic efforts to prevent sex trafficking of children; provide border guards with a clear mandate to investigate potential trafficking cases; incorporate the victim compensation process into criminal proceedings; amend the criminal code to ensure that identified victims of trafficking are not penalized for acts committed as a direct result of being trafficked; ensure all victims are given access to and encouraged to use the reflection period; create a centralized database to consolidate statistics on trafficking victims and related law enforcement actions; and conduct additional awareness campaigns to reduce the demand for commercial sex acts.

Prosecution

The Government of Poland improved its anti-trafficking law enforcement efforts in 2012. Poland defines and prohibits all forms of trafficking in persons through several articles of its criminal code, including Articles 115.22, 115.23, 189a, 203, and 204.3. Prescribed punishments under these statutes range from one to 15 years' imprisonment; these sentences are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, Polish police investigated 60 new cases of human trafficking, an increase from 37 in 2011. The border guard began four additional investigations. The government initiated prosecutions of 24 suspected trafficking offenders and convicted 39 in 2012, an increase from 17 prosecutions and 28 convictions in 2011. In collecting data, the government only considered sentences issued after appeals to be final. In 2011, the most recent year for which post-appeal sentences were available, 63 traffickers were sentenced, compared to 60 in 2010; these sentences ranged from one to eight years' imprisonment. Similar to the previous two years, approximately half of the convicted offenders received suspended sentences. The government did not report the investigation or prosecution of any public officials for alleged complicity in human trafficking-related offenses. Nevertheless, Polish consular staff in Ukraine who had issued visas to women who may have later become victims of sex trafficking in Germany and Spain were dismissed by the Ministry of Foreign Affairs. Polish authorities collaborated on human trafficking investigations with counterparts in several European countries. During the year, the government provided anti-trafficking investigative and prosecutorial training to judges, prosecutors, labor inspectors, border guards, and police; there were reports that prosecutors and judges often lacked expertise in labor trafficking cases. Border guards lacked the mandate to investigate potential trafficking cases that did not involve another border-related offense, such as immigration violations or possession of false documents, and lacked adequate expertise in identifying labor trafficking victims.

Protection

The Government of Poland increased its anti-trafficking victim protection efforts in 2012, providing assistance to more victims, although the majority of child victims of sex trafficking did not receive specialized care. Most child trafficking offenses were prosecuted under Article 204.3 of the criminal code, which applies to child prostitution. Victims of child prostitution frequently received assistance from NGOs and social services, but authorities did not automatically refer these children to specialized care for trafficking victims. The police and border guard identified 282 victims of trafficking through investigations in 2012, compared to 315 victims identified in 2011. The vast majority of these victims were child victims of sex trafficking. Government agencies reportedly lacked adequate tools and expertise to identify and assist potential victims of labor trafficking. In 2012, the government sustained previous funding for victim assistance, allocating the equivalent of approximately $250,000. The government continued to fund the NGO-run National Intervention-Consultation Center for Victims of Trafficking (KCIK) to provide assistance to foreign and Polish victims of trafficking, which provided assistance to 198 victims in 2012, up from 133 in 2011. Of the 198 victims, 145 were females and 53 were males. Slightly more than half of these victims were foreign nationals and 16 of those assisted were child victims or the children of trafficked adults. Government-funded NGOs arranged shelter for 111 victims in 2012 and also offered medical and psychological care, legal assistance, food, clothing, and employment-related training for all victims. Adult victims of trafficking were allowed to leave the shelters unchaperoned and at will. Local governments funded and operated 185 crisis intervention centers around the country, 19 of which were specifically for trafficking victims and had a capacity of 123 persons. There were no trafficking shelters designated specifically for male trafficking victims, although NGO representatives reported placing male victims in crisis centers, hostels, and hotels. KCIK placed child victims in orphanages and with foster families. The government did not systematically refer child victims of sex trafficking to KCIK, and most do not receive specialized care. KCIK also operated an anti-trafficking hotline. The victim assistance program is highly centralized, and some academic experts believed it would be more effective if local NGOs were more directly involved in working with local authorities in the victim referral process and providing assistance.

The government's witness protection program provided for a temporary residence permit, medical and psychological care, safe transportation, food, clothing, and shelter or lodging support for victims who cooperated with law enforcement. The government enrolled 56 victims into this program in 2012. The Law on Aliens offered foreign victims a three-month reflection period during which foreign victims can stay legally in Poland to deliberate whether to cooperate with the criminal process. However, no victims utilized the reflection period in 2012, reportedly because victims from EU countries did not need it and other victims preferred the residence permit that allowed them to gain employment. The Ministry of Interior and IOM continued to work together to safely repatriate foreign victims of trafficking, and in 2012 they repatriated eight victims to Bulgaria and Romania.

Victims may file civil suits against traffickers. However, the UN Special Rapporteur expressed concern that prosecutors do not adequately incorporate compensation or restitution options into criminal proceedings. There were no reports of trafficking victims punished for crimes committed as a direct result of being trafficked, although Polish law did not exonerate trafficking victims from such punishment.

Prevention

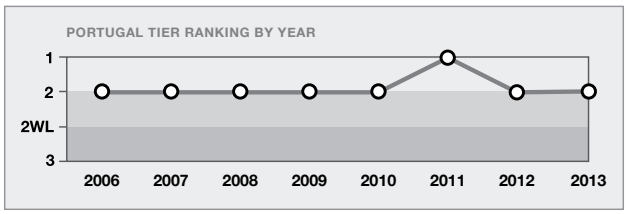
The government sustained its strong anti-trafficking prevention efforts during the reporting period. The government sponsored a number of creative information campaigns, including a festival featuring films that highlight human trafficking. The Ministry of Interior worked with NGOs on a number of campaigns targeting child sex trafficking, including workshops for 435 teachers. Authorities continued to produce and distribute information to Polish citizens seeking work abroad, and the Ministry of Labor operated a website in which Polish citizens could chat with experts about finding legitimate jobs abroad. During 2012, the Interior Ministry and National Labor Inspectorate collaborated with IOM to distribute labor rights information to foreign workers in Poland. The government also sponsored three training sessions on human trafficking for labor inspectors. In 2012, the Ministry of Labor and Social Policy organized and funded four training sessions for a total of 102 persons.

A national action plan for 2013-2015 was undergoing inter-ministerial consultations at the close of the reporting period. While the government did not have an independent national rapporteur on trafficking, the Ministry of Interior continued to systematically collect information on trafficking and in December 2012, it published its third comprehensive report on human trafficking which covered the years 2009-2011. Additionally, in February 2013, the inter-ministerial team's working group approved a report that assessed the progress made on the action plan for 2011-2012. Although multiple government agencies and NGOs collected data on trafficking victims and related law enforcement actions, no central mechanism existed to consolidate these statistics, leading to difficulty in assessing the scope of trafficking in Poland and the efficacy of law enforcement efforts. The government did not organize any programs to reduce the participation of Polish citizens in child sex tourism. The government did not run any programs specifically designed to reduce the demand for commercial sex acts, although several of its awareness campaigns discussed the potential exploitation of women in prostitution, as well as punishments for the sexual exploitation of children.

PORTUGAL (Tier 2)

Portugal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Trafficking victims identified in Portugal are from Brazil, Mozambique, Bulgaria, Ghana, Nigeria, Romania, Bosnia, Croatia, Nepal, and Thailand. A growing number of Portuguese victims are subjected to forced labor in restaurants, agriculture, and domestic work in Portugal and Spain. Roma criminal groups force vulnerable disabled and homeless populations to work. Children from eastern Europe, particularly Roma, are subjected to forced begging in Portugal, often by their families, and other children from eastern Europe have reportedly been forced to commit property crimes. Portuguese victims are subjected to forced labor and sex trafficking after migrating to other destinations in Europe. Workers from former Portuguese colonies and other non-EU nationals based in Portugal are reportedly subjected to labor trafficking in Luxembourg, where they live in inhumane conditions and are denied wages.

The Government of Portugal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to employ standardized procedures for identifying victims of trafficking and it conducted multiple trainings to raise awareness of human trafficking among government officials. The government continued to fund a small shelter providing specialized services to female victims of trafficking. The government did not provide evidence, however, that trafficking offenders were held accountable through prosecutions, convictions, and appropriate sentences during the reporting period.



Recommendations for Portugal: Provide data that demonstrates the Government of Portugal vigorously prosecutes and convicts trafficking offenders and sentences them to punishments that reflect the gravity of their crimes; continue to train judges in order to raise awareness of human trafficking and encourage application of the law to obtain appropriate and dissuasive sentencing; adapt specialized services for victims of trafficking to meet the needs of labor trafficking victims, male victims, and child victims; leverage the existing network of health care workers already trained to address sexual violence and train them to better identify and respond to indicators of sex trafficking and forced labor; continue to train law enforcement officials, prosecutors, labor inspectors, social workers, and NGOs likely to be in a position to identify and assist victims of trafficking to ensure victims are protected and trafficking offenders are effectively prosecuted; ensure that, in practice, victims who are not assisting with a law enforcement investigation are confirmed as identified victims of trafficking and provided with assistance after referral by NGOs; ensure that services for victims of trafficking that are delegated to NGOs to provide, such as psycho-social assistance and assistance with immigration claims, are adequately funded; improve screening for trafficking among the vulnerable population of children in out-of-home care; consider explicitly stating in law the irrelevance of the initial consent of a victim of trafficking to improve the implementation of the anti-trafficking law; and promote efforts to reduce the demand for forced labor.

Prosecution

The Government of Portugal did not demonstrate evidence of progress in holding trafficking offenders accountable during the reporting period. Portugal prohibits all forms of trafficking through Article 160 of the penal code, which prescribes penalties of three to 12 years' imprisonment—penalties

sufficiently stringent and commensurate with those for other serious crimes, such as rape. Article 160 also encompasses illicit adoption and organ removal. In addition, Article 159 prohibits slavery, Article 163 prohibits forced prostitution, and Article 175 prohibits the prostitution of children. The government reported that it prosecuted eight alleged trafficking offenders under Article 160 in 2011. The government did not report any convictions for human trafficking offenses under Article 160, nor did it disaggregate data to demonstrate how many of the eight defendants were prosecuted for forced labor or sex trafficking. The government reported it convicted six offenders under Article 159. Possible human trafficking crimes were also reportedly prosecuted under articles for pimping, criminal association, or abetting illegal aliens—crimes for which a lesser burden of proof is required and convictions are easier to obtain. The Government of Portugal is prohibited by its constitutional privacy law from releasing data on convictions for crimes for which there were fewer than three incidents recorded within a year nationwide. Because the government did not report on convictions for trafficking in persons offenses under Article 160 for 2011, it is assumed that between zero and two trafficking offenders may have been convicted under that law. A total of six convictions obtained under Article 159 in 2011 does not demonstrate vigorous prosecution, conviction, and sentencing of trafficking offenders. A network of points of contact for trafficking in persons was set up within the public prosecutor's office in 2012. The government encouraged victims to assist in prosecutions through witness protection and opportunities to testify by deposition or videoconference.

A 2013 Report on Portugal by the Council of Europe's Group of Experts on Action Against Trafficking in Human Beings (GRETA) noted concern over the low number of convictions for human trafficking. GRETA reported that of the six offenders convicted in 2011 under Article 159, three were sentenced to prison terms of eight, 12, and 20 years, as well as the payment of wages totaling the equivalent of approximately $98,800. One offender was sentenced to four years' imprisonment, suspended on condition of payment of compensation to the victim of the equivalent of approximately $5,200. Two offenders were sentenced to seven years and six months and five years and six months, respectively. The UNODC Human Trafficking Case Law Database listed a conviction under Article 160 for human trafficking; the offender subjected Romanian women to sex trafficking. Sentencing data for this conviction was not available.

Some NGOs reported that, while the law does not require victims to participate in law enforcement investigations in order to access services, in practice, the small number of victims who access specialized services for victims of trafficking were limited to those identified by law enforcement and who were participating in active criminal proceedings. The government trained 96 labor inspectors on how to identify and report suspected trafficking situations, and to date, nearly half of all labor inspectors have been trained on anti-trafficking awareness. The government also trained 30 prosecutors, 30 judges, and several immigration and equality officials on anti-trafficking awareness. It did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government maintained efforts to protect and assist victims of trafficking in 2012. The government is investigating 93 identified victims of trafficking out of 125 potential victims flagged in 2012, compared to 23 confirmed out of 71 potential victims flagged in 2011. Of the 53 trafficking victims identified within Portugal in 2012, 36 were subjected to forced labor, including 31 children. Forty Portuguese men were identified abroad as victims of labor trafficking. The government continued to subsidize one NGO-run shelter in Porto that specialized in care for victims of trafficking and provided the equivalent of approximately $136,630 to its operation in 2012, which was consistent with the level of support provided in 2011. The shelter provides legal, psychological, medical, social, education, and vocational assistance. Nine women and their minor dependents were served by the shelter in 2012. Other identified victims received from the government nutritional assistance, child protective services, and assistance with return to country of origin. Male victims were referred to homeless shelters and additional services from NGOs. NGOs reported that child victims of trafficking were under-identified; officials were not well-trained to detect trafficking indicators among the vulnerable population of children in out-of-home care. Some NGOs were reluctant to report trafficking cases to the police out of fear that an investigation might expose victims to the traffickers as potential witnesses, concern over victims' confidentiality, and apprehension that a report to law enforcement might result in a victim's removal from the country. The government maintained that victim identification and access to services is not dependent on victims' willingness to assist law enforcement. The majority of victims confirmed by the government were referred by law enforcement; in the absence of confirmed identification by the government, victims referred by NGOs but not involved in an investigation did not, in practice, receive assistance from the government. Portugal's anti-trafficking law provides for a "reflection period" of up to 60 days—time in which victims can recover before deciding whether to cooperate with law enforcement—however, no cases were reported in which a presumed victim of trafficking was granted this reflection period during the reporting period. The law also provides for a residence permit that may be issued before the end of the reflection period if the victim agrees to cooperate with law enforcement or based on a personal situation with regard to the victim's security, health, or family. Twenty-nine victims were issued a residence permit in 2012.

Prevention

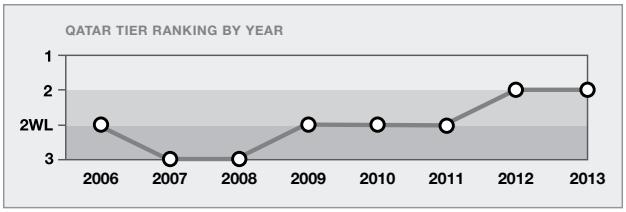
The Government of Portugal sustained efforts to prevent trafficking in persons during the year. The government adopted the UNODC "Blue Heart" campaign against human trafficking and disseminated awareness information and materials aimed at the general population through the radio, television, print media, and billboards. The government translated into Portuguese a UNODC manual for criminal justice practitioners and disseminated it to Brazil, Angola, Sao Tome and Principe, Cape Verde, Guinea Bissau, Mozambique, and East Timor. The government also organized and funded training in Lisbon for 20 law enforcement officials from Portuguese-speaking countries. The government organized a conference on labor trafficking for parliamentarians, government officials, diplomats, and NGOs. Portugal's national action plan to combat trafficking, launched in 2011, remains valid through 2013. The Commission for Citizenship and Gender Equality was responsible for coordinating anti-trafficking activities with support from a technical committee of various ministries and the presidency of the Council of Ministers. Implementation of the second phase of the national action

plan focused on training of labor inspectors, prosecutors, and judges. The government's Observatory on Trafficking in Human Beings maintained a website, Facebook page, and blog to promote public awareness of human trafficking. The government reported it launched several campaigns to raise public awareness on human trafficking, including among potential clients of the sex trade. The government did not demonstrate efforts to reduce the demand for forced labor. The government did not report any efforts to reduce the participation in international child sex tourism by Portuguese nationals and the government did not report any cases of alleged child sex tourism during the reporting period.

QATAR (Tier 2)

Qatar is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, Morocco, Tunisia, Kenya, Burma, Nigeria, and China voluntarily migrate to Qatar as low-skilled laborers and domestic servants, but many subsequently face involuntary servitude. According to Qatar University's Social and Economic Survey Research Institute, a November 2012 study found that 86 percent of expatriate workers surrendered their passports to employers. There are also reports of widespread non payment of wages. Female domestic workers are particularly vulnerable to trafficking due to their isolation in private residences and lack of protection under Qatari labor laws. Many migrant workers arriving for work in Qatar have paid exorbitant fees to recruiters in their home countries—a practice that makes workers highly vulnerable to forced labor once in Qatar. Moreover, Qatar's sponsorship system binds foreign workers to their designated employers, placing a significant amount of power in the hands of employers; because of this, when workers face abuse, they often avoid legal action because of the lengthy recourse process, fear of reprisal, or lack of knowledge of their legal rights. Qatar is also a destination for women who migrate for legitimate purposes and subsequently become involved in prostitution, but the extent to which these women are subjected to forced prostitution is unknown. Some of these women may be runaway domestic workers who have fallen prey to forced prostitution by individuals who exploit their illegal status.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to demonstrate efforts to address human trafficking, particularly through prosecuting trafficking offenders, proactively identifying trafficking victims, and implementing awareness campaigns. The government improved its protection measures by training officials on victim identification procedures and continued to implement a national referral mechanism. However, officials continued to punish some victims for crimes committed as a direct result of being subjected to human trafficking and only assisted victims who lodged official complaints prior to being arrested by authorities. The government continued to operate a shelter for trafficking victims, which provided a variety of protection services. Nonetheless, the government did not demonstrate efforts to abolish the sponsorship system, nor did it strictly enforce a legal provision that criminalizes withholding of passports.



Recommendations for Qatar: Implement anti-trafficking legislation by increasing efforts to investigate, prosecute, convict, and punish trafficking offenses under the law; collect, disaggregate, analyze, and disseminate counter-trafficking law enforcement data; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; enforce the criminalization of passport-withholding, and mandate employees receive residence cards within one week as a means of preventing trafficking abuses; abolish or significantly amend provisions of Qatar's sponsorship law to prevent the forced labor of migrant workers, particularly as demand for migrant workers grows in association with construction for the 2022 FIFA World Cup; continue to train government officials on the anti-trafficking law and conduct anti-trafficking public awareness campaigns; and punish employers who withhold workers' wages.

Prosecution

The Government of Qatar made limited law enforcement efforts to combat its human trafficking problem over the year. Qatar's comprehensive anti-trafficking law, Law No. 15, which was enacted in October 2011, prohibits all forms of trafficking and prescribes penalties of no more than seven years' imprisonment and up to the equivalent of $82,000 in fines, with prescribed penalties of no more than 15 years' imprisonment for trafficking offenses committed with aggravating circumstances. These penalties are sufficiently stringent and commensurate with other serious crimes, such as kidnapping. Qatar also prohibits employers' withholding of workers' passports under the 2009 Sponsorship Law, though the law was not rigorously enforced. During the reporting period, the government reported two prosecutions for forced labor under Article 322 of the penal code, which addresses forced and bonded labor; both cases were pending at the end of the reporting period. The Qatar Foundation to Combat Human Trafficking (QFCHT), Qatar's national coordinating body for anti-trafficking activities, also referred 19 suspected trafficking cases for prosecution, eight of which involved the rape of domestic workers; however, it was unclear how many of these cases constituted human trafficking offenses. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses. During the reporting period, QFCHT funded and conducted eight anti-trafficking trainings for law enforcement and judicial personnel; the Police Training Institute continued to train Ministry of Interior officials on trafficking investigations.

Protection

The government made sustained progress in protecting victims of trafficking during the reporting period through implementation of systematic procedures to proactively

identify victims of trafficking among vulnerable populations, such as foreign workers, and the government continued to provide protective services to victims. The QFCHT continued to distribute a manual to law enforcement, immigration authorities, and social service providers on procedures to proactively identify victims of trafficking. The QFCHT continued to operate a trafficking shelter for women and children, which provided access to medical and psycho-social care, social services, rehabilitation and reintegration programs, repatriation assistance, and legal aid. Victims had the right to leave the shelter without supervision, and victims were able to access the shelter even if their employers had filed charges against them. The shelter also provided long-term housing during judicial proceedings, and shelter residents were able to earn an income through work at the shelter's rehabilitation center. The shelter assisted 40 female suspected trafficking victims, some of whom were victims of forced labor, during the reporting period. The government continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and non-government organizations. Government officials, including police, public prosecutors, and other government ministry officials, reportedly referred some trafficking victims to the shelter in this reporting period.

While some officials encouraged victims to participate in the prosecution of trafficking offenders, other officials did not equate involuntary labor exploitation with human trafficking. Under Qatar's sponsorship law, employers, also known as sponsors, had the unilateral power to cancel workers' residency permits, deny workers' ability to change employers, report a worker as a runaway to police authorities, and deny workers permission to leave the country. As a result, some workers were afraid to report abuses or assert their rights for fear of reprisal. Victims of trafficking were often punished for unlawful acts they committed as a direct result of being subjected to human trafficking; specifically, Qatari authorities regularly arrested, detained, and deported potential trafficking victims for immigration violations and running away from their employers or sponsors. Ministry of Interior officials interviewed all detainees in the deportation center and were required to determine whether the workers were victims of trafficking and offer them protection. However, some victims occasionally languished in detention centers for up to six months because of debts owed or, more rarely, employers filed false charges of theft against them. The costs of legal representation under these circumstances were borne by the worker but were often waived by the government due to inability to pay. Domestic workers, who were not covered under the provisions of the labor law, continued to face difficulties seeking legal redress for abuses through civil court action. For example, civil suits could only be filed against an employer for that employer's failure to meet his/her financial obligations to the domestic worker; in practice, civil suits were rare but have increased in number. Trafficking victims had the option to remain in the country during judicial proceedings or request an immediate exit visa. The government and the QFCHT also transferred sponsorships and assisted in job placement for some victims who chose to remain in Qatar. The government did not offer most foreign trafficking victims legal alternatives to their removal to countries where they may face retribution or hardship.

Prevention

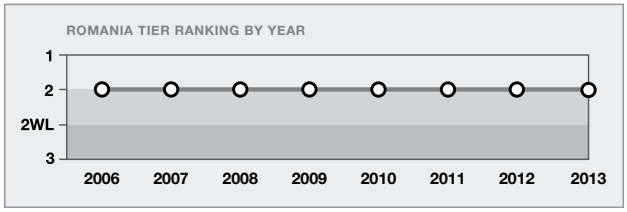
Qatar made significant progress in preventing trafficking in persons during the reporting period through raising public awareness of human trafficking and implementing its National Plan for Combating Human Trafficking for 2010-2015; however, the government did not reform Qatar's sponsorship law, which contributes to forced labor in the country. The QFCHT continued to conduct anti-trafficking awareness campaigns, and it published trafficking awareness materials for foreign workers in multiple languages. The QFCHT also hosted a regional conference with 300 participants from Arab countries to discuss human trafficking trends, and the government strengthened ties with labor-sending countries to collaborate on ways to combat trafficking. In October 2012, the QFCHT launched the National Alliance to Combat Human Trafficking, which brought together civil society and government agencies to collaborate on anti-trafficking efforts. The government also established an anti-trafficking hotline in October 2012, though it was unclear how many trafficking victims were identified through the hotline. The government routinely inspected and monitored recruitment companies and actively sought to punish companies that were found making fraudulent offers or imposing exorbitant fees in selling visas. Through a series of raids conducted by the Ministries of Interior and Labor, the government blacklisted 8,000 companies for labor law violations and cancelled the registration of 15 recruitment firms in 2012. The government also reported convicting two individuals for selling forged work visas in this reporting period. The government did not, however, systematically investigate companies to prevent passport withholding. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated that this sometimes did not happen; this restricts migrant workers' mobility and impedes their ability to access health care or lodge complaints at the labor department. The government publicly called for adherence to Islamic principles in an effort to reduce the demand for commercial sex acts and to prevent child sex tourism of Qataris traveling abroad.

ROMANIA (Tier 2)

Romania is a source, transit, and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Romanians represent a significant source of trafficking victims in Europe. Romanian men, women, and children are subjected to forced labor in agriculture, domestic service, hotels, and manufacturing, as well as forced begging and theft in European countries, including Austria, Azerbaijan, Cyprus, the Czech Republic, Denmark, France, Germany, Greece, Italy, Lithuania, the Netherlands, Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom. Men, women, and children from Romania are victims of forced prostitution in European countries, including Belgium, Cyprus, Finland, France, Germany, Greece, Hungary, Malta, the Netherlands, Portugal, Slovenia, Spain, Sweden, and Switzerland. Children likely represent at least one-third of Romanian trafficking victims. Traffickers who recruit and exploit Romanian citizens are overwhelmingly Romanian themselves, typically seeking victims from the same ethnic group or within their own families. Frequently, traffickers exploit victims within Romania before transporting them abroad for forced prostitution or labor. The Romanian government reported increasing sophistication

among Romanian criminal groups, including the transportation of victims to different countries in Europe in order to test law enforcement weaknesses in each. Romania is a destination country for a small number of foreign trafficking victims, including sex trafficking victims from Moldova and labor trafficking victims from Bangladesh and Serbia. Romanian girls and boys, particularly those whose parents work abroad, are vulnerable to sex trafficking throughout Romania. The government and NGO representatives noted an increase in the number of disabled victims.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to identify a large number of victims and coordinated a national referral mechanism to ensure that police refer victims to appropriate care. Nevertheless, for a fourth consecutive year, the government did not provide funding to NGOs offering assistance to trafficking victims, and did not offer specialized shelter services in Bucharest for adults and children. Trafficking prosecutions and convictions increased significantly during the reporting period, and the government continued to sentence a high proportion of convicted offenders to prison terms. The Government of Romania's central coordinating body on anti-trafficking efforts implemented several creative public awareness campaigns during the year.



Recommendations for Romania: Restore government funding for trafficking victim assistance programs, including grants for NGOs providing service to victims; improve the quality of victim services, ensuring that psychological care, rehabilitation, and other victim assistance provide substantive care; construct a trafficking-specific shelter for repatriated victims in Bucharest; remove non-security related restrictions on victims' movements while housed in government-funded shelters; improve efforts to identify potential victims among vulnerable populations, such as undocumented migrants, foreign workers, Roma, and children involved in begging or prostitution; vigorously investigate and prosecute acts of trafficking-related complicity allegedly committed by government officials, and punish officials convicted of such crimes with prison sentences; improve the reporting of data on trafficking crimes prosecuted under Law No. 678/2001 and other relevant laws by disaggregating sex and labor trafficking offenses; consider offering foreign trafficking victims the right to work during the duration of their temporary residence permits; continue to provide victim sensitivity training for police and judges; and establish a national rapporteur to provide regular independent evaluations of national policies.

Prosecution

The Romanian government significantly improved its anti-trafficking law enforcement efforts during the reporting period, conducting a high number of prosecutions and partnering with European counterparts on joint investigations. Romania prohibits all forms of trafficking in persons through Law No. 678/2001, which prescribes penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2012, Romanian authorities investigated 867 human trafficking cases, in contrast to 897 cases investigated in 2011. The government prosecuted 667 and convicted 427 trafficking offenders in 2012, compared with 480 offenders prosecuted and 276 convicted in 2011. The government does not separately compile statistics for sex and labor trafficking. Reflecting on the prevalence of child victims, 255 of the 427 convictions were tried under the "trafficking in minors" article of the anti-trafficking law, as opposed to the more generalized "trafficking in persons" article. The government reported that approximately three-quarters of the convicted trafficking offenders—334 of 427—were sentenced to some time in prison, receiving terms ranging between one and 15 years' imprisonment. The government gave specialized anti-trafficking training to police officers, although reports indicated that the training did not adequately emphasize that trafficking victims should not be prosecuted for any unlawful acts they commit as part of being trafficked. During the year, Romanian officials participated in 94 joint trafficking investigations in partnership with counterparts in several European countries. In contrast to 2011, when no suspects were extradited from Romania, the government extradited 16 suspects for trafficking crimes in 2012. The government did not report investigating, prosecuting, or convicting any government employees for trafficking-related complicity.

Protection

The Government of Romania demonstrated weak efforts to protect and assist victims of trafficking during the reporting period, although victim identification remained high. The government reported the identification of 1,041 victims in 2012, compared with 1,043 victims identified in 2011. Sexually exploited victims numbered 526, approximately half of the total, whereas 410 victims were subjected to labor trafficking. Other victims were forced into begging, theft, or pornography. The prevalence of children in the victim population increased from 319 to 370 in 2012. Of the total number of victims, 492 were subjected to internal trafficking.

For the fourth consecutive year, the government failed to provide funding to NGOs offering protection services to trafficking victims. The continued lack of funding has reduced the level of assistance available from NGOs. The government continued to operate its national victim identification and referral mechanism, which provided formal procedures for victim referrals between law enforcement and other institutions. In 2012, the government referred 352 trafficking victims to care facilities for assistance; in 2011, 417 victims received government-funded services. Local governments financed and operated shelters, some of which were trafficking-specific. In 2012, these facilities provided shelter to 112 trafficking victims. NGOs reported that lack of freedom of movement was a significant issue in these shelters. Depending on the particular situation, trafficking victims received psychological services, school reintegration, training, legal advice, and health care. During the year, some government-funded psychological assistance reportedly was not consistently adapted to trafficking victims' needs. No trafficking-specific shelter for adult trafficking victims operated in Bucharest, the country's largest city, creating an assistance gap for victims identified in the capital or arriving there in the course of repatriation. The government maintained six transit centers for child victims

located near international border crossings, although child victims identified abroad were often repatriated by plane via the airport in Bucharest. The government provided non-specialized care for child victims at emergency reception centers for abused children, which are located in each of the 41 counties and six administrative districts of Bucharest. The government continued to operate a trafficking-specific hotline, which allowed officials to identify victims and refer them to care. During the reporting period, the government fined some sex trafficking victims for prostitution. Romanian law permitted foreign victims a 90-day reflection period to remain in the country, though the government did not report the number of victims granted this reflection period. Third country national victims of trafficking could receive a temporary residence permit to remain in the country until the completion of a prosecution, although they were not allowed to work in Romania during the time of their residence permit. Romanian trafficking victims participated in criminal prosecutions at a high rate; in 2012, 600 victims participated as an injured party in a trial and 205 victims testified, compared to 882 victims participating in 2011 and 123 testifying.

Prevention

The Government of Romania improved its prevention efforts through continued robust awareness campaigns and coordination of a national strategy and action plan to combat trafficking. The National Agency against Trafficking in Persons continued to coordinate anti-trafficking policies and the national referral mechanism. During the reporting period, it worked with NGOs to develop a new national strategy against trafficking in persons for the period 2012-2016 and the action plan for 2012-2014. The government implemented six national and regional public awareness campaigns and 36 local campaigns in 2012. These campaigns were visible in primary schools, high schools, bus advertisements, televisions in metro stations, movie theaters, and on the internet. A 2006 modification to the country's criminal code newly prohibited Romania-based recruitment companies from facilitating the exploitation of citizens abroad, yet the government has never punished a company for trafficking-related acts. The government did not report specific efforts to reduce the demand for commercial sex acts.

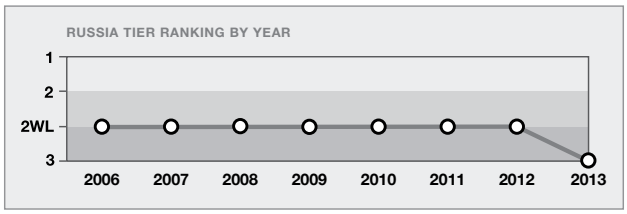
RUSSIA (Tier 3*)

Russia is a source, transit, and destination country for men, women, and children who are subjected to forced labor and sex trafficking. Labor trafficking remains the predominant human trafficking problem within Russia; the Migration Research Center estimates that one million people in Russia are exposed to "exploitative" labor conditions characteristic of trafficking cases, such as withholding of documents, nonpayment for services, physical abuse, or extremely poor living conditions. During the year, workers from Russia and other countries in Europe, Central Asia, and Asia, including Vietnam and North Korea, were subjected to conditions of forced labor in Russia. Instances of labor trafficking have been reported in the construction, manufacturing, agriculture, repair shop, grocery store, and domestic service industries, as well as forced begging and narcotics cultivation; there were a number of cases discovered during the last year in textile or garment factories. In some of the labor trafficking cases throughout the country, foreign workers died while locked in factories or employer-provided housing. In a factory in the Moscow suburbs, textile workers were beaten, poorly fed, refused medical care, and prohibited from leaving the factory. Human Rights Watch reports that construction of facilities for major events drew estimated tens of thousands of migrant laborers to Russia; Human Rights Watch also documented that employers of construction projects related to the upcoming Winter Olympic Games in Sochi withheld pay, disregarded contracts, and seized passports and work permits to keep workers in conditions of exploitation. There is anecdotal evidence of Russian police officers allegedly facilitating trafficking, including by returning trafficking victims to their exploiters, and of employers bribing Russian officials to avoid enforcement of penalties for engaging illegal workers. North Korean citizens imported under Russian government arrangements with the North Korea government for work in the logging industry in Russia's far east reportedly are subjected to conditions of forced labor. There were also reports of Russian citizens facing conditions of forced labor abroad.

Reports of Russian women and children subjected to sex trafficking both in Russia and abroad continued in 2012. Russian citizens are reportedly victims of sex trafficking in many countries, including in Northeast Asia, Europe, Central Asia, and the Middle East. There were also reports of citizens of European, African, and Central Asian countries being forced into prostitution in Russia.

The Government of Russia does not fully comply with the minimum standards for the elimination of trafficking and has been placed on Tier 2 Watch List for the last nine consecutive years. In the 2011 and 2012 TIP Reports, Russia was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The Trafficking Victims Protection Act (TVPA) authorizes a maximum of two consecutive waivers; a waiver is no longer available to Russia, which is therefore deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3.

Prosecutions in Russia during the reporting period remained low compared to estimates of Russia's trafficking problem. While the government issued a brochure to raise awareness on trafficking, no other efforts were made to fund a national awareness campaign. An interagency committee was established to address human trafficking issues, but it has not yet met. The city of St. Petersburg allocated a building and signed a memorandum of understanding with the Russian Red Cross to open and operate an eight-bed shelter for the care of trafficking victims in St. Petersburg. When implemented, these efforts have the potential to achieve significant progress in combating human trafficking. During the reporting period, the government had not established any concrete system for the identification or care of trafficking victims, lacking any formal victim identification and referral mechanism, though there were reports of victims being identified and cared for through *ad hoc* efforts. In 2012, the government deported hundreds of labor trafficking victims found in squalid conditions in a Moscow garment factory and levied criminal charges against other trafficking victims allegedly held in servitude for a decade. The government reported minimal efforts to identify or care for the large number of migrant workers vulnerable to labor exploitation, include those preparing for international events.



Recommendations for Russia: Develop formal national procedures to guide law enforcement and other government officials, including labor inspectors and health officials, in identification of trafficking victims and referral of victims to service providers; allocate funding to state bodies and anti-trafficking NGOs to provide specialized trafficking victim assistance and rehabilitative care; increase efforts to identify and assist both sex and labor trafficking victims, particularly among exploited labor migrants in Russia; implement a formal policy to ensure identified victims of trafficking are not punished or detained in deportation centers for acts committed as a direct result of being trafficked; ensure that victims have access to legal alternatives to deportation to countries where they face hardship or retribution; increase the number of investigations, prosecutions, and convictions for trafficking offenses, and investigate and criminally punish government officials complicit in trafficking; create a central repository for investigation, prosecution, conviction, and sentencing data for trafficking cases; increase efforts to raise public awareness of both sex and labor trafficking; and take steps to investigate allegations and prevent the use of forced labor in construction projects and also North Korean-operated labor camps.

Prosecution

The Government of the Russia demonstrated law enforcement efforts during the reporting period. Articles 127.1 and 127.2 of the Russian criminal code prohibit both sex trafficking and forced labor, although they also cover non-trafficking offenses. Other criminal statutes were also used to prosecute trafficking offenders, such as Articles 240 and 241 for involvement in or organizing prostitution. Article 127 prescribes punishments of up to ten years' imprisonment. These penalties are commensurate with punishments prescribed for other serious crimes, such as rape. The government investigated an increased number of cases as compared to 2011: 70 sex trafficking cases under Article 127.1, and 17 labor trafficking cases under Article 127.2 in 2012, up from 46 sex trafficking investigations and an unknown number of labor trafficking cases in the first 10 months of 2011. The government prosecuted 22 cases of sex trafficking and 10 cases of forced labor in 2012, compared with reports of at least 17 sex trafficking prosecutions in the first 10 months of 2011 and at least two labor trafficking prosecutions in 2011. Russian authorities report they often charge sex trafficking cases under Article 241 (organization of prostitution), as the elements of that crime are often easier to prove, although there is no public information on how many such cases involved forced as opposed to voluntary prostitution. In 2012, 29 trafficking offenders were convicted under Article 127.1, the article typically used for sex trafficking crimes, and five traffickers were convicted of the use of slave labor under Article 127.2, compared with a total of 32 people convicted under Article 127.1 and 11 convicted under Article 127.2 in 2011. The government reported 26 trafficking offenders were sentenced to imprisonment, seven were given suspended sentences, and two were sentenced to other dispositions. Unofficial reports confirmed sentences of a few months' to 12 years' imprisonment, the same range of sentences reported in the last reporting period.

The government investigated sex and labor trafficking cases throughout the country, including a case involving 30 victims of sex trafficking; however, it did not pursue trafficking charges in at least two high profile cases despite indicators of coerced work and large numbers of trafficking victims. In a case involving approximately 170 Vietnamese labor trafficking victims held in a garment factory, the government did not initiate charges. During the reporting period, the interior ministry (MVD) issued a roadmap for its reform, which included the formation of an interagency anti-trafficking commission with representation of the prosecutor general's office, the ministry of foreign affairs, the federal migration service, the federal security service, the investigative committee, and other agencies. Although the interagency commission had not met during the reporting period, this commission has the potential once implemented to achieve significant progress in combating human trafficking.

The government did not report specific progress on any of the alleged cases of official complicity in human trafficking from the 2008, 2009, 2010, and 2011 TIP Reports. During the reporting period, a court in the Chuvash Republic tried the case of a former criminal investigation unit police chief who provided cover for a criminal group, the members of which were charged with inducing to prostitution, organization of prostitution, trafficking in persons, and use of slave labor. In the Samara region, a former senior investigator was charged with refusing to initiate a criminal case of deprivation of liberty of two women by a criminal group who were charged in a separate case of trafficking in persons and related crimes. In Moscow, the investigative committee initiated a criminal case against a police officer who allegedly forced two women into prostitution. The North Korean government continued to export workers for bilateral contracts with Russia and other foreign governments. Despite media allegations of slave-like conditions in North Korean-operated timber camps in Russia, the Russian government did not report any investigations into this situation. There were also no reported investigations of media reports of North Korean forced labor in the Moscow region.

The Russian authorities reportedly collaborated with some foreign law enforcement bodies on the investigation of transnational trafficking cases and sharing best practices. There were, however, reports that Russian law enforcement was not always cooperative or responsive to investigative requests from foreign governments. The government extradited an alleged trafficking offender to Uzbekistan during the reporting period. The ministry of internal affairs, the lead law enforcement agency in the majority of trafficking cases, conducted regular training during the reporting period designed to guide its officers in handling trafficking cases. According to government officials, the general procuracy, the investigative committee, the Russian Academy for Justice, the Russian Academy of Advocacy, the Ministry of Internal Affairs' Advanced Training Institutes, and the Federal Security Service provided periodic training as well.

Protection

The Russian government demonstrated minimal progress in efforts to protect and assist trafficking victims during the reporting period; a majority of foreign labor trafficking victims remained outside of the scope of victim protection. The government did not develop or employ a formal system to guide officials in proactive identification of trafficking victims or referral of victims to available services, and there continued to be no available official statistics on the number of trafficking victims identified or assisted by the government or NGOs. The government did not publicly report any funding or programs for specific assistance to trafficking victims, and the government did not verify how many trafficking victims benefitted from funding or programs intended for other general purposes, such as witness protection, child protection, or government crisis centers, which were unlikely to accept victims who were not registered in the district in which the center is located. Foreign trafficking victims, the largest group of victims in Russia, were not entitled to access state-provided rehabilitative services. During the reporting period, the St. Petersburg municipal government granted the Russian Red Cross the space to open an eight-bed trafficking shelter. The shelter was not yet open during the reporting period. An NGO that assisted victims of labor trafficking in a high-profile case received office space from the city of Moscow in June 2012.

The government reported that it encouraged victims to participate in anti-trafficking investigations by offering witness protection provisions on a case-by-case basis to those who cooperate with officials. There were no formal legal alternatives to deportation for foreign victims. Russian authorities did not demonstrate a systematic approach to preventing trafficking victims from being punished for crimes committed as a direct result of their trafficking experience. There were reports of Russian authorities charging some suspected trafficking victims with residing illegally on the territory of Russia without the proper papers and reportedly deporting trafficking victims without offering assistance.

Prevention

Russia's national government demonstrated limited efforts to prevent trafficking over the reporting period. During the reporting period, there were no efforts to develop public awareness of possible forced labor. During the reporting period, the MVD published and distributed an informational brochure warning on the dangers of becoming a victim of trafficking. In some parts of the country, the MVD partnered with community councils to distribute the pamphlets in public places, such as educational centers. The Commonwealth of Independent States anti-trafficking plan remained the Government of Russia's sole anti-trafficking plan.

The government did not have a body to monitor its anti-trafficking activities and make periodic assessments measuring its performance. The MVD cooperated with U.S. authorities on the investigation of seven child sex tourism cases and one exploitation case, which resulted in 88 arrests worldwide. The government did not report any specific measures to reduce the demand for commercial sex acts or to ensure that its military personnel, when deployed abroad as part of peacekeeping or other similar missions, did not engage in or facilitate human trafficking.

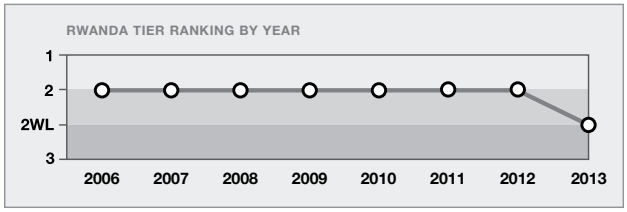
RWANDA (Tier 2 Watch List)

Rwanda is a source and, to a lesser extent, transit and destination country for women and children subjected to forced labor and sex trafficking. Rwandan girls and, to a lesser extent, boys are exploited in domestic servitude within the country; some of these children experience nonpayment of wages and physical or sexual abuse within their employer's household. Older females offer vulnerable younger girls room and board, eventually pushing them into prostitution to pay for their expenses. In limited cases, trafficking is facilitated by women who supply other women or girls to clients, or by loosely organized prostitution networks, some operating in secondary schools and universities. Brothel owners reportedly supply girls in prostitution to clients staying at hotels. Children in Rwanda-based refugee camps are brought to Kigali, Uganda, Kenya, Sudan, and South Sudan at the hands of other refugees or Rwandan and Ugandan "sugar daddies" for use in the sex trade. Rwandan women and children are also recruited and transported to Kenya, Uganda, Democratic Republic of the Congo (DRC), Tanzania, Burundi, Zambia, South Africa, France, the Netherlands, Malaysia, China, and the United States, where they are subjected to forced agricultural and industrial labor, domestic servitude, and prostitution. Small numbers of women and children from neighboring countries and Somalia are victimized in prostitution and forced labor after being lured to Rwanda. A limited number of foreign nationals are moved through Rwanda to be exploited in third countries.

During the year, the UN Group of Experts and Human Rights Watch reported Rwandan government officials recruited children for and provided material support to the M23, an armed group operating in the eastern DRC, which also recruited children and men, at times fraudulently and by force. The Rwandan government's material support for the M23 included weapons and ammunition. The M23 carried out successful recruiting activities in Rwanda during 2012, and reportedly gained new recruits from Kigeme refugee camp and possibly other camps, and from the Nkamira transit center. Demobilized M23 soldiers in eastern DRC reported they had been recruited in Rwanda, with some citing conscription by Rwandan Defense Forces (RDF) soldiers. The UN Group of Experts cited the director of the Rwandan Demobilization and Reintegration Commission (RDRC) for forcible recruitment of recently demobilized Democratic Forces for the Liberation of Rwanda (FDLR) child and adult soldiers from its Mutobo rehabilitation center into the M23.

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. It enacted a revised penal code, convicted two trafficking offenders, and undertook several investigations, resulting in the apprehension of suspected traffickers and the rescue of victims. The government referred child trafficking victims to protective services at a police hospital, opened four additional one-stop centers at public district hospitals—all of which screen for trafficking victimization and provide services to victims—and increased its diplomatic engagement to ensure the return of trafficked Rwandans from South Africa and East Asia. Nonetheless, the police continued to hold some trafficking victims in detention without being charged, and acknowledged the need for continued law enforcement training in victim identification and case investigation. As the government provided logistical

support to M23, a group that committed trafficking crimes during the reporting period through forced or fraudulent recruitment of children and men, Rwanda is placed on Tier 2 Watch List.



Recommendations for Rwanda: Do not provide military support to the M23 or assist in M23 recruiting practices; investigate and prosecute those suspected of forcibly and fraudulently recruiting men and children in support of the M23 from refugee camps or elsewhere; enforce the trafficking-specific penal code amendments through increased investigations and prosecutions of trafficking offenses; increase the number of labor inspectors and resources available to them; utilize judicial police specifically trained on gender-based violence to supplement the work of the national police's anti-trafficking unit and government's labor inspectors; establish a system to assist foreign trafficking victims with relief from deportation; ensure central government funds sent to districts for labor inspection programs are allocated to such programs; and build capacity to screen for trafficking victims at child transit centers through increased collaboration between the police and the Ministry of Gender and Family Promotion or NGOs.

Prosecution

Although the government maintained strong efforts to investigate and prosecute some trafficking crimes, failure to stop M23 recruitment within Rwanda in 2012, which was at times reportedly supported by Government of Rwanda officials, amounts to complicity in trafficking crimes; the government has not yet acknowledged or taken action to address these crimes which took place within Rwanda. The government convicted two trafficking offenders during the year and undertook several investigations, resulting in arrests of suspected traffickers and rescue of victims in the region and outside the country. In June 2012, the government promulgated its new penal code—the first since 1977—which criminalizes trafficking in persons under a variety of articles, mostly contained in Chapter 8. This chapter, in combination with forced labor articles and other statutory sections, covers almost all forms of trafficking in persons. Although the new penal code will facilitate the work of police and prosecutors in the investigation and prosecution of trafficking cases by more adequately covering the various stages of the trafficking process, it may also result in the conflation of trafficking with other crimes, as the new definition is too narrow. It defines trafficking as a crime requiring movement, which potentially leaves some forms of trafficking uncovered; for example, it is not clear that the law criminalizes the recruitment of an individual for the purpose of forced labor in the absence of movement. Chapter 8 prescribes penalties of seven to 10 years' imprisonment or fines the equivalent of approximately $7,900 to $15,900 for internal trafficking, and up to 15 years' imprisonment for transnational trafficking, penalties which are sufficiently stringent and commensurate with other serious crimes. However, penalties for trafficking crimes in other portions of the penal code differ; Article 206 (inciting adults into prostitution) and Article 178 (forced labor) prescribe penalties that are insufficiently stringent and not commensurate with other serious crimes. No cases have yet been tried under the new penal code, and prosecutions are unlikely without specialized training for police, prosecutors, and judges. In June 2012, the government enacted the Law Relating to the Rights and Protection of the Child, which outlaws child trafficking, prostitution, and slavery. Penalties for child defilement run from six months' to life imprisonment, depending on the nature of the offense. Child trafficking convictions are subject to a minimum five-year prison term, while slavery convictions carry three to 12-year prison terms.

In 2012, the Rwandan National Police (RNP) and National Public Prosecution Authority (NPPA) investigated and prosecuted several trafficking cases, which led to the conviction of two offenders and the acquittal of one defendant. NPPA continued its investigation of five additional cases at the close of the reporting period; neither the NPPA nor the RNP provided information regarding pending cases. In August 2012, Nyarugenge Intermediate Court in Kigali sentenced two Rwandan men convicted of slavery under article 390 of the 1977 penal code to five years' imprisonment; the men were part of a network of Chinese, Rwandan, and East African nationals trafficking young women and girls to China through Uganda for prostitution through fraudulent promises of employment. In another case, a Kigali intermediate court acquitted a Rwandan woman, also charged under article 390, for attempting to transport four Rwandans to Europe for unknown purposes; although the prosecution appealed the verdict to the high court and the supreme court in early 2013, both upheld the acquittal, with the supreme court citing insufficient evidence. Rwandan law enforcement cooperated with countries in the region and beyond—including Kenya, Uganda, South Africa, Malaysia, and France—to investigate transnational trafficking offenses, facilitate the repatriation of trafficking victims, and disrupt trafficking operations. In addition, in August 2012, the RNP co-hosted with INTERPOL a training exercise for officials from 12 East African nations focusing on transnational trafficking crimes and enhancing cooperation among nations in the region. Such coordinated work in the region yielded results; in July 2012, the RNP worked with Tanzanian authorities to rescue two Rwandan boys and arrest their Tanzanian trafficker. Police and immigration officials maintained strict border control measures as part of a strategy to prevent transnational child trafficking; in 2012, immigration officials cooperated with Ugandan authorities in their interception of Ugandan girls attempting to reach Malaysia via Kigali after being denied travel through Uganda's international airport.

During the year, the RNP expanded its anti-trafficking unit from four to 15 officers, and the NPPA maintained two designated prosecutors to coordinate all cases related to human trafficking. The gender desk at each of Rwanda's 75 police stations is staffed by at least one judicial police officer; all judicial police officers specializing in serious crimes have undergone training on identifying and assisting victims of trafficking, and investigating and prosecuting human trafficking cases. In 2012, the RNP trained 58 police officers on transnational crime, including human trafficking, at Rwanda's 13 border crossings. With in-kind support from the government, IOM and UNODC trained 133 police officers and district commanders, immigration officers, labor inspectors, and local officials on victim identification. Nonetheless, the lack

of awareness of human trafficking among officials remained an obstacle, and RNP officials maintained the increased number of investigators was still inadequate to investigate properly the numerous reports of forced labor, sex trafficking, and sexual exploitation of child domestic workers. All newly hired immigration officers received training on passenger profiling, document verification, and the identification of victims of trafficking in 2012; during the year, 33 officers received this training.

Protection

In past years, the government was recognized for its unparalleled level of care for former child combatants; however, in 2012, though such care of child combatants and other trafficking victims continued, it provided support to the M23—a rebel group that forcibly and fraudulently recruited and used child soldiers. During the year, with partial donor support, the RDRC moved its center for child ex-combatants from Muhazi to Musanze. Following their return from the DRC by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), 66 former child combatants received three months' care, including psycho-social counseling, at the center; an increase from 52 assisted in 2011 and 47 in 2010. The RDRC worked with local authorities and an NGO to locate the children's families, and social workers sensitized families to their acceptance of the child's return; during the reporting period, RDRC staff had reunited 53 children with relatives, an increase from 21 reunited in 2011. However, there were reports that Rwandan government officials actively recruited former child soldiers for use by the M23, including from the RDRC-run demobilization and rehabilitation center in Mutobo. Reports also suggest that the RDF may have recruited individuals—some who may have been under the age of 18—from Iwawa Rehabilitation and Vocational Development Center to join M23. Furthermore, the government refused to allow the repatriation of 50 ex-M23 combatants, including 14 child soldiers, who claimed Rwandan nationality.

During the year, police identified and referred an unknown number of sex and labor trafficking victims to the Isange Center, a one-stop holistic facility within the Kaciryu police hospital in Kigali that provided a variety of assistance to victims of gender-based violence, including child domestic workers and children in prostitution. Social workers utilized a set of questions to identify potential cases of trafficking upon a person's arrival at the center. In 2012, the government opened four additional one-stop centers at public district hospitals, which also screened for trafficking victimization and provided services. Judicial police officers encouraged victims to participate in the investigation and prosecution of trafficking crimes and interviewed victims at the Isange Center rather than at police stations; these initial statements could stand as testimony if victims did not wish to appear in court. The standardized checklist used by police when working with victims required securing medical, social, and counseling services; the presence of a victim's advocate during investigations; and referrals of victims to NGOs, religious entities, or community groups for further assistance. The police headquarters in Kigali continued operating a hotline for reporting gender-based violence crimes that received several calls reporting cases of human trafficking in 2012.

The government provided an unknown amount of funding to support eight private or NGO-run child rehabilitation centers that afforded over 200 street children—some of whom were trafficking victims—with shelter, basic needs, and rehabilitative services; it operated three transit centers for screening and referring street children, including victims of domestic servitude or prostitution, to these longer-term care facilities. The Ministry of Gender and Family Promotion (MIGEPROF) screened some of the children and young adults detained in these centers. The RNP, however, often discharged young people from the transit centers or transported them to remote districts with instructions not to return to Kigali, without screening for vulnerability to trafficking. The police also held some child victims of trafficking in detention at the transit centers, sometimes for weeks or months without being charged with a crime or interviewed in conjunction with an investigation. Due to inadequate screening, victims of trafficking could face time in prison or the Nyagatare Rehabilitation Center for unlawful acts committed as a result of being trafficked. RNP officials acknowledged that given the number of victims arrested and detained by the RNP, training in victim identification and investigation remained inadequate. Beyond providing a stay of one month, the government did not provide foreign trafficking victims with care or legal alternatives to their removal to a country where they may face hardship or retribution.

During the year, Rwandan officials worked with the Rwandan embassy in South Africa and INTERPOL to repatriate a young Rwandan woman who had been recruited with the promise of a scholarship and later forced into prostitution in Cape Town. Police worked with the Ugandan honorary consul, INTERPOL in Malaysia, and the Rwandan embassy in Japan to repatriate a Rwandan recruited in Kampala and taken to Malaysia by a Nigerian trafficker. Despite the best efforts of the Rwandan embassy in China, the government continued to encounter difficulty in working with Chinese authorities to repatriate approximately 100 Rwandan women exploited in various cities in China.

Prevention

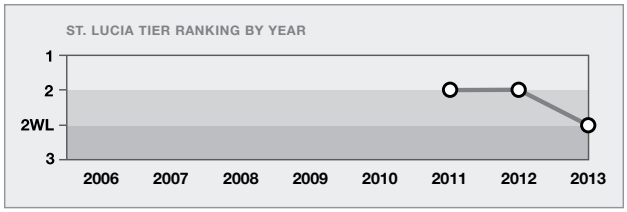
Although the government maintained its anti-trafficking prevention efforts during the reporting period, there continues to be a lack of understanding among its officials and Rwandan society of the full scope of the country's human trafficking problem. The government remained without a lead ministry or inter-ministerial coordinating body to oversee its anti-trafficking efforts. In partnership with UNODC and IOM, MIGEPROF co-sponsored anti-trafficking radio and televisions campaigns and undertook informational campaigns through district labor offices. During the year, the RNP detected the presence of Kampala- and Nairobi-based labor recruiters and brokers, both legitimate and fraudulent, in Rwanda and confirmed their involvement in the recruitment of workers through fraudulent offers of employment or excessive fees for migration or job placement. In 2012, the Ministry of Public Service and Labor (MIFOTRA) began drafting amendments for the labor law to include new regulations on labor recruitment. MIFOTRA continued to train all labor inspectors twice per year on how to identify and handle cases of child labor, including trafficking in persons. MIFOTRA's labor inspectors held monthly sensitization activities and quarterly trainings for employers and local authorities on child labor regulations. However, these 30 district labor inspectors were insufficient in number to fulfill their monitoring mandate, and the government did not provide them with adequate resources, including transport, to identify and prevent the use

of exploitative child labor effectively. MIFOTRA continued its public awareness campaigns on the worst forms of child labor, including trafficking, through radio shows, television announcements, and skits, and partnered with IOM and UNODC on similar campaigns. The government failed to make efforts to reduce the demand for commercial sex acts. The government trained Rwandan troops on gender sensitivity and sexual exploitation prior to their deployment to UN peacekeeping missions abroad. In addition, Rwanda also hosted a second UN training course on investigation and prevention of sexual and gender-based crimes at the Rwanda Peace Academy in Musanze District, which drew participants from 16 countries that contribute police to UN missions.

ST. LUCIA (Tier 2 Watch List)

St. Lucia is a destination country for persons subjected to forced prostitution and forced labor. Legal and illegal immigrants from Haiti, Jamaica, the Dominican Republic, Guyana, and South Asia, especially those working in domestic service, reportedly are the groups most vulnerable to human trafficking. There are indications children under 18 are coerced to engage in commercial sex in St. Lucia. Sex trafficking victims are likely found among foreign women in prostitution. According to the police and NGOs, the most likely sex trafficking perpetrators in the country are pimps, strip club operators, and brothel owners.

The Government of St. Lucia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these limited steps, the government did not demonstrate evidence of increasing efforts to address human trafficking over the previous year; therefore, St. Lucia is placed on Tier 2 Watch List. During the reporting period, the government did not make progress in proactively identifying and assisting suspected trafficking victims or prosecuting trafficking offenders.



Recommendations for St. Lucia: Provide standard operating procedures to guide police, immigration, labor, child protection, and social welfare officials in the proactive identification of trafficking victims and their referral to appropriate services; provide police and other law enforcement officials with standard operating procedures on a victim- centered approach in the investigation of suspected trafficking cases; vigorously prosecute, convict, and punish perpetrators of forced labor and sex trafficking, including officials complicit in human trafficking; work with IOM to provide safe repatriation procedures for foreign victims who would like to return home; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of St. Lucia did not make progress in addressing human trafficking through law enforcement means during the reporting period. The government prohibits all forms of trafficking through the 2010 Counter-Trafficking Act, which prescribes punishment of five to 10 years' imprisonment with fines. These penalties are sufficiently stringent and commensurate with other serious crimes, such as rape. The government did not report any investigations, prosecutions or convictions of trafficking offenders or public officials complicit in human trafficking in 2012, nor in 2011. In an apparent conflict of interest, security for sex trade establishments was reportedly sometimes provided by off-duty police officers, an arrangement that risks inhibiting law enforcement's willingness to investigate allegations of human trafficking in the sex trade. There were no standard operating procedures in place to guide law enforcement authorities in how to handle trafficking cases.

Protection

The government made efforts to protect victims of human trafficking during the reporting period, despite resource and capacity restraints. The government funded an NGO that has assisted trafficking victims in the past. The government also reportedly ran a system of informal shelters in which victims, including male children, could seek assistance. A government-funded NGO ran a day-use shelter for girls, though there was no 24-hour residential shelter currently in the country for girls. Magistrates were forced to choose between prison or a mental institution in which to place girls needing protection. The government did not have formal procedures to guide law enforcement, health, and other officials in how to identify trafficking victims and refer them to available protection and assistance services. Strong victim protection provisions in the 2010 Counter-Trafficking Act were in place to encourage victims to participate in the investigation and prosecution of trafficking offenders. The act provides that the alleged consent of a victim to the exploitation as well as the past sexual behavior of a victim is irrelevant to her status as a victim. The act also protects trafficking victims from prosecution for crimes committed as a direct result of their being trafficked and protects foreign victims from deportation. However, the government did not report using any of these protections during the reporting period.

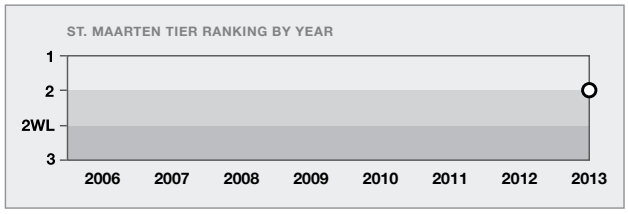
Prevention

The government made no discernible efforts to prevent human trafficking during the reporting period. There was no national campaign to raise awareness about forced labor and forced prostitution. The government did not yet establish the inter-ministerial taskforce required by the human trafficking act. The government did not have a campaign to reduce the demand for commercial sex acts or forced labor. The government has not identified a problem with child sex tourism in St. Lucia. St. Lucia is not a party to the 2000 UN TIP Protocol.

ST. MAARTEN (Tier 2)*

St. Maarten is a source, transit, and destination for women, children, and men subjected to sex trafficking and forced labor. There are strong indications that some of the hundreds of foreign migrant women in St. Maarten's sex trade are subjected to debt bondage. Women and girls from Colombia, the Dominican Republic, Jamaica, and other countries in the region are the most vulnerable to becoming victims of sex trafficking. Other nationalities in the commercial sex industry that may be vulnerable to sex trafficking include women from Russia and Eastern Europe. Foreign women working in the regulated brothels and strip clubs on St. Maarten are typically granted short-term, temporary residence permits, usually valid for three to six months, after which they are required to leave the country. Strip club dancers and women in prostitution in St. Maarten are dependent upon strip club and brothel managers to obtain their work permits, thus significantly increasing their risks of sex trafficking in these establishments. Experts report that a significant number of an estimated 15,000 illegal migrant workers in the country are highly vulnerable to forced domestic service and forced labor in construction, Chinese supermarkets, retail shops, security, landscaping, and housekeeping. St. Maarten authorities reported that workers from India, Haiti, Jamaica, and other Caribbean islands are subjected to exploitive conditions involving indicators of forced labor in the country. Finally, local experts report that St. Maarten women and girls studying in the Netherlands may be vulnerable to sex trafficking by residents of the Netherlands.

The Government of St. Maarten does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated important leadership in the region by prosecuting and convicting a sex trafficking offender and holding this perpetrator accountable with jail time. Furthermore, it passed a comprehensive anti-trafficking law in 2012 that criminalizes all forms of trafficking. Near the end of the reporting period, the government launched an investigation into trafficking-related complicity involving high-level officials in the country. The government, however, did not prosecute any officials for trafficking-related complicity, which hampered its ability to authentically address its trafficking problem. The overall lack of victim identification in St. Maarten, despite a very large vulnerable population of illegal migrants and foreign women in prostitution, highlights the ineffectiveness of the government's response. This lack of victim identification likely resulted in the deportation and criminalization of trafficking victims.



Recommendations for St. Maarten: Make a robust and transparent effort to identify and assist potential victims of sex trafficking and forced labor by developing and implementing formalized, proactive victim protection measures to guide officials, including health workers, on how to identify victims and how to assist victims of forced labor and sex trafficking in the regulated and unregulated sex trade; ensure enactment and implementation of the newly-passed anti-trafficking law and vigorously prosecute, convict, and sentence trafficking offenders, including officials complicit in human trafficking; demonstrate transparency and appropriate follow-through regarding the investigation of government officials alleged involvement in the licensed brothels; empower local officials to conduct outreach in local migrant communities throughout the island to uncover potential trafficking victims; integrate outreach by a Spanish-speaking victim advocate, trained in human trafficking indicators, into routine health inspections at the legal brothels to ensure the rights of women in these legal brothels are protected; conduct outreach with all incoming migrants, including domestic workers and foreign women on temporary entertainment visas to ensure they are informed of their rights and ways to seek help; continue to consult with the Government of the Netherlands on how it proactively uncovers victims of labor trafficking and sex trafficking within the commercial sex trade, including potential domestic victims; and implement a multilingual public awareness campaign directed toward potential victims, the general public, and potential clients of the sex trade.

Prosecution

The government made progress in its anti-trafficking law enforcement efforts and improved its capacity to prosecute trafficking offenders by passing an anti-trafficking law in 2012. Furthermore, it demonstrated important leadership in the region by holding a sex trafficking offender accountable with jail time. In June 2012, St. Maarten passed a new penal code which prohibits all forms of trafficking in persons through articles 2:239–245 and prescribes penalties ranging from four to 24 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. The government prosecuted and convicted an owner of one of St. Maarten's regulated brothels for the forced prostitution of seven Dominican women in his club. The court sentenced this offender in March 2012 to 54 months' imprisonment, 18 months of which were suspended. The offender had been in pre-trial detention since his arrest in September 2012. This case sets an important legal precedent for the country; the court findings cited the club owner's "abuse of the women's vulnerable position" and the position of power the owner had over the victims. Authorities reported that they initiated two anti-trafficking investigations during the reporting period. While authorities reported that their prosecution of a domestic servitude case in 2011 did not succeed, a subsequent 2012 decision in a civil case resulted in awarding the same victim financial compensation. In June 2012, an NGO and government immigration officials helped facilitate and organize an international donor-sponsored training on trafficking, including on indicators to identify trafficking victims. Reports during the year indicated trafficking-related complicity among high-level officials' financial who have ties to brothels in the country.

* *St. Maarten is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, St. Maarten is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how St. Maarten would be assessed if it were a separate, independent country.*

Authorities launched an investigation into related allegations in March 2013.

Protection

The Government of St. Maarten did not demonstrate strong victim protection efforts during the reporting period. However, in 2011, the government identified at least eight trafficking victims, including seven sex trafficking victims in a licensed brothel, and a victim of domestic servitude. Authorities ensured the domestic servitude victim was referred for protection and assistance from a local NGO and facilitated the victim's safe repatriation in coordination with IOM. The government, however, did not identify any sex trafficking victims within St. Maarten's government-licensed brothels employing foreign women in 2012. The government did not ensure that immigration officials charged with regulating these brothels employed measures to identify human trafficking victims and refer suspected victims for assistance. Furthermore, weekly required health checks of these highly vulnerable women did not include specific screening questions for indications of trafficking. Immigration authorities reported the standard enforcement response for women who escape these brothels was deportation, rather than launching an anti-trafficking investigation into the circumstances driving their escape. The government provided a small financial stipend to a local NGO, which had to rely on other funds in 2012 to assist the domestic servitude victim. Although the government reported foreign trafficking victims could be granted temporary residency permits, it did not provide evidence that it issued any such permits during the year. Furthermore, the government did not report that it had a policy to protect identified victims from being punished for crimes committed as a direct result of being trafficked. The lack of standard operating procedures for victim identification for all front-line responders, including immigration officers and health workers, hindered the government's ability to identify additional trafficking victims and likely resulted in victims' inadvertent arrest and deportation.

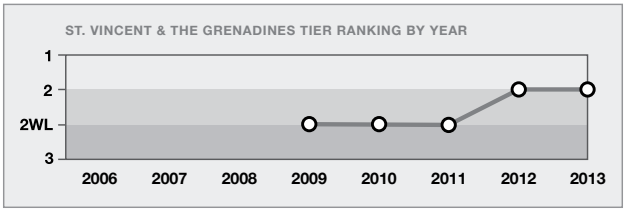
Prevention

The government did not initiate any trafficking awareness campaigns to educate the general public about sex trafficking or forced labor in 2012. However, during the year, the prosecutor's office and the police conducted outreach with an Indian merchant association to educate Indian merchants about the new anti-trafficking law, alert them about the signs and indications of human trafficking, and urge compliance with local labor laws. Some officials were formal members of an NGO network that met throughout the year to discuss anti-trafficking trends. The government did not launch any awareness campaigns specifically targeting the demand for forced labor or potential clients of the sex trade in St. Maarten in an effort to reduce the demand for commercial sex acts. St. Maarten did not have a trafficking rapporteur to monitor and evaluate its anti-trafficking efforts. The government has not identified incidents of foreign child sex tourism in St. Maarten.

ST. VINCENT AND THE GRENADINES (Tier 2)

St. Vincent and the Grenadines is a source, transit, and destination country for some men, women, and children subjected to forced labor and sex trafficking. Officials have expressed concern about the possible existence of adults pressuring children under the age of 18 to provide sex acts to men in exchange for money or gifts, a form of sex trafficking. Officials have also raised concerns regarding foreign women engaged in prostitution in or transiting through the country. Other vulnerable groups include foreign workers and children under the age of 16 working in shops.

The Government of St. Vincent and the Grenadines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government initiated both sex and labor trafficking investigations, raised awareness about human trafficking, developed screening forms to help officials proactively identify trafficking victims among vulnerable groups, and funded the establishment of a crisis center that could assist trafficking victims. The government did not refer any potential victims to the center or launch any prosecutions against trafficking offenders.



Recommendations for St. Vincent and the Grenadines: Refer suspected victims of trafficking to appropriate services; develop a government-wide referral processes for various types of suspected trafficking victims (child, adult, male, female, national, non-national); identify a social worker or NGO who can coordinate assistance, serve as the victim's advocate, and liaise with law enforcement; prosecute human trafficking offenders.

Prosecution

The Government of St. Vincent and the Grenadines demonstrated law enforcement efforts against human trafficking over the last year. The Prevention of Trafficking in Persons Bill of 2011 prohibits forced prostitution and forced labor, including bonded labor, and prescribes punishments of up to 20 years' imprisonment with fines. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. During the reporting period, the government's special police unit focusing on human trafficking, sexual offenses, and domestic violence initiated four human trafficking investigations involving both forced labor and sex trafficking. This compares to an absence of any trafficking investigations conducted during the previous reporting period. Like the previous year, the government did not report any prosecutions or convictions of trafficking offenders during the reporting period. There were no reports of public officials complicit in human trafficking-related offenses during the reporting period. The government provided in-kind assistance to an IOM-led anti-trafficking training for officials from the police force, the Immigration Department, the Social Welfare Department, the Ministry of Foreign Affairs, the Director of Public Prosecution's Office, the Port Authority, the Attorney General's chambers, and local NGOs. The government incorporated trafficking sensitization

into the core syllabus for new recruits at the police training school.

Protection

The government made modest progress in victim protection during the reporting period. The government developed screening forms to guide officials in identifying trafficking victims, and proactively identified five potential victims, a positive step that demonstrated a significant effort towards implementing its new human trafficking law. The government had not yet completed guidelines on the referral of victims to appropriate shelter and services and, as a result, the government did not refer any suspected victims to assistance, an important step in victim protection and building cases against trafficking offenders that is currently lacking. In addition, the government did not fund any trafficking-specific assistance programs, though the government funded the opening of a new short-term domestic violence shelter that could also accommodate adult women, men, and child trafficking victims. There were no reports of trafficking victims assisting law enforcement, though the government, per the provisions of its anti-trafficking law, offered incentives to encourage victims' assistance in the investigation and prosecution of human trafficking offenders. The anti-trafficking law also specifically provides alternatives to the removal of foreign victims to countries where they would face hardship or retribution, though during the reporting period, no foreign victims received such immigration relief. The trafficking law also protects victims from punishment for crimes committed as a direct result of being trafficked and there were no reports that victims were inappropriately punished during the reporting period.

Prevention

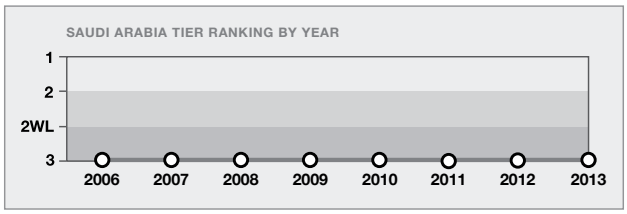
The government made modest progress in preventing human trafficking during the reporting period. The government completed a human trafficking public awareness campaign that included newspaper articles, a radio call-in show, and a performance highlighting human trafficking at the National Drama Club Festival. The police continued to operate a hotline to report human trafficking cases. The police conducted trafficking sensitization training in schools for 4,130 students and 270 teachers. The police also provided trafficking awareness training to health care workers, police youth clubs, the Coast Guard, a senior citizen facility, staff of the Ministry of Health and the Environment, members of the Red Cross, and to church groups on to how to identify and assist victims. The prime minister chaired a ministerial-level national anti-trafficking taskforce, and the government has plans to develop a working level coordination group. The government has not recognized the problem of foreign child sex tourists in St. Vincent and the Grenadines. The government reported no efforts to reduce the demand for commercial sex acts or forced labor.

SAUDI ARABIA (Tier 3)

Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women from Bangladesh, India, Sri Lanka, Nepal, Pakistan, the Philippines, Indonesia, Sudan, Ethiopia, Kenya, Vietnam, Burma, and many other countries voluntarily travel to Saudi Arabia as domestic workers or low-skilled laborers, and many subsequently face conditions indicative of involuntary servitude, including nonpayment of wages, long working hours without rest, deprivation of food, threats, physical and sexual abuse, and restrictions on movement such as the withholding of passports or confinement to the workplace. The ILO estimates that Saudi Arabia is one of the largest employers of domestic workers in the world; the domestic work sector has the highest average working hours in Saudi Arabia. Although many migrant workers sign contracts delineating their rights, some report work conditions that are substantially different from those described in the contract. Other migrant workers never see a contract at all, leaving them especially vulnerable to forced labor, including debt bondage. Due to Saudi Arabia's requirement that foreign workers receive permission from their employer to obtain an exit visa before they are able to leave the country, migrant workers report that they are forced to work for months or years beyond their contract term because their employer will not grant them an exit permit.

Women, primarily from Asia and Africa, are believed to be forced into prostitution in Saudi Arabia. Some female domestic workers are reportedly kidnapped and forced into prostitution after running away from abusive employers. Children from Yemen, Nigeria, Pakistan, Afghanistan, Chad, and Sudan are subjected to forced labor as beggars and street vendors in Saudi Arabia, facilitated by criminal gangs. A Saudi government study conducted in 2011 reported that most beggars in Saudi Arabia are Yemenis between the ages of 16 and 25. Some Saudi nationals travel to destinations including Morocco, Egypt, Yemen, Afghanistan, Pakistan, India, and Bangladesh to solicit prostitution from women and underage girls. Some Saudi men used legally-contracted "temporary marriages" in countries such as Egypt, India, Mauritania, Yemen, and Indonesia as a means by which to sexually exploit young girls and women overseas.

The Government of Saudi Arabia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the government reported that two sex trafficking offenders were convicted during the reporting period and identified some trafficking victims, including a child victim, it identified and referred fewer victims to protection services than in the previous reporting period. The government did not make systematic efforts to proactively identify trafficking victims among runaway domestic workers and children who received assistance in government-run facilities. Some Saudi police and officials continued to arrest, detain, and sometimes charge runaway and illegal migrant workers who may be unidentified trafficking victims, while police referred others to government-run facilities. The sponsorship system, including the exit visa requirement, continued to restrict the freedom of movement of migrant workers and hamper the ability of victims of exploitation and abuse to pursue legal cases against their employers. Domestic workers—a population highly vulnerable to forced labor—remained excluded from general labor law protections, and employers continued to regularly withhold workers' passports without punishment as a means of keeping workers in forced labor, despite this practice being prohibited by law.



Recommendations for Saudi Arabia: Reform the sponsorship system and enforce existing laws to discourage employers from withholding workers' passports and restricting workers' movements, including the arbitrary denial of exit visas, as a means of preventing trafficking abuses; significantly increase efforts to prosecute, punish, and stringently sentence trafficking offenders, including abusive employers and those culpable of sex trafficking, under the 2009 anti-trafficking law; institute a formal victim identification mechanism to identify trafficking victims among the thousands of workers deported each year for immigration violations and other crimes; ensure that victims of trafficking are not punished for acts committed as a direct result of being subjected to human trafficking, such as running away from abusive employers and being engaged in prostitution; ensure trafficking victims are able to pursue criminal cases against their employers in practice; continue to improve victim protection at government-run centers by ensuring autonomy and freedom of movement, providing on-site interpreters, and respecting residents' right to privacy; ensure that all victims of trafficking can seek assistance; enforce labor laws, and expand full labor protections to domestic workers; and continue and expand judicial training and public awareness campaigns on recognizing cases of forced labor and sex trafficking.

Prosecution

The Government of Saudi Arabia made limited law enforcement efforts against human trafficking during the reporting period. The government did not investigate allegations of abusive employers of domestic workers in private homes and complaints of withholding workers' passports; the government relied on foreign workers to make complaints of abuse, though many workers had minimal ability to communicate such complaints to authorities. The 2009 Suppression of the Trafficking in Persons Act, promulgated by Royal Decree number M/40, defines and prohibits all forms of human trafficking, prescribing punishments of up to 15 years' imprisonment and fines of up to the equivalent of approximately $266,700 for violations. Penalties may be increased under certain circumstances, including trafficking committed by an organized criminal group or committed against a woman, child, or person with disabilities, or if trafficking is committed by a law enforcement officer. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Since the law covers offenses that are broader than human trafficking, such as prostitution, the government must disaggregate law enforcement activity under this law to indicate which prosecutions and convictions are for trafficking. Although the 2009 anti-trafficking law does not address the withholding of passports and exit visas as means of obtaining or maintaining a person's forced labor or service, the Council of Ministers' Decision 166 of 2000 prohibits the practice of withholding workers' passports as a separate, lesser offense. The government did not report efforts to enforce the Council of Ministers' decision prohibiting the confiscation of foreign workers' passports, residency permits, and the use of exit permits to control workers' movements; reports indicate that this practice continued to be widespread.

The government reported that it prosecuted, convicted, and sentenced 10 cases of forced labor, one case of forced begging, and two cases of sex trafficking under the anti-trafficking law during the reporting period, though the government did not provide details to demonstrate that these were human trafficking cases as defined by international standards. In these cases, the reported forced labor offenders were sentenced to imprisonment ranging from three months to one year, and the sex trafficking offender received a one-year prison term. The government provided statistics on prosecutions and convictions under the anti-trafficking law, but also reported difficulties in tracking and collecting such law enforcement data in a timely manner due to slow and overly-bureaucratic processes. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. The government's inter-ministerial General Secretariat to Combat Human Trafficking, in collaboration with a university, provided three workshops for government officials on combating trafficking. The Ministry of Foreign Affairs also held anti-trafficking trainings for 21 government officials.

Protection

While Saudi Arabia made some limited progress in protecting victims, its overall efforts remained inadequate during the reporting period. The government did not implement procedures to systematically identify victims of trafficking among vulnerable populations, such as women in prostitution, foreign migrants, and domestic workers. Additionally, officials continued to arrest, detain, and sometimes prosecute victims of trafficking for unlawful acts committed as a result of being trafficked. The Saudi government acknowledged that victims of trafficking may be detained and deported because of their irregular migration status in Saudi Arabia, as some police officers arrested and deported foreign workers for running away from their employers. Some government officials did not view runaway domestic workers as potential victims of trafficking. When domestic workers' employers failed to claim them at the airport, passport officials in Najran province were required to hold them in a detention center with people who were charged with crimes or immigration violations. The Governor of Najran province, however, criticized this system and formally requested that the Ministry of Social Affairs work with local charities to offer these women shelter until their sponsors could be contacted and until the Ministry opened a shelter for domestic workers in Najran; however, there was no timeline for the opening of a shelter at the end of the reporting period. Women arrested for prostitution offenses—some of whom may be unidentified victims of trafficking—faced prosecution and, if convicted, imprisonment or corporal punishment. Moreover, at least 38 Indonesian domestic workers remained in judicial proceedings for crimes allegedly committed against their sponsors or sponsors' family members and could be sentenced to death. According to media reports, some workers who may have been subjected to conditions of forced labor were subsequently sentenced to death for crimes committed against their former Saudi employers. There was no evidence that the Saudi judiciary took into consideration the possible element of forced labor in some of these cases. Source-country embassies reported

difficulty obtaining access to their nationals—some of whom may be trafficking victims—held in detention.

Although the 2009 anti-trafficking law affords victims an explanation of their legal rights in a language they understand, physical and psychological care, shelter, security, and the ability to stay in Saudi Arabia to testify in court proceedings, many victims still sought refuge at their embassies; source country diplomatic missions reported handling thousands of complaints of unpaid wages, physical or sexual abuse, and poor working conditions experienced by their citizens in Saudi Arabia each year. No specialized shelter was available to victims of sex trafficking or male victims of trafficking. The government operated a shelter for female runaway domestic workers in Riyadh. While shelter staff made no systematic efforts to identify trafficking victims among shelter residents, the social workers visited the shelter on a monthly and as-needed basis to identify potential victims of trafficking. The Ministry of Social Affairs Anti-Begging Department also operated shelters for child beggars in various cities in the country. Women in the government's shelter experienced restrictions of their movement outside of the shelter and some restrictions on communication with family or consular contacts; women were not given access to on-site interpreters and were subjected to male staff commonly walking into their living quarters with no acknowledgement that this may be a violation of the womens' privacy. In smaller cities in Saudi Arabia with poor access to such facilities, victims of trafficking were kept in jails until their cases were resolved. The government reported that it identified 51 victims of trafficking. Three of the 51 victims were Saudi nationals, and four were under the age of 18. Of the 51 victims, the government referred two women to the government's shelter and five victims to Saudi charitable organizations; some were provided hotel accommodations.

The Council of Ministers' statement accompanying the 2009 anti-trafficking law stated that victims have the right to remain in Saudi Arabia during the investigation and court proceedings. Nevertheless, victims who overstayed their visas, ran away from their employers, or otherwise violated the legal terms of their visas were sometimes jailed without being identified as victims. Some Saudi employers prevented foreign workers from leaving the country by refusing to permit them to receive exit visas, which resulted in workers working beyond their contract terms and against their will or languishing in detention centers indefinitely. Some police officers assisted victims by referring them to government shelters. Other police officials, however, returned foreign workers who reported abuse to their employers, pressured them to drop cases, or persuaded victims to take monetary compensation in lieu of filing criminal charges against their employers. Some employers filed false counter-claims against foreign workers for theft, witchcraft, and adultery in retaliation for workers' claims of abuse, which may have discouraged others from reporting abuse. Few migrants successfully pursued criminal cases against abusive employers due to lengthy delays in the immigration and justice system.

Prevention

The government made some progress in preventing human trafficking during the reporting period, but systemic problems resulting from regulations of the sponsorship system persisted. The General Secretariat to Combat Human Trafficking was the main body responsible for coordinating the government's anti-trafficking efforts; the government allocated the equivalent of approximately $3 million for the anti-trafficking secretariat in fiscal year 2013. Nonetheless, slow and overly bureaucratic processes hampered coordination and cooperation among government agencies on anti-trafficking efforts. The government implemented regulations mandating the formation of new unified recruitment companies. According to the regulations, the unified recruitment companies will replace the prevalent model of sponsorship by individual people and companies and allow migrant workers to leave employers without losing their legal status in the country, theoretically enabling them to pursue a legal case against their abusers. In this reporting period, at least 13 unified recruitment companies were established in different parts of the kingdom, and the government reportedly began to transfer sponsorship from individuals to recruitment companies. The government reported that it established a wage payment system in the reporting period by which all foreign migrant workers must be paid through bank transfers, thereby allowing independent verification of timely and complete wage payments.

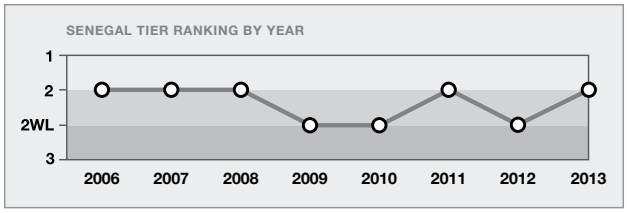
To increase workers' awareness of their rights, the Ministry of Labor continued to produce a guidebook distributed to all migrant workers entering the country in Arabic, English, and some source country languages; these guidebooks also contained a telephone number for workers to report abuse. Additionally, Saudi police maintained a 24-hour emergency anti-trafficking hotline with operators who spoke Arabic and English and several source-country languages, though it is unclear how many victims were identified through this hotline. During the fasting month of Ramadan, the government aired a clip on television and social media emphasizing the Islamic injunction to treat migrant workers decently; however, the broadcast was not trafficking-specific. During the reporting period, the anti-trafficking secretariat gave six interviews with Saudi and other Arab television channels acknowledging trafficking and forced labor in Saudi Arabia. The government took actions to reduce the demand for prostitution, as Sharia law prohibitions against prostitution were strictly enforced in Saudi Arabia. Some Saudi nationals continued to travel to Morocco, Egypt, Yemen, Afghanistan, Pakistan, India, and Bangladesh to solicit commercial sex acts with women and underage girls in prostitution, and they also continued to travel overseas to sexually exploit young girls through entering into legally-contracted "temporary marriages." The government did not report efforts to reduce the demand for child sex tourism by Saudi nationals abroad. Saudi law does not have extraterritorial coverage to prosecute Saudi nationals who commit sex tourism crimes outside of Saudi Arabia.

SENEGAL (Tier 2)

Senegal is a source, transit, and destination country for children and women who are subjected to forced labor, forced begging, and sex trafficking. NGOs estimate that more than 50,000 children, most of whom are *talibes*—students attending *daaras* (Koranic schools) run by teachers known as *marabouts*—are forced to beg; in Dakar alone there are approximately 8,000 *talibes* begging in the streets. Senegalese boys and girls are also subjected to domestic servitude, forced labor in gold mines, and exploitation in the sex trade. Trafficking within the country is more prevalent than transnational trafficking, although boys from The Gambia, Mali, Guinea-Bissau, and Guinea have been identified in forced begging and forced labor in artisanal gold mines and agriculture in Senegal.

Senegalese women and girls are transported to neighboring countries, Europe, and the Middle East for domestic servitude. NGO observers believe most women and girls exploited in prostitution, however, remain in Senegal. Reports indicate that women were increasingly forced into prostitution in the southeast gold-mining region of Kedougou. Women and girls from other West African countries, particularly Liberia, Ghana, Guinea, Guinea-Bissau, Sierra Leone, and Nigeria, may be subjected to domestic servitude and commercial sexual exploitation in Senegal, including for sex tourism. During the reporting period, six Cambodian men were identified by an international organization as trafficking victims aboard a fishing vessel in Senegal's territorial waters.

The Government of Senegal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government demonstrated increased protection efforts by identifying and providing services to a significant number of child victims of trafficking and assisting in the repatriation of victims to Guinea-Bissau. It also provided a modest amount of funding to the anti-trafficking national taskforce, adopted a three-year national action plan, and began a mapping of all *daaras* to address forced begging by *marabouts*. Despite these efforts, the government failed to undertake notable law enforcement efforts, with no prosecutions or convictions during the reporting period and an overall lack of awareness of the anti-trafficking law among law enforcement and judicial personnel. The government also did not identify or provide services to any adult victims.



Recommendations for Senegal: Vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders for subjecting victims to involuntary servitude and sex trafficking; train police and magistrates to recognize indicators of trafficking; begin proactive victim identification programs, including screening vulnerable populations, such as women in prostitution and children begging in the streets, for indicators of trafficking; expand government-funded shelters or partner with international organizations to establish wider sheltering options for trafficking victims; develop appropriate referral pathways for victim care; expand labor investigations in the informal sector of the economy; and increase funding to the National Task Force for the implementation of the National Action Plan to Combat Trafficking.

Prosecution

The Government of Senegal demonstrated negligible anti-trafficking law enforcement efforts during the reporting period. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims prohibits all forms of trafficking and prescribes penalties of five to 10 years' imprisonment for violations, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not maintain or publish statistics relating to human trafficking investigations and did not report any prosecutions or convictions for trafficking during the reporting period. The government prosecuted an unknown number of *marabouts* for severely beating *talibes* who they exploited through forced begging; however, these *marabouts* were only prosecuted for child abuse crimes and were allowed to continue to engage in forced begging. In December 2012, the National Taskforce Against Trafficking Especially of Women and Children (National Taskforce), the government's designated coordinating body for anti-trafficking efforts, co-hosted with UNODC a two-day workshop to familiarize 50 magistrates with the 2005 anti-trafficking law. Many law enforcement and judicial personnel remained unaware of the anti-trafficking law's existence and may have used other statutes to investigate and prosecute trafficking cases; this lack of awareness continued to hinder efforts to collect data on human trafficking law enforcement efforts. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Senegal made increased efforts to identify trafficking victims and provide them with protective services during the year, in contrast to 2011, when it failed to formally identify any victims of trafficking. The government identified and offered services to at least 110 child trafficking victims, including 72 from Senegal, 31 from Guinea Bissau, and seven from The Gambia, the majority of whom were victims of forced begging; of the Bissau-Guinean victims, 17 were returned to their families during the reporting period. The Ginndi Center, the only government-run shelter in Senegal, provided protective services to all 110 victims; the government appropriated the equivalent of approximately $100,000 to the center in 2012 to provide child victims with shelter, food, medical and psychological care, family mediation and reconciliation services, and limited education and vocational training. Despite this funding, the center remained underfunded and lacking the resources to adequately pay its staff or provide any specialized training for the social workers who counsel street children and victims of trafficking. During the year, the Ginndi Center's child protection hotline received 7,200 calls concerning children in distress or requesting information; an unknown but reportedly significant number of these calls concerned cases of human trafficking. The government refers trafficking victims to other NGO-run shelters, but does not have a formal referral mechanism in place to facilitate and standardize the process and does not provide funding or other support to such shelters. The government failed to identify any adult victims of trafficking during the reporting period; it collaborated, however, to ensure the repatriation of six Cambodian trafficking victims who were identified by an international organization after being subjected to forced labor aboard a fishing vessel in Senegal's territorial waters. While the government was able to offer legal alternatives to the removal of foreign victims who may face retribution or hardship upon returning to their home countries, including the option to apply for temporary or permanent residency status, it is unclear whether any victims were given this immigration relief during the reporting period. The government did not encourage victims to participate in the investigation or prosecution of their traffickers.

Prevention

The Government of Senegal demonstrated increased efforts to prevent human trafficking during the reporting period. It allocated the equivalent of approximately $20,000 to the National Taskforce in 2012. Although the taskforce remained significantly underfunded, this funding demonstrated an increase from the previous year, during which the taskforce did not receive any funding and was generally inactive. The National Taskforce, in partnership with UNODC and ILO, held two conferences, one from March, attended by 55 participants, and the other from August, attended by 50 participants; both conferences were attended by members of the taskforce, in addition to representatives from government ministries and various NGOs and civil society groups. During these conferences, the National Taskforce developed and finalized a three-year national action plan. In October 2012, the National Taskforce also conducted a conference to educate 40 members of the private sector on the risks and indicators of child trafficking. However, approximately 70 percent of Senegal's economy operates in the informal sector and it is within these businesses that most forced child labor occurs; the Ministry of Labor does not regulate this sector.

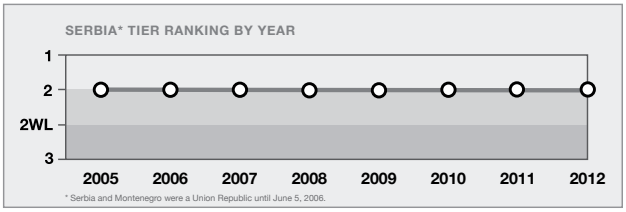
In an effort to address the significant issue of forced begging of *talibes* by abusive *marabouts*, the National Taskforce began a mapping project, jointly funded by the Millennium Challenge Account (MCA) taskforce and a foreign donor, of all *daaras* in October 2012 to develop a better understanding of trafficking within *daaras*, compile a list of best practices for Koranic education in Senegal, and develop intervention strategies to improve these institutions' educational capability. Despite these initial efforts, exploitation and abuse continues. In early March 2013, a fire in one such *daara* resulted in the death of at least seven *talibe*; following this tragedy, the president and prime minister both made public statements condemning the children's deaths and called on the public to inform authorities of *daaras* that practice forced begging or where children live in unsafe conditions.

The government neither funded any anti-trafficking information or education campaigns nor took any steps to reduce the demand for commercial sex acts during the reporting period. It also failed to provide specific anti-trafficking training to Senegalese troops before their deployment abroad on international peacekeeping missions, although troops did receive training in general human rights, gender violence, and international rule of law.

SERBIA (Tier 2)

Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude and forced begging. Serbian women are subjected to sex trafficking by Serbian criminal groups in northern Italy, Germany, Montenegro, Bosnia and Herzegovina, Austria, and Sweden. Serbian nationals are subjected to labor trafficking in European countries, Azerbaijan, the United Arab Emirates, as well as in construction in Russia. Serbian victims are often subjected to trafficking by family members. Foreign victims of trafficking identified in Serbia during the past year originated from neighboring countries including Montenegro, Bosnia and Herzegovina, Bulgaria, Romania, and Moldova. Roma children in Serbia are subjected to forced begging and compelled to commit petty crimes.

The Government of Serbia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated more cases of labor trafficking, increased prosecutions of trafficking crimes, and continued to convict trafficking offenders. It also increased funding for the government center dedicated to formal identification and protection of victims and made a significant effort to improve specialized care for child victims by training foster families in coordination with an NGO. Nevertheless, the government's funding was insufficient to cover victims' rehabilitation; NGOs continued to rely heavily on international donors to provide legal assistance and reintegration services to trafficking victims. While courts made improvements in reducing the length of trials, victims were not afforded sufficient protections in criminal proceedings against repeated victimization and intimidation.



Recommendations for Serbia: Formalize the roles and responsibilities of officials and experienced NGO service providers to improve identification and referral of victims of trafficking to services; ensure that courts implement the full range of protections in order to diminish postponements in hearings, witness intimidation, and secondary victimization; continue to train judges and prosecutors on the impact of trauma on victims; sensitize police and social workers to issues facing Roma children and families to improve identification and protection for trafficking victims; continue to improve efforts to identify child victims of trafficking in street begging; ensure all victims are provided assistance and protection; ensure that victims are not penalized for acts committed as a direct result of their trafficking; provide legal services support to victims of trafficking; and elevate the status of the national anti-trafficking coordinator to a full-time position with independent authority.

Prosecution

The Government of Serbia sustained anti-trafficking law enforcement efforts in 2012. Article 388 of the Serbian criminal code prohibits both sex and labor trafficking, prescribing penalties ranging from three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 390 of the criminal code prohibits "slavery or a relationship similar to slavery," prescribing penalties of one to 10 years' imprisonment. In 2012, the government reported prosecuting 45 criminal cases under Article 388, compared with 36 in 2011. Courts convicted 47 trafficking offenders in 2012 under Article 388, equal to the number convicted in 2011. Resulting sentences ranged from six months' to 10 years' imprisonment; only one sentence was suspended. The Ministry of Interior reported it filed charges against 65 trafficking suspects during the year, including 42 charges for sex trafficking, 13 for forced

begging, eight for forced labor, and three for forced criminal activity. In February 2013, a court sentenced four trafficking offenders in an organized criminal group under Article 388 to terms of incarceration from 10 to 15 years and a fine of the equivalent of approximately $73,400, some of the most serious penalties imposed on trafficking offenders in Serbia to date. All but one of the 47 trafficking offenders convicted in 2012 were Serbian nationals.

Both the organized crime police and border police forces had specialist anti-trafficking units. Each police directorate in Serbia had an anti-trafficking unit; some also have multidisciplinary teams that included prosecutors, social workers, and health officials. The Government of Serbia did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. During the reporting period, the government accredited a training program for officials responsible for assisting trafficking victims. Judges, prosecutors, and other government officials participated in a multidisciplinary training with NGOs and international experts on investigating human trafficking cases and circumventing secondary victimization in the criminal process. In coordination with international donors, the government funded a three-week immersion training on human trafficking in the Western Balkans for cadets in Serbia's police academy.

Protection

The Government of Serbia provided protection and assistance to trafficking victims during the reporting period; however, the government did not formalize coordination of stakeholders in serving victims, thus some victims continued to be punished for acts committed as a direct result of being trafficked. The Government of Serbia identified 79 trafficking victims in 2012; a modest decrease from the 88 identified in 2011. Of the 79 victims, 39 were referred to NGO service providers. Eighteen victims were male, 33 victims were children, and 72 of the victims were Serbian citizens; 30 victims were subjected to forced labor, begging, or petty crime and the remainder were subjected to sex trafficking. The government increased anti-trafficking funding to the equivalent of approximately $81,400 in 2012 from the equivalent of approximately $54,700 in 2011. The government center for trafficking victims was fully functioning; the center's mandate is to identify victims of trafficking, conduct needs and risk assessments, and refer victims to assistance and services. The government gave limited funding to NGOs that provided shelter, legal assistance, psychological care, and reintegration services. Victims of trafficking were entitled to free medical assistance in public clinics but it was unclear whether any obtained such services. Child victims of trafficking were served in two centers for children without parental care or in an NGO-run shelter. The Serbian government did not operate a specialized shelter for men, but offered men the same social services as other victims. Victim referral roles and responsibilities of service providers and officials continued to be *ad hoc*. Victims of trafficking were eligible for temporary residence permits for an initial period of three to six months, renewable up to one year, which were not contingent on cooperation with law enforcement. In 2012, one victim of trafficking was granted temporary residency in Serbia. NGOs noted the length of trials declined, but courts failed to implement many tools to reduce secondary victimization, including video testimony or prepared statements. The government collaborated with NGOs to train over 50 foster families on the special needs of trafficked children and to understand the impact of trauma on child development. The state prosecutor signed an Memorandum of Understanding with an anti-trafficking NGO on increasing the quality of services for trafficking victims and improving operational procedures to combat human trafficking. The government designated a prosecutor in each office to act as a point of contact for all trafficking cases and to collaborate with victim assistance providers in an effort to promote improved protection for victims' rights. Some victims were punished for acts committed as a direct result of their trafficking. In one case, a court in Belgrade recognized a victim of labor trafficking who was coerced to commit a petty crime, but a court in Novi Sad simultaneously convicted the victim of robbery and sentenced him to one year's imprisonment. An NGO noted that analysis of court documents showed that several convictions for prostitution cited use of force; however, these cases were not recorded as trafficking offenses. Children in forced begging were often charged with a petty offense rather than provided care as victims of trafficking.

Prevention

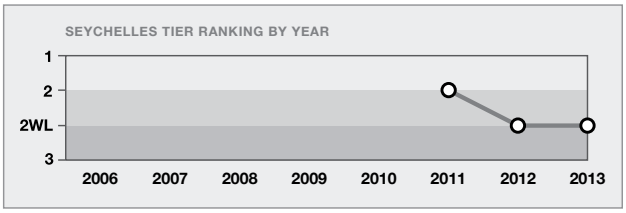
The government continued trafficking prevention efforts through public service campaigns, using billboards on public transportation to educate youth on the risks of human trafficking, and sponsoring a poster contest, with international support, to raise awareness about human trafficking. The government continued to operate a hotline to collect trafficking tips for law enforcement. While the head of the border police functioned as the national anti-trafficking coordinator, this role did not entail authority to direct other ministries. The new national anti-trafficking strategy for 2013 to 2018 was developed in coordination with NGOs and relevant stakeholders; the plan was pending adoption at the end of the reporting period. The government did not demonstrate efforts to reduce demand for commercial sex acts or forced labor during the year. Serbian nationals participated in required anti-trafficking training prior to their deployment on international peacekeeping missions.

SEYCHELLES (Tier 2 Watch List)

Seychelles is a source country for Seychellois children subjected to sex trafficking and a destination country for foreign women subjected to sex trafficking. Seychellois girls and, according to some sources, boys are induced into prostitution—particularly on the main island of Mahe—by peers, family members, and pimps for exploitation in nightclubs, bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are also vulnerable to being forced into prostitution. Foreign tourists, sailors, and migrant workers contribute to the demand for commercial sex in Seychelles. During the reporting period, five Ukrainian women were recruited to Seychelles with promises of modeling jobs and subsequently subjected to forced prostitution in a private home; these women were later sent back to Ukraine by their traffickers, and allegedly replaced with other women. Some Indian, Bangladeshi, and Chinese migrant workers reportedly have experienced poor working conditions, including underpayment and late payment of wages and substandard housing – possible indicators of forced labor. In February 2013, as a result of increased complaints from Malagasy domestic workers regarding their treatment in the Seychelles, the *de facto* Government of Madagascar

instituted a ban on sending additional Malagasy citizens to the Seychelles for such work.

The Government of Seychelles does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of increasing efforts to address human trafficking over the previous reporting period; therefore, Seychelles is placed on Tier 2 Watch List for a second consecutive year. During the reporting period, the government failed to report any investigations, prosecutions, or convictions of trafficking offenses. It also failed to identify any victims of trafficking, and sentenced two child sex trafficking victims to time in prison. Although the national anti-trafficking committee developed a proposal for training and capacity building, no discernible steps were taken towards its implementation. The government also failed to address the issue of forced labor among migrant workers, despite increasing reports of abuse.



Recommendations for Seychelles: Educate government officials and the general public about the nature of human trafficking; use existing legislation to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; draft comprehensive anti-trafficking legislation that clearly defines trafficking offenses and prescribes sufficiently stringent punishments; increase prescribed penalties for forced labor offenses in Section 251 of the Penal Code Act; amend the Penal Code to harmonize the duplicative and contradictory sections addressing sexual offenses crimes– particularly those related to the exploitation of children in prostitution – to ensure the prohibition of and sufficiently stringent punishment for the prostitution of all persons under 18 years of age and the forced prostitution of adults; empower the inter-ministerial anti-trafficking committee to facilitate communication and coordination among the relevant ministries, law enforcement entities, working groups, and NGOs by committing funds to the implementation of the committee's anti-trafficking project proposal; institute a standardized contract governing the employment of domestic workers within private homes; and launch a campaign to educate foreign tourists and migrants entering the country about the illegality of purchasing sexual services in Seychelles and the penalties prescribed by local laws.

Prosecution

The government demonstrated limited law enforcement efforts during the reporting period. Seychelles law does not specifically prohibit human trafficking, though penal and labor code statutes prohibit slavery, forced labor, pimping, and brothel keeping, under which trafficking offenders could be prosecuted. Section 251 of the Penal Code Act prohibits and prescribes a punishment of three years' imprisonment for forced labor, a penalty which is not sufficiently stringent. Section 249 of the penal code outlaws slavery and prescribes sufficiently stringent penalties of 10 years' imprisonment. Sections 155, 156, and 138 of the penal code outlaw brothel-keeping, pimping, and procuring women or girls to engage in prostitution within Seychelles or abroad, prescribing punishments of three years', five years', and two years' imprisonment, respectively. None of these penalties are commensurate with those prescribed for other serious crimes, such as rape, for which the prescribed penalty under law is a maximum of 20 years' imprisonment. Amendments to the Penal Code, enacted in October 2012, increased the mandatory sentence to 14 years' imprisonment for sexual assault, acts of indecency, or sexual interference with children under the age of 15; this penalty is sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Enforcement of laws relating to the prostitution of children continued to be hampered by unclear and conflicting statutes that fail to clearly define the ages of consent and legal majority, creating confusion between the traditionally understood age of consent of age 15 and the legal age of majority of age 18.

The government did not report investigating or prosecuting any trafficking in persons cases during the year, although the police did receive complaints relating to prostitution; it is unclear whether such complaints involved the alleged prostitution of children or whether the police pursued any related investigations. In the prior reporting period, a case was prosecuted that did not differentiate between the three traffickers who operated a brothel and two children in the brothel—all five individuals were convicted of prostitution-related offenses in March 2012 and were sentenced to and served six months' imprisonment during the reporting period. The government has never used provisions contained in the penal code or the Employment Act of 1990 to criminally punish violations of workers' rights, but instead reportedly settles disputes arising from allegations of such violations through mediation at the Employment Tribunal, thereby avoiding prosecution; information regarding cases handled by this tribunal was not available. Although the government acknowledged the need for specialized training of government officials in recognizing, investigating, and prosecuting trafficking offenses during the reporting period, it did not provide any such training. It did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the year.

Protection

The government did not demonstrate adequate protection efforts during the reporting period and it punished victims for crimes they committed as a result of being trafficked. It did not identify or provide protective services to any trafficking victims; however, the Department of Social Affairs provided counseling to women in prostitution, some of whom may have been victims of forced prostitution. The government provided an unknown amount of funding to NGOs that care for victims of labor exploitation and prostitution; it is unclear how many victims, if any, were provided such services. Seychelles lacks a formal referral process to transfer trafficking victims systematically to service providers for care. The government did not provide any assistance to Ukrainian victims of forced prostitution and, despite media reports concerning similar cases, the government continued to deny that such exploitation occurs in Seychelles. Reports indicate that police arrested and detained females in prostitution, some of whom may have been children, without providing social or medical services; these women and children were typically released the following day without charge. No social services

were provided to the two girls who were prosecuted with their traffickers last year. Rather, the government sentenced them to six months' imprisonment in 2012.

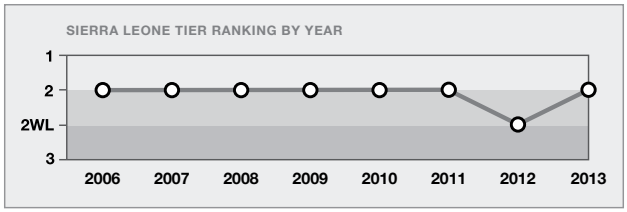
Prevention

The government decreased its prevention efforts during the reporting period. Its National Anti-trafficking Committee, which is officially comprised of representatives from the police, Ministry of Social Affairs, the Attorney General Office, Ministry of Foreign Affairs, and the Ministry for Home Affairs' Immigration Division, served as a coordinating body for collaboration and communication on trafficking matters; the committee met during the reporting period and developed a training and capacity building project proposal that outlines the government's anti-trafficking goals and identifies resources needed to implement these goals. Although the development of this document is a demonstration of increased coordination, the government committed no resources to its implementation. The government did not report conducting any national awareness campaigns during the year, but did conduct limited awareness raising activities targeting youth and highlighting the dangers of commercial sexual exploitation. The Employment Department of the Ministry of Employment and Human Resource Development attested to the contracts of foreign workers migrating to Seychelles and the Immigration Division approved applications for work permits. These entities jointly maintained an automated system to monitor the immigration and employment status of migrants working within the country. The Ministry of Employment's Expatriate Employment Section maintained data on migrant workers and visited workplaces together with the Labour Monitoring and Compliance Section; these entities have never identified a case of forced labor, although cases of exploitation of Malagasy domestic workers were alleged during the year. The government made no discernible efforts to decrease the demand for commercial sex during the reporting period.

SIERRA LEONE (Tier 2)

Sierra Leone is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims originate largely from rural provinces and are recruited to urban and mining centers for the purposes of exploitation in prostitution, domestic servitude, and forced labor in artisanal diamond and granite mining, petty trading, portering, rock-breaking, street crime, and begging. Trafficking victims may also be found in the fishing and agriculture sectors or subjected to sex trafficking or forced labor through customary practices such as forced or arranged marriages. Some Sierra Leoneans voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where they are subsequently subjected to forced labor and forced prostitution. Sierra Leone may also be a destination country for children trafficked from neighboring West African countries for forced begging, forced labor, and exploitation in prostitution. During the reporting period, seven Indian nationals were subjected to forced labor within Sierra Leone.

The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, it demonstrated increased anti-trafficking law enforcement efforts by enacting legislation that increased the penalties for child sex trafficking offenses, initiating prosecutions of seven suspected trafficking offenders, opening an investigation into alleged trafficking complicity by a government official, and removing one of its ambassadors from his post abroad based on allegations that he had engaged in domestic servitude. It also commenced a national awareness campaign and increased the number of child trafficking victims identified. However, the government did not allocate adequate financial or human resources to victims services and continued to rely heavily on NGOs and international organizations to assist trafficking victims, without providing such organizations with financial or in-kind support.



Recommendations for Sierra Leone: Increase prescribed penalties for adult sex trafficking offenses; increase efforts to prosecute trafficking offenses and convict and punish trafficking offenders using the 2005 Anti-Trafficking in Persons Act; in collaboration with civil society organizations, train police and prosecutors to identify, investigate, and prosecute trafficking cases; include funding for anti-trafficking activities in the national budget and begin allocating funds accordingly through the appropriate government structures, such as the national anti-trafficking in persons taskforce; train law enforcement officers and social workers to identify trafficking victims proactively among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants, and provide victims with protective services; increase partnership with NGOs that provide assistance to trafficking victims and support their efforts either financially or through in-kind donations; improve efforts to collect data on anti-trafficking law enforcement efforts and victim assistance; in collaboration with civil society organizations, increase efforts to raise public awareness about the dangers of trafficking; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Sierra Leone demonstrated an increase in anti-trafficking law enforcement efforts during the reporting period. The Anti-Trafficking in Persons Act of 2005 prohibits all forms of human trafficking and prescribes a maximum penalty of 10 years' imprisonment or a fine of the equivalent of approximately $4,650 for both sex and labor trafficking offenses. These penalties are not sufficiently stringent and are not commensurate with penalties for other serious crimes, such as rape. The newly enacted Sexual Offenses Act increased the penalties for child sex trafficking offenses to a maximum of 15 years' imprisonment without the option of a fine and requires the police to assist victims after receipt of a trafficking complaint and to protect vulnerable witnesses. During the reporting period, the government initiated trafficking prosecutions against seven defendants, an increase over four prosecutions commenced in the previous reporting period. All seven prosecutions remained pending at the close of the

reporting period, with the seven defendants being held in pre-trial detention. The government did not convict any trafficking offenders during the reporting period, and there was no updated information on the status of prosecutions initiated during the prior reporting period. Data collection remained weak, particularly within the judiciary. The Sierra Leone police, with the assistance of a foreign donor, are developing officer training modules addressing the new Sexual Offenses Act, though it has yet to finalize and deploy these modules. The government opened an investigation into alleged complicity in child trafficking by a social worker employed by the Ministry of Social Welfare, Gender, and Children's Affairs. A Sierra Leonean ambassador posted abroad was removed from his post based on allegations that he subjected a domestic worker to forced labor during the previous reporting period.

Protection

During the year, the Sierra Leonean government demonstrated modest efforts to protect trafficking victims. It reported its identification of at least 14 trafficking victims, an increase over four victims identified in 2011. NGOs identified an additional 25 victims. Despite concern over the number of street children who remain vulnerable to trafficking, the government did not undertake proactive measures to identify victims among this or other vulnerable populations. The government did not establish formal referral mechanisms with NGOs and international organizations, although it relied heavily on such organizations to provide services for trafficking victims. During the reporting period, the government referred seven child victims of trafficking to an NGO-run shelter, but did not provide any support to the NGO. The Sexual Offenses Act of 2012 established a number of compensatory protective measures for vulnerable witnesses in proceedings relating to a sexual offenses, including the use of protective screens, *in-camera* testimony, and the admission of video testimony; however, it is unclear if these measures were utilized during the reporting period or whether victims were encouraged to participate in the investigation of cases. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked. During the reporting period, the government offered temporary residency to seven Indian nationals who were victims of forced labor; these victims were housed at a police facility and eventually repatriated upon their request.

Prevention

The government displayed modest progress in preventing trafficking crimes in 2012. Its inter-ministerial national anti-trafficking in persons taskforce, comprised of representatives from government ministries, NGOs, international organizations, and diplomatic missions, met monthly during the year and created a sub-committee to propose concrete actions to address deficiencies in the government's anti-trafficking efforts. Although the national committee launched a national awareness campaign as part of this program, the majority of the campaign was still in a planning stage at the close of the reporting period. The Ministry of Information and the National Telecommunications Commission, however, utilized government partnerships with mobile phone companies in the private sector to send out public service text messages warning about the dangers of human trafficking; over one million individuals received these messages nationwide. In October 2012, the Western Area Child Protection Committee developed a plan to address the growing issue of street children, a population that is particularly vulnerable to being exploited by traffickers. The government took no discernible efforts to reduce the demand for commercial sex or forced labor. The government did not provide Sierra Leonean troops anti-trafficking training prior to their deployment abroad on international peacekeeping missions; however, these troops received training from a foreign donor. Sierra Leone is not a party to the 2000 UN TIP Protocol.

SINGAPORE (Tier 2)

Singapore is a destination country for men, women, and girls from China, India, the Philippines, Indonesia, Sri Lanka, Bangladesh, Thailand, Vietnam, and elsewhere in Southeast Asia subjected to sex trafficking and forced labor. Some foreign women are recruited through offers of legitimate employment and deceived about the nature or conditions of the prospective work in Singapore. Others enter Singapore with the intention of engaging in prostitution but upon arrival are subjected to forced prostitution under the threat of serious harm, including financial harm. Child sex trafficking occurs in Singapore.

There are over 1.1 million foreign workers in Singapore, comprising more than one-third of Singapore's total labor force. The majority are unskilled and low-skilled workers employed in construction, domestic service, and the hospitality and service industries. Many foreign workers in Singapore have assumed debts associated with their employment to recruitment agencies in both Singapore and their home countries, making the workers vulnerable to forced labor, including debt bondage. Foreign workers also reported confiscation of their passports, restrictions on their movement, illegal withholding of their pay, threats of forced repatriation without pay, and physical and sexual abuse—all indicators of potential trafficking. There were reports of men subjected to forced labor on long-haul fishing boats that dock in Southeast Asian ports, including Singapore, with foreign seamen reporting severe abuse by fishing boat captains, the inability to disembark from their vessels, the inability to terminate their contracts, and the nonpayment of wages.

Some employers in Singapore have relied on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities. A 2010 NGO study reported that Indian, Bangladeshi, and Chinese migrant workers in Singapore paid fees to employment agencies that constitute on average at least 10 months of their potential earnings; such debt makes migrants very vulnerable to forced labor, including debt bondage. Exorbitant fees are sometimes the result of multiple layers of sub-contracting to smaller agencies and individual recruiters in source countries, commissions paid to Singaporean agencies, and, sometimes, kickbacks to Singaporean employers. To hide illegal fees, some agencies and employers reportedly mask them as payments from the worker for personal loans or as other payments, making it difficult for workers to understand how their wages were calculated and leaving them vulnerable to debt bondage. Foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers at any time during their contracts with minimal notice. Additionally, low-skilled workers are prohibited or severely restricted from seeking alternative employment or changing employers, and

unscrupulous Singaporean employers could submit unfounded complaints about workers to encourage the government to place employment bans on them.

The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In November 2012, following consultations with NGOs involved in anti-trafficking activities, the government enacted amendments to its Employment of Foreign Manpower Act (EFMA); these amendments strengthened protections for foreign workers by increasing penalties prescribed for employers who unlawfully pass on employment costs to their workers, making them vulnerable to debt bondage. During the year, the interagency taskforce improved its overall coordination and referral mechanisms and continued to examine referrals of suspected sex and labor trafficking cases, but the lack of a legal definition of trafficking undermined the government's ability to positively identify and prosecute cases, particularly in cases where victims willingly migrated to Singapore.

The government investigated more than 400 leads, yet it substantiated only 21 trafficking cases during the year; the lack of a law defining trafficking in accordance with international standards and inadequate capacity in interviewing victims thwarted law enforcement successes and left many victims without access to full government protections, including work permits or change of employer. The government identified 15 employment agencies engaged in the confiscation of workers' travel documents, considered by the UN to be a key indicator of human trafficking, but only issued advisories to the agencies, instead of applying stringent penalties that would serve as an adequate deterrent. By allowing labor trafficking victims to work in Singapore while participating in prosecutions, the government increased the number of victims receiving benefits; however, it failed to address systematic barriers that left victims unwilling to participate, such as lengthy trials and fears of deportation. For the first time, the government allocated a budget specifically for anti-trafficking activities in the equivalent of approximately $4.4 million for the period 2012-2015.



Recommendations for Singapore: Strengthen investigations, prosecutions, convictions, and punishments of both sex and labor trafficking offenders; draft and enact legislation to prohibit all forms of trafficking, apply stringent penalties to all convicted offenders, ensure consistency in interpretation and application across government agencies, and legally mandate a victim-centered approach; use existing laws to prosecute employers and employment agencies who unlawfully confiscate workers' passports as a means of holding them in a state of involuntary servitude or who use other means to extract forced labor; consider ways to expedite trafficking prosecutions; use multi-disciplinary groups, including victim service organizations or social workers during victim-screening interviews; continue to increase training for front-line officers in the identification of sex and labor trafficking and for investigators in building cases, with a focus on identifying non-physical forms of coercion; provide funding to all non-governmental shelters providing protections to trafficking victims; ensure all victims receive adequate protections regardless of whether their cases lead to prosecution; ensure anti-trafficking efforts consistently employ a victim-centered approach, particularly with regard to child sex trafficking; continue and expand support to victims assisting in investigation in obtaining employment; extend the government's legal aid scheme to cover foreign trafficking victims to ensure all employees have equal access to judicial redress; continue and expand meaningful cooperation with civil society organizations, particularly in victim protection and support; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Singapore demonstrated limited efforts to prosecute trafficking in persons-related cases during the year but increased efforts to apply stringent penalties to convicted sex trafficking offenders. Singaporean law prohibits some forms of trafficking through its penal code and Women's Charter. Singaporean law does not prohibit the forced prostitution of men, though there is no evidence of this occurring in Singapore. Article 140 of the Women's Charter prohibits forced prostitution involving detention or physical force, though it does not include non-physical forms of coercion, such as debt bondage or threat of abuse of the legal process. Article 141 only prohibits the movement of women and girls for "trafficking" but does not define the term "trafficking." Penalties prescribed for sex trafficking offenses in the Women's Charter include a maximum of five years' imprisonment, which is sufficiently stringent, but not commensurate with other serious crimes, such as rape. The fact that the criminal code does not define trafficking in a manner that conforms to the 2000 UN TIP Protocol continued to limit the government's ability to prosecute trafficking cases, particularly in those where the victim initially consented to migrate to Singapore for work in a specific sector. During the year, the government obtained one conviction for child sex trafficking, compared with four convictions during the previous year. Child sex trafficking is not defined in Singaporean law, with the result that authorities classify all prosecutions related to commercial sex with children as trafficking cases in official statistics. The government demonstrated increased efforts to apply stringent penalties to convicted sex trafficking offenders; the offender convicted during the year was sentenced to 12 months' imprisonment. An offender convicted in a high-profile case during the previous reporting year was sentenced to 58 months' imprisonment and a fine. An additional 16 cases confirmed to constitute sex trafficking were identified, and the prosecutions were ongoing at the close of the year. The government failed, however, to hold labor traffickers criminally accountable; one confirmed labor trafficking case was not prosecuted but instead closed with a stern warning and another remained under investigation at the close of the reporting period. The government has never prosecuted or convicted a labor trafficking offender.

While the Ministry of Manpower (MOM) maintained responsibility for investigating all labor abuses, the police were responsible for investigating any criminal offenses under the penal code's forced labor statute. During the year, the taskforce assumed a coordinating role for suspected labor trafficking cases. Authorities identified the majority of sex trafficking cases during anti-prostitution operations. Officials

continued to face challenges in identifying and building evidence in labor trafficking cases; authorities were not well trained to identify non-physical forms of coercion, which are not defined in Singaporean law, and authorities may have failed to recognize the elements of labor trafficking among workers who reportedly migrated to Singapore willingly. The Government of Singapore maintains that it does not have jurisdiction over foreign fishermen working in offshore waters on vessels that are not Singapore-flagged, even if these vessels dock in Singapore; it did not report any prosecutions or convictions of suspected human trafficking on fishing vessels or efforts to assist victims of this form of exploitation during the year. The Government of Singapore investigated allegations of Singapore-based employment agencies recruiting and housing fishermen who later reported labor exploitation but reported it did not uncover a criminal act that could be prosecuted in Singapore. A former police superintendent and a military officer were convicted for the commercial sexual exploitation of a child and received sentences between nine and 12 weeks' imprisonment.

Protection

The government made moderate progress in identifying and protecting trafficking victims during the year, but it provided services to fewer victims than in the previous year. The government reported that it provided funding to 22 shelters serving vulnerable children and four shelters serving adults; however, it did not operate any trafficking-specific shelters. Trafficking victims in government-supported shelters received medical, psychological, and translation services. As in previous years, most victims were housed in NGO facilities or shelters maintained by foreign embassies. In a positive step, the government allocated the equivalent of approximately $4.4 million to anti-trafficking activities for the period of 2012-2015; it is unknown what portion of this funding will be used to augment existing social services with specific protections for trafficking victims. Government funding for shelter and social services for crime victims increased from the equivalent of approximately $1.6 million in 2011 to the equivalent of approximately $2.6 million in 2012; however, the government did not dedicate exclusive resources to protecting trafficking victims. The government developed a series of standard operating procedures to guide police and labor officials in identifying labor and sex trafficking victims and referring them to service providers, though it did not report the extent to which it trained relevant officials on these new procedures during the year. The interagency taskforce served as a point of contact for referrals from NGOs, law enforcement officers, and the embassies of victims' home countries. NGOs and foreign embassies reported that after referring a case to the taskforce, they were not given updates on the status of cases; this lack of transparency regarding ongoing cases interfered with service providers' ability to assist victims. The government did not report the total number of suspected or confirmed victims identified during the year, but it investigated 350 cases of suspected labor trafficking and 52 cases of suspected sex trafficking; approximately 29 sex trafficking victims were referred by foreign embassies, including eight Singaporeans. The government reported 19 sex trafficking victims and nine labor trafficking victims received accommodation from government-supported facilities; victims whose cases did not result in prosecution were repatriated within two to four weeks. Authorities continued to utilize sex trafficking indicator cards to identify victims during operations; however, victims' fears of detention or deportation may have made them reluctant to communicate with law enforcement officers. The government did not ensure that social service professionals were present during screening interviews, which may have hampered the success of victim identification efforts and caused further trauma to victims. An increased number of child sex trafficking referrals from police during the year may be evidence of an improved awareness among police officers of this form of trafficking. The government did not ensure, however, that child victims' rights were protected; during the year, media outlets at times published the names and photos of these victims. Some MOM officers, police officers, and immigration officials utilized the labor trafficking indicator card developed in the previous reporting period, though it has not yet been deployed to all front-line officials. According to NGOs and foreign embassies, inadequate victim identification resulted in the possibility that trafficking victims were among the approximately 5,300 individuals arrested for prostitution violations during the year; such individuals may have been subjected to penalties.

The government did not provide incentives such as legal aid for the pursuit of civil suits or specialized protection services to foreign victims to participate voluntarily in investigations and prosecutions of trafficking offenses. Victims considered key witnesses were requested by the government to remain in Singapore and participate in court proceedings. Lengthy investigations and prosecutions—often six to 12 months—posed a disincentive for victims to participate. An unknown number of victims received special passes that allowed them to stay legally in Singapore for a temporary period. The requirement to be a prosecution witness placed an undue burden on victims, particularly when the victim was not granted permits to work. The MOM reported that 28 suspected labor trafficking victims who assisted the government as prosecution witnesses received authorization to work temporarily in Singapore and 33 were granted the ability to change employers, which is typically not permitted without an employer's consent. Victims with work permits could choose to reside outside shelters during court proceedings. There were reports that victims of trafficking often did not wish to file official complaints with Singaporean authorities. In addition, NGOs reported that some victims were confined to shelters and unable to leave without government permission and that some victims were required to remain in the country to participate in court proceedings. NGOs and foreign embassies reported difficulty obtaining information about victims in the government's custody. Domestic workers in Singapore, the vast majority of whom are foreigners, remained excluded from the employment act, which includes a number of basic worker protections. Fishermen faced significant difficulties when attempting to seek redress for their problems; they were not eligible under Singaporean law to file for compensation or nonpayment of salary disputes in Singapore. The government contributed funding to an NGO to establish a drop-in center for distressed fishermen but did not offer further assistance to these workers; rather, the purpose of the center is to provide an avenue for workers to contact their embassies or NGOs for assistance.

Prevention

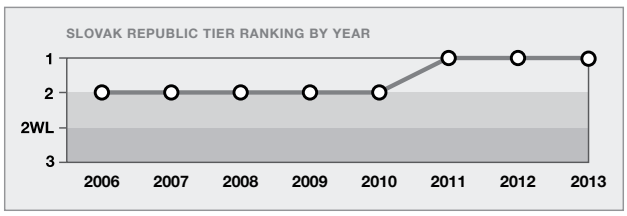
The government increased efforts to educate foreign workers on their employment rights in Singapore and engaged NGOs and universities to raise awareness of trafficking among the general public. However, the government's campaigns against illegal immigration may have led to the conflation of trafficking and

smuggling. Awareness of anti-trafficking policies remained low among the public and government officials. The government's interagency taskforce continued implementation of Singapore's national action plan for combating trafficking. Although it held a meeting with civil society stakeholders in January 2013 and accepted case referrals from NGOs throughout the year, it did not typically consult with NGOs for their expertise or share information on an ongoing basis. In January 2013, the government announced a grant of the equivalent of approximately $64,000 for matching funds to individuals or organizations to raise awareness of human trafficking, and it allocated the equivalent of approximately $160,000 for three research projects on the scope of trafficking in Singapore, the experiences of sex trafficking victims, and international best practices for combating trafficking. During the year, the MOM responded to 35 complaints from foreign workers who allegedly had their passports confiscated by employers or labor brokers; 15 employment agencies confirmed to be withholding passports were issued warnings and received demerit points, but the agencies or their representatives were not prosecuted for acts of trafficking. Two convictions of employers, resulting in fines, for nonpayment of salary were highly publicized. During the year, the government enacted amendments to the EFMA which included penalties for employers who pass employment costs on to workers in excess of the legal limit. Twenty-nine employers were convicted of failing to pay wages of foreign workers and received sentences ranging from fines to 20 weeks' imprisonment, and an employment agent was sentenced to seven years' imprisonment under the EFMA for charges related to fraudulent recruitment. The government maintained a dedicated help line for foreign domestic workers in distress, but the government did not report whether this line received any trafficking-related calls during the year. The government published advertisements in Bangladeshi and Filipino publications providing contact information for reporting nonpayment of wages or forced repatriation to labor authorities. The government distributed a pamphlet and published messages in an industry bulletin explaining to employers the requirement—effective January 2013—to grant domestic workers one rest day per week. Police and MOM inspectors reported receiving 350 cases of potential labor trafficking; however, the government could only substantiate two trafficking cases in 2012. Immigration officials referred 17 cases of involuntary repatriation to MOM; none of these cases were subsequently determined to constitute trafficking. Authorities continued compulsory courses on employment rights and responsibilities for all incoming foreign domestic workers and their employers, and during the year the government conducted pre-departure briefings for 2,500 workers in three labor-source countries; however, these briefings did not explicitly include information about the dangers of trafficking. The government reported investigating 70 trafficking-related labor cases and 29 prostitution cases, classified as "substantiated cases with some trafficking in persons elements," but the majority of the labor cases were dismissed with no penalties or further action. One individual was convicted of trafficking-related labor violations and sentenced to six weeks' imprisonment and a fine; in addition, two prosecutions are ongoing, two convictions are pending sentencing, and 12 cases remain under investigation. Twenty-one individuals received sentences ranging from nine weeks to four months' imprisonment for the commercial sexual exploitation of children in Singapore. The government made limited efforts to reduce the demand for forced labor or for commercial sex. Although Singaporean law provides for extraterritorial jurisdiction over Singaporean citizens and permanent residents who sexually exploit children in other countries, the government has never investigated, prosecuted, or convicted a Singaporean national or permanent resident for child sex tourism. There were no reports of Singaporeans engaging in child sex tourism abroad during 2012. Singapore is not a party to the 2000 UN TIP Protocol.

SLOVAK REPUBLIC (Tier 1)

The Slovak Republic (or Slovakia) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Slovak men and women are subjected to forced labor in agriculture and construction in Western Europe, primarily in the United Kingdom. Slovak children are subjected to forced criminal behavior in the United Kingdom. Slovak women are subjected to sex trafficking in the Netherlands, Slovenia, Denmark, Germany, and other European countries. In 2012, two Slovak women were identified in forced labor in the United States. Ukrainian, Moldovan, Bulgarian, Romanian, and potentially Vietnamese men and women are forced to work in the Slovak Republic. A sharp increase of foreign citizens, mainly from Romania, begging in Slovakia may indicate potential trafficking. Victims are reportedly transported to and through the Slovak Republic from countries in the former Soviet Union and forced into prostitution within the country and throughout Europe. In 2012, a Bulgarian victim was identified in Slovakia, *en route* to Germany, and a Cameroonian victim was identified in the country after being subjected to sex trafficking in Ukraine. Slovak children, women, and men of Roma ethnicity are subjected to forced begging in Switzerland and other countries in Western Europe. Roma from socially segregated rural settlements were disproportionately vulnerable to human trafficking, as they were underemployed, and undereducated, due to lack of access to quality education in segregated schools. Traffickers, particularly prominent individuals in Roma communities, found victims through family and village networks, preying on individuals with disabilities or large debts. NGOs report that children who leave institutional care facilities lack sufficient support and sometimes fall victim to human trafficking.

The Government of the Slovak Republic fully complies with the minimum standards for the elimination of trafficking. The government continued to collaborate closely with NGOs to offer comprehensive care to trafficking victims, continued to raise awareness about human trafficking, and launched a pilot database to improve sharing of anti-trafficking information. Improvements, however, are needed. The government's efforts to proactively identify trafficking victims among vulnerable populations were inadequate. Low sentences for convicted trafficking offenders continued to be a weakness.



Recommendations for the Slovak Republic: Greatly increase efforts to proactively identify trafficking victims; increase efforts to identify trafficking victims in Roma communities and among beggars, including by law enforcement outreach; consider children under age 18 in prostitution as trafficking victims; continue joint inspections and improve victim identification efforts at agriculture and construction sites; consider inviting civil society groups to participate in these joint inspections; adopt systematic procedures for all relevant government ministries to refer trafficking victims—particularly children—to care facilities; establish long-term protection services for trafficking victims; continue training and capacity building for investigators, prosecutors, and judges, to ensure that trafficking crimes are vigorously prosecuted and offenders are convicted and punished with sufficient sentences; train all government officials that may come into contact with victims about human trafficking indicators; establish an independent national anti-trafficking rapporteur to produce critical assessments on the government's anti-trafficking efforts; ensure that all judicial trainings and law enforcement training programs address labor trafficking within Slovakia; conduct more robust awareness campaigns, beyond the provision of leaflets, for homes that accommodate unaccompanied minors; encourage trafficking victims to participate in investigations; ensure that law enforcement officials do not unintentionally cause harm to trafficking victims when interacting with them, particularly during investigations; provide information to unaccompanied minors on where to seek protection in Slovakia and potential destination countries; improve the functioning of the Expert Group by ensuring government agencies are accountable for complying with the government's anti-trafficking plan; amend the law to prohibit the prosecution of trafficking victims for offenses committed as a result of their trafficking; ensure the provision of adequate specialized care for male victims of trafficking; and include coverage of legal assistance in victim care funding.

Prosecution

The Government of Slovakia continued efforts to prosecute human trafficking offenses and convict trafficking offenders during the reporting period, though sentences imposed remained weak. The Slovak Republic prohibits all forms of trafficking through Sections 179, 180, and 181 of its criminal code, which prescribe penalties between four years' and life imprisonment for trafficking offenses. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. According to the Prosecution Service, in 2012 Slovak officials initiated the prosecutions of 19 trafficking offenders, compared with prosecutions initiated of 14 offenders in 2011. The Ministry of Justice reported that 11 trafficking offenders were convicted in 2012, an increase from nine in 2011 under Section 179 and Section 246 of the previous criminal code. Short sentences given to convicted offenders remained a weakness of Slovak courts. Only seven out of the 11 offenders convicted in 2012 received prison sentences that were not suspended, which ranged from two years' to eight years' imprisonment. In 2011, three out of the nine trafficking offenders were sentenced to time in jail. The investigation of a high-profile case cited in the 2011 TIP Report involving approximately 340 forced laborers from Ukraine and Romania stalled during the year without prosecution. The pimping of children was not always charged as trafficking offenses. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. The Slovak Judicial Academy continued to incorporate trafficking in persons in its non-compulsory curriculum of basic prosecutorial and judicial training programs.

Protection

The Slovak government displayed mixed efforts to protect victims of trafficking during the reporting period. The government, sometimes in partnership with an international organization, trained hundreds of government officials, including police in the migration and organized crime units, diplomats, labor inspectors, and orphanage staff on victim identification techniques. Despite this training, Slovak law enforcement authorities made very weak efforts to proactively identify trafficking victims. The Labor Inspectorate jointly examined agriculture and construction sites with police, but failed to identify trafficking victims despite indicators of forced labor in agriculture. There was no information on how many trafficking victims were proactively identified by government officials, beyond the Ministry of Interior's identification, in partnership with an international organization, of a Cameroonian victim. Most victims were identified by civil society groups. In 2012, 37 trafficking victims were identified, approximately 15 of whom were labor trafficking victims. The government does not have a national, established system to refer identified victims to protection services, but some government institutions have procedures to refer victims to care facilities. There were no special procedures for the referral of child trafficking victims for care. Twenty-two of the 37 identified victims entered into the government-funded victim care program—compared with 31 victims received by care facilities in 2011—where shelter and specialized care services were provided by NGOs. Adult victims were permitted to leave the shelters without a chaperone and at will. There was no information on the welfare of the victims that were not provided with protection services. The government did not provide long-term rehabilitation assistance to trafficking victims. Seven of these 22 victims were subjected to forced labor, and two of the 22 victims were foreign women. Foreign children who left a specialized facility for unaccompanied children may have been subsequently subjected to human trafficking in third countries; a recent Council of Europe GRETA report concluded that the care of unaccompanied minors in Slovakia needs improvement.

The government did not encourage victims to participate in trafficking investigations. NGOs reported that victims risked secondary victimization during the investigative process, when victims were interviewed multiple times. While the government can offer foreign victims, upon their identification, renewable 90-day legal status in Slovakia to receive assistance and shelter and to consider whether to assist law enforcement, no foreign victim has ever been granted this status. The law authorized the extension of permanent residence to victims of trafficking who faced hardship or retribution if returned to their country of origin; however, no such residence permits have ever been issued. There were no reports that the government penalized victims for unlawful acts committed as a direct result of being trafficked during the year, although the law does not prohibit the prosecution of trafficking victims.

Prevention

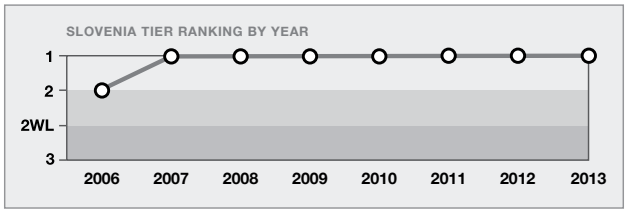
The government sustained its activities to prevent human trafficking. The government continued to fund an anti-

trafficking hotline operated by IOM. The government launched an anti-trafficking campaign targeting parents of potential victims, which included billboards and posters. In December 2012, the MOI launched a pilot database to share anti-trafficking information. The MOI and IOM distributed leaflets targeting potential victims at airports, land border entry points, detention facilities for undocumented migrants, and facilities for unaccompanied children. The government continued to coordinate its anti-trafficking activities through its Expert Group for the Area of the Fight against Trafficking in Human Beings, a multidisciplinary entity involving officials from various ministries, local governments, and NGOs. In 2012, the government introduced a change which brings the final approval of the Expert Group recommendations to a cabinet-level council on crime prevention, whose conclusions are binding for all ministries. These changes, when implemented, may address NGO complaints that government agencies which were charged with anti-trafficking responsibilities were not held accountable. The government did not establish a national rapporteur, as it is obliged to do under Article 19 of the European Union anti-trafficking directive. The government did not conduct any activities to reduce the demand for commercial sex during the year. The government did not provide training sessions on human trafficking for Slovak security personnel prior to their deployment abroad on international peacekeeping missions.

SLOVENIA (Tier 1)

Slovenia is a transit and destination country and, to a lesser extent, a source country for men, women, and children subjected to forced labor and sex trafficking. Foreign women and children are subjected to sex trafficking and men, women, and children to forced labor in Slovenia. Victims of labor exploitation in Slovenia come from Ukraine, Romania, Serbia, and Bosnia and Herzegovina. Sometimes these persons migrate through Slovenia to Italy, Austria, and Germany, where they are subsequently subjected to forced labor. Women and children from Slovenia, Moldova, Serbia, Croatia, Ukraine, Romania, Slovakia, the Czech Republic, and the Dominican Republic are subjected to forced prostitution within the country and also transit through Slovenia to Western Europe, primarily to Italy and Germany, where they face the same form of exploitation.

The Government of Slovenia fully complies with the minimum standards for combating trafficking in persons. The government improved its law enforcement efforts during the reporting period, as authorities launched more trafficking investigations and prosecutions and convicted offenders under its trafficking statute. NGOs receiving government funds offered comprehensive care to adult and child victims of trafficking. The government sustained efforts to prevent trafficking by funding an outreach campaign, releasing an action plan and an annual report, leading a regional forum to coordinate trafficking investigations, and training government employees who encounter vulnerable populations on victim identification.



Recommendations for Slovenia: Vigorously investigate and prosecute sex trafficking and labor trafficking offenses, and convict and punish trafficking offenders under the trafficking in persons law; bolster training for investigators, prosecutors, and judges in applying the human trafficking statute; increase efforts to identify victims of both sex and labor trafficking among vulnerable populations, including women in prostitution, dancers in nightclubs, and children in begging; ensure that potential trafficking victims are fully informed of their rights upon identification; increase the number of victims referred to NGOs for assistance; ensure that proper and safe facilities exist to assist child victims of trafficking; continue prevention outreach to vulnerable populations, such as Roma children; and raise awareness of forced labor and forced prostitution among the general public.

Prosecution

The Government of Slovenia demonstrated improved anti-trafficking law enforcement efforts in 2012, as trafficking investigations and prosecutions increased and its judiciary utilized the trafficking statute to convict trafficking offenders. Slovenia prohibits all forms of trafficking in persons through Article 113 of its criminal code, which prescribes penalties ranging from one to 15 years' imprisonment for offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government also prosecutes some trafficking cases under Article 112, which prohibits enslavement. In the previous reporting period, the government prosecuted some trafficking cases under Article 175, which prohibits participation in the exploitation of prostitution; Article 175 covers more than trafficking crimes, because it also applies to cases in which a defendant passively profits from the prostitution of another. In 2012, the government conducted 13 trafficking investigations, compared with four in 2011. Authorities prosecuted 27 suspected trafficking offenders, compared with 16 in 2011. The government convicted eight traffickers in 2012, including two under Article 112. This was an improvement from 2011, in which authorities did not convict any trafficking offenders under articles 112 or 113 but convicted six under Article 175. The eight offenders convicted in 2012 received prison terms ranging from one year to four years and eight months. Two of these sentences also included restitution, which marked the first time Slovenian courts forfeited funds from convicted traffickers. The Ministry of Interior provided training for investigators on trafficking and labor exploitation and for state prosecutors on prosecuting trafficking in persons cases. In fall 2011, approximately 160 judges participated in a training on human trafficking that is provided by the government biannually. Slovenian police cooperated with Bulgarian and Slovak entities in two separate transnational investigations. There were no investigations or prosecutions of public officials for alleged complicity in trafficking-related crimes during the reporting period.

Protection

The Government of Slovenia sustained victim protection efforts during the reporting period. In 2012, the government allocated the equivalent of approximately $132,200 for victim protection, compared to the equivalent of approximately $137,800 in 2011. In June 2012, media reports documented the sex trafficking of women recruited from the Dominican Republic under the guise of work as entertainers in Slovenia, in which traffickers took advantage of lax regulations to have residency permits issued to the women. The reports also alleged that Slovenian officials were being pressured by politically connected businessmen into issuing the residence permits. A foreign government's intervention stopped the issuance of these visas, and there have been no further reports of such cases. NGOs reported identifying and assisting 15 of these trafficking victims; the remaining 52 victims identified in this investigation declined assistance. The government funded comprehensive victim protection provided by two NGOs, including crisis accommodation, long-term accommodation, telephone counseling, psycho-social support, repatriation assistance, help in establishing contact with the police and court monitors, and assistance adjusting immigrant status. Victims housed in government-funded shelters were permitted to leave at will and unescorted. Assistance was available to both male and female, adult and child, and foreign and Slovenian victims of trafficking. The Slovenian Aliens Act provides a three-month reflection period, after which foreign victims of trafficking can receive victim protection if they participated in criminal proceedings. In cases of participation in pre-trial and criminal proceedings, foreign victims received a temporary residence permit that lasts until the end of proceedings, or longer if the victim was employed or in school. During the reporting period, four victims cooperated with law enforcement on trafficking cases; all four received temporary residence permits. Police officers were required to employ a referral procedure—reflecting a previous agreement between police and the Ministry of the Interior—to direct identified trafficking victims to NGOs offering care facilities for trafficking victims. Police must provide protective escort for trafficking victims during legal proceedings. There were no reports of victims punished for unlawful acts committed as a direct result of being trafficked.

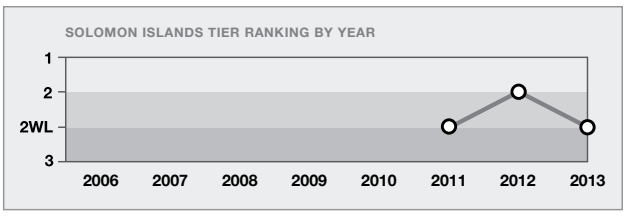
Prevention

The government sustained strong efforts to prevent human trafficking during the reporting period. The government coordinated its anti-trafficking efforts through the Ministry of Interior's Interdepartmental Working Group (IDWG), which brought together representatives of the relevant ministries, the National Assembly, the state prosecutor, and NGOs. The working group met six times during the year, published a national action plan for 2012-2013, and published the national coordinator's annual report evaluating the government's anti-trafficking efforts. The IDWG spent the equivalent of approximately $15,700 on its anti-trafficking outreach campaign, which used television, radio, Internet, and in-person outreach programs to target potential trafficking victims, particularly young people. The IDWG also conducted several training programs for border police, labor inspectors, asylum officers, and consular officers, as well as public servants who issue temporary residence permits. NGOs called for the government to do more in the area of international cooperation regarding the exchange of information on victims and their relatives. The Slovenian government led efforts to implement a forum with other southeast European states to coordinate trafficking investigations and develop best practices for victim protection. The government did not take significant measures during the reporting period to reduce the demand for commercial sex acts or participation in international sex tourism by Slovenian nationals.

SOLOMON ISLANDS (Tier 2 Watch List)

The Solomon Islands is a source and destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution. Women from China, Indonesia, Malaysia, and the Philippines are recruited from their home countries for legitimate work, often paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Men from Indonesia and Malaysia are recruited to work in the Solomon Islands' logging and mining industries, and may be subsequently subjected to forced labor in industrial camps. Local children, many under the age of 15, are subjected to prostitution, sometimes in exchange for money or fish, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels and entertainment establishments. Children are sold by their parents for marriage to foreign workers at logging and mining companies; some of these girls are later forced into domestic servitude and prostitution in the logging and fishing areas, or in their foreign husbands' home countries. Local boys and girls are put up for "informal adoption" by their family members in order to pay off debts, and some are subsequently subjected to sexual servitude and forced labor as domestic servants. Traffickers are known to gain access to their victims through taxi drivers, local contacts, and pimps. The Solomon Islands is a destination country for foreign tourists who engage in child sex tourism.

The Government of the Solomon Islands does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government undertook modest measures, such as establishing an *ad-hoc* Solomon Islands Trafficking-in-Persons Advisory Committee (TIPAC), supporting committee members' study trip to the Philippines, and establishing an informal victim assistance referral procedure for law enforcement. It did not, however, pass necessary implementing regulations for the newly enacted anti-trafficking legislation, the absence of which prevented prosecution of trafficking offenders. Therefore, Solomon Islands is placed on Tier 2 Watch List.



Recommendations for the Solomon Islands: Draft and pass implementing regulations for the immigration bill; publicly recognize and condemn incidences of trafficking; make greater efforts to investigate, prosecute, and punish trafficking offenders, such as suspected offenders of child prostitution occurring in or near logging camps; investigate

the forced prostitution of foreign women and prosecute their traffickers and clients; adopt and implement proactive procedures to identify victims of trafficking among vulnerable groups, such as foreign workers in the fishing industry and women and children in prostitution; institute a campaign to raise public awareness of human trafficking in the country; implement the draft national action plan for countering trafficking in persons; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of the Solomon Islands demonstrated limited progress in its anti-trafficking law enforcement efforts during the reporting period. The government enacted anti-trafficking legislation in early 2012; however, absent implementing regulations, authorities were unable to use the legislation to prosecute alleged traffickers. The anti-trafficking legislation prohibits and punishes all forms of trafficking in persons and prescribes a penalty of up to five years' imprisonment or a fine of 45,000 "penalty points" (the equivalent of approximately $6,700) or both for the trafficking of adults, and a penalty of up to 10 years' imprisonment or a fine of 90,000 penalty points (the equivalent of approximately $13,300) or both for the trafficking of children. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Also contained in the bill is a provision that prohibits and punishes the withholding of travel or identity documents for the purpose of facilitating human trafficking; the penalty is imprisonment not exceeding two years or 20,000 penalty points—the equivalent of approximately $2,960—or both. The bill provides immunity from prosecution for trafficking victims for such crimes as illegal entry into the country, illegal residence or procurement, or possession of a false identification document. TIPAC reported identifying more than 30 potential trafficking cases, but due to lack of formal investigation against these cases, it was not possible to determine the nature of these cases. The Immigration Division reported a case involving 23 Malaysian loggers who were subjected to trafficking-related abuse; the logging company issued fraudulent work permits to the workers and forced them to sign contracts that contradicted the legal requirements for the issuance of the work permits. When two workers complained about conditions, company representatives detained and threatened them in front of the other loggers. In February 2013, authorities identified an Asian woman who was allegedly forced into prostitution at a resort hotel. However, these trafficking cases were not investigated or prosecuted. While the government did not host training, TIPAC members participated in foreign donor-funded trainings and activities focused on strengthening efforts to prevent and combat trafficking in Solomon Islands. The government did not adequately conduct any criminal investigations or prosecutions of government employees allegedly complicit in human trafficking during the year.

Protection

The Government of the Solomon Islands made modest efforts to protect victims of trafficking during the year. Law enforcement and social services personnel continued to lack systematic procedures to proactively identify victims of trafficking among high-risk persons with whom they come in contact, nor did they have formal guidelines for the referral of human trafficking victims to organizations that provide services. The government continued to rely largely on civil society or religious organizations to provide limited services to victims of crime, including victims of human trafficking. The Family Support Center, operated by the government and funded by an NGO, is available to provide consultations to victims of gender-based violence and government-identified trafficking victims, though there were no reports of trafficking victims receiving assistance at this center. Solomon Islands Immigration, with the help of an NGO, provided shelter to the 23 male Malaysian workers at a Malaysian logging camp, though the workers were repatriated without receiving their wages from the employer. The Royal Solomon Island Police (RSIP) and Immigration referred the female Asian trafficking victim identified at a local hotel to another NGO for assistance, and she was later repatriated. TIPAC reports that women in prostitution have been arrested and prosecuted during the year without efforts being made to determine whether they were potential trafficking victims. There are no legal, medical, or psychological services available to victims in the Solomon Islands. The government has available temporary residency permits—valid for up to three months—to allow victims to assist the police in investigations, though none were granted to victims during the reporting period. The government reports the availability of civil remedies for victims of trafficking, though no victim of human trafficking has ever made use of civil causes of actions.

Prevention

The government made modest efforts to prevent trafficking during the reporting period. The Transnational Crime Unit reported conducting three anti-trafficking campaign tours with RSIP, mainly to logging camps, to focus on child prostitution. RSIP based in Isabel Province visited 20 logging camps, each twice during the year, to inspect papers, possession of passports, and discuss human trafficking and related crime issues with the local villagers. The attorney general made a public speech on October 30 at a foreign donor-funded workshop acknowledging that sex trafficking and forced labor are problems in Solomon Islands, and that enacting the 2012 immigration bill had been necessary to combat trafficking. The government took no action to reduce the demand for commercial sex acts in the country during the reporting period. The Solomon Islands is not a party to the 2000 UN TIP Protocol.

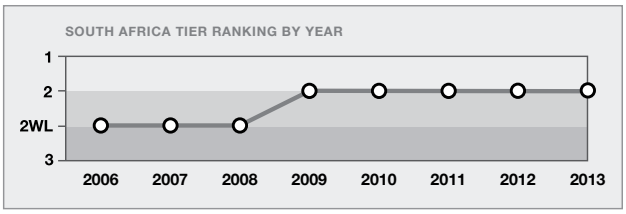
SOUTH AFRICA (Tier 2)

South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. South African citizens and foreign nationals are subjected to human trafficking within the country. Children are trafficked mainly within the country, from poor rural areas to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein. Girls are subjected to sex trafficking and domestic servitude; boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. The tradition of *ukuthwala*, the forced marriage of girls as young as 12 to adult men, is still practiced in some remote villages in Eastern and Western Cape provinces, leaving these girls vulnerable to forced labor and prostitution. Nigerian syndicates dominate the commercial sex trade in Hillbrow and other areas, though local criminal rings and street gangs also organize child prostitution; Russian and Bulgarian crime syndicates operate in the Cape Town sex trade, and Chinese nationals coordinate the sex trafficking of Asian nationals. To a lesser

extent, syndicates recruit and transport South African women to Europe and the Middle East, where some are forced into prostitution or domestic service. Traffickers control victims through intimidation and threats, including witchcraft, use of force, withholding of passports, debt bondage, and forced use of drugs and alcohol. In 2012, South African trafficking victims were identified in Brazil; in addition, four South African women reported being forced to serve as drug mules to Bangladesh or Thailand via Brazil. In 2012, Namibian authorities apprehended a child sex tourist from South Africa.

Women and girls from China, Taiwan, Thailand, Cambodia, India, Russia, Ukraine, Moldova, Bulgaria, Brazil, the Democratic Republic of the Congo, the Republic of the Congo, Rwanda, Mozambique, Lesotho, Swaziland, and Zimbabwe are recruited for legitimate work in South Africa, but are sometimes subsequently subjected to forced prostitution, domestic servitude, or forced labor in the service sector or taken onward to Europe for forced prostitution. In 2012, Chinese, Indian, Pakistani, Ugandan, Rwandan, and Somali nationals were intercepted in Zambia, Mozambique, Malawi, Tanzania, and Swaziland *en route* to potential exploitation in South Africa. Chinese and Taiwanese men are forced to work in mobile sweatshop factories in Chinese urban enclaves in South Africa. During the year, IOM identified potential victims of forced labor from Cambodia aboard fishing vessels in South Africa's territorial waters; NGOs and international organizations continue to report additional distress calls from foreign fishermen in similar situations. There were also reports of more than 50 Malagasy victims of forced labor aboard a Chinese fishing boat in South Africa's territorial waters. Young men and boys from Uganda, Lesotho, Mozambique, Malawi, Swaziland, and Zimbabwe voluntarily migrate to South Africa for farm work, including cattle herding, sometimes laboring for months with little or no pay and in conditions of forced labor before unscrupulous employers have them arrested and deported as illegal immigrants. Taxi drivers or thugs at the border transport Zimbabwean migrants, including children, into South Africa and may subject them to sex or labor trafficking upon arrival.

The Government of South Africa does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In May 2013, the parliament passed anti-trafficking legislation, which now awaits presidential signature and publication in the government gazette for official enactment. In addition, during the year, several government departments took preparatory steps, such as developing regulations and policy directives, to be ready to implement the legislation upon enactment. The government convicted one offender during the year and began prosecution of two suspects for alleged forced child labor offenses; however, challenges remained in the identification and investigation of trafficking cases. Despite its almost exclusive focus on sex trafficking, the government has not yet successfully prosecuted any major international syndicates reportedly responsible for much of the sex trade in the country and did not systematically address labor trafficking offenses in the country. The Department of Justice and Constitutional Development (DOJCD) took over duties from the National Prosecuting Authority (NPA) for inter-departmental coordination on the national level after the NPA scaled down its Inter-Sectoral Task Team (ISTT). Task teams in six provinces continued operations and made efforts to train officials and raise awareness, but the lack of a trafficking statute and a coordinating entity stymied progress. In 2012 the government made efforts to protect victims through continued oversight, by the Department of Social Development (DSD), of shelters that provided trafficking-specific victim services. The absence of formal procedures for screening and identifying trafficking victims among vulnerable groups, including illegal migrants and women in prostitution, remained a significant gap. As a result, some foreign victims were repatriated without being identified as trafficking victims.



Recommendations for South Africa: Enact and implement the anti-trafficking bill; continue to increase awareness among all levels of government officials as to their responsibilities under the anti-trafficking provisions of the Sexual Offenses and Children's Amendment Acts; more effectively utilize financial resources for anti-trafficking programs and personnel; prosecute employers who use forced labor, and ensure that labor trafficking victims are not charged with immigration violations by screening all deportees for victimization; ensure officials adequately screen for victims amongst other vulnerable groups, including women in prostitution; replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of Kwa-Zulu Natal and Western Cape in all provinces; ensure translators are available to assist victims in obtaining care, cooperating with law enforcement, and testifying in court; investigate and prosecute officials suspected of being complicit in trafficking; and institute formal procedures to compile national statistics on trafficking cases prosecuted and victims assisted, as is done for other crimes.

Prosecution

The Government of South Africa continued to conduct anti-trafficking law enforcement efforts during the reporting period through a small group of provincial task teams. The government convicted one trafficking offender during the year, marking the third conviction in the country's history. South Africa's laws do not prohibit all forms of trafficking. The Sexual Offenses Act (SOA) prohibits the sex trafficking of children and adults, and the Basic Conditions of Employment Act of 1997 (BCEA) prohibits forced labor. The SOA prescribes punishments of up to 20 years' imprisonment for sex trafficking offenses, which is sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Penalties under the BCEA of only up to three years' imprisonment for forced labor are not sufficiently stringent. Effective in 2011, the Children's Amendment Act prescribes penalties of five years' to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. The Prevention of Organized Crime Act of 1998 is sometimes used in combination with the SOA to add additional charges—including money laundering, racketeering, and criminal gang activity—and stiffer penalties against offenders. In May 2013, the parliament passed comprehensive anti-trafficking legislation, the Combating and Prevention of Trafficking in Persons Bill, which now awaits presidential signature. The South African Police Service (SAPS), NPA, and DSD took steps to prepare for implementation of the anti-

trafficking legislation; other key government departments had not yet begun to prepare their directives.

In 2012, one trafficker was convicted in South Africa. Prosecution of seven cases was initiated, and ongoing prosecutions of five offenders from the previous reporting period continued. According to news reports, the Grahamstown High Court sentenced a convicted sex trafficker to 10 years' imprisonment for procuring an 11-year old girl for an Eastern Cape man in April 2012. In February 2013, Sabie Magistrate's Court initiated the prosecution of two offenders, a Mozambican woman and a South African businessman, charged with the sex trafficking of five Mozambican girls. The March 2010 Thai sex trafficking convictions were overturned on appeal because the court translator who was fearful for her safety had covered her face during the proceedings.

Five defendants awaited prosecution, and several other trials remained ongoing from previous reporting periods. An ongoing prosecution of three defendants for sex trafficking, drug, and prostitution offenses following a raid on a brothel by the Durban provincial anti-trafficking task team was supplemented through the arrest of the property owner and his wife in March 2012; both were released awaiting trial. The government failed to prosecute any officials allegedly complicit in trafficking-related crimes, including immigration, border, and police officers who may work in collusion with traffickers or be among the "clients" of sex trafficking victims. In addition, the government did not yet initiate prosecution of two police officers arrested in the Western Cape and one additional suspect arrested in Nelspoort in October 2011 for the alleged sex trafficking of South African girls.

In its efforts against sex trafficking, the government has prosecuted low-level cases with one to three victims, typically from South Africa or neighboring countries, but has not successfully prosecuted larger, international syndicates involving Nigerian, Russian, Bulgarian, Chinese, and Thai traffickers who dominate the sex trade in several South African cities. Well-known brothels, including some that have previously used sex trafficking victims, continued to operate without police intervention. No cases against traffickers of Thai women have been initiated since 2007. In addition, many stakeholders report the failure of police to proactively identify sex trafficking victims or pursue investigations of some cases; police regularly evacuated alleged victims of sex trafficking without opening investigations against the perpetrators, and there was one report of police taking one week to respond to a distress call from a victim.

In 2012, the government did not systematically address forced labor; however, it initiated the prosecution of two suspects under the BCEA for the forced labor of 10 children in two separate cases. For example, in February 2013, Zastron Magistrate's Court in Free State held a hearing involving a Chinese grocery store owner charged with violating the BCEA for using seven children in forced labor. However, the government did not comprehensively monitor or investigate labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. The government has yet to institutionalize anti-trafficking training for its officials, which further inhibited progress; however, many departments have initiated plans for training in 2013 to coincide with the passage of anti-trafficking legislation. Trainings held by committed members of the Gauteng, KwaZulu-Natal and Mpumalanga task teams could not take the place of a coordinated effort reflecting internationally recognized police standards and practices.

Protection

Although the government made efforts to protect trafficking victims, considerable obstacles remained to ensuring justice and protection for all victims in South Africa. DSD continued its oversight of and funding to 13 accredited multipurpose shelters in 2012, which hosted 43 foreign and 44 South African trafficking victims referred by DSD during the year, an increase from 59 victims referred in 2011. It also began oversight of 17 NGO-run safe houses designed to temporarily shelter victims before they reach an accredited shelter. The government provided financial support for these shelters on a per victim, per night basis. The DSD continued its nine-week rehabilitation program to address the psycho-social well-being of victims and paid for the stay of victims at rehabilitation centers for overcoming drug addiction. There were no shelters available for men. In 2012, the Gauteng task team established a rapid response team—comprised of government agencies and NGOs—modeled after those in Western Cape and Kwa-Zulu Natal—to coordinate protective services, including shelter, for victims.

The DSD continued drafting implementing regulations in preparation for the social services portions of the anti-trafficking bill and began development of formal procedures for the identification of trafficking victims and their referral to appropriate care, though these have not yet been put into effect. DSD rolled out its guidebook for service providers and first-line responders on the identification of trafficking victims, updated its shelter intake forms to capture trafficking victim data, and conducted a workshop for field social workers and supervisors that included review of these procedures. The Department of International Relations and Cooperation assisted in the repatriation of a South African trafficking victim from Brazil and the Mpumalanga provincial task team participated in a cross border meeting with Mozambican officials to discuss the repatriation of children, including child trafficking victims.

Despite these efforts made by DSD, systemic hurdles continued to inhibit progress in providing justice and protection for victims in South Africa. Foreign language interpretation remained a significant problem, impeding the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims who spoke only Spanish, Russian, Bulgarian, Thai, and Ukrainian. Although officials reportedly encouraged victims to participate in the investigation and prosecution of trafficking offenders and provided long-term care to foreign victims who did so, this was often stymied by the lack of legal alternatives available under South African law for victims to avoid deportation to countries where they may face hardship or retribution. Prosecutors experienced difficulty in pursuing some cases because the Department of Home Affairs (DHA) deported victims before they had been thoroughly interviewed thoroughly or were able to participate in the prosecution of their traffickers. During the year, eight child trafficking victims were repatriated without adequate time to provide victim statements, which led to the withdrawal of charges against their alleged trafficker. Although the SOA requires sex trafficking victims not be charged with crimes committed as a direct result of being trafficked, some victims were nonetheless arrested and jailed, as the screening of women in prostitution was at times done

too hastily to accurately assess trafficking victimization. For instance, 11 women in prostitution were brought in front of the Cape Town Magistrate's Court after police arrested them for contravention of the Immigration Act during a brothel raid; one woman remained in jail for seven months without being screened. Some observers believed that at least some of these women were potential victims.

Prevention

The government continued efforts to prevent human trafficking, but unlike previous years, no national level campaigns took place during the reporting period. The national action plan to combat trafficking in persons developed in a previous reporting period was not released or implemented. At the close of a donor-funded program, the NPA ceased its coordination of the country's anti-trafficking efforts through the ISTT, which it had chaired, effectively ending its oversight of its six provincial task teams. However, the Department of Justice Victim Support Directorate (DOJ/VSD) coordinated interdepartmental efforts through a body comprised of DHA, DSD, SAPS, Department of Labor and the Department of Health, that worked to ensure department preparedness for the eventual implementation of anti-trafficking legislation and to provide funding for local awareness and training events. However, as the DOJ/VSD is not a law enforcement body, it is without jurisdiction to appropriately and adequately oversee the provincial task teams, serving law enforcement functions. The DOJ/VSD supported awareness-raising efforts throughout the country; in December 2012, it sponsored an awareness campaign led by the DSD and Mpumalanga task team across the province, reaching 600 people through events at malls and a door-to-door campaign. The DSD published awareness materials and distributed them during campaigns in Mpumalanga and Kwa-Zulu Natal provinces. In October 2012, as part of National Human Trafficking Awareness Week, the Northern Cape SAPS team coordinated awareness campaigns targeting mine workers, seasonal workers on grape farms, and youth.

The South African National Defense Forces' Peace Mission Training Centre provided anti-trafficking training to South African troops prior to their deployment abroad on international peacekeeping missions; in addition, the South African military prosecuted troops who perpetrated sex crimes while serving on missions abroad. The government did not undertake efforts to reduce the demand for forced labor or commercial sex acts during the reporting period.

SOUTH SUDAN (Tier 2 Watch List)

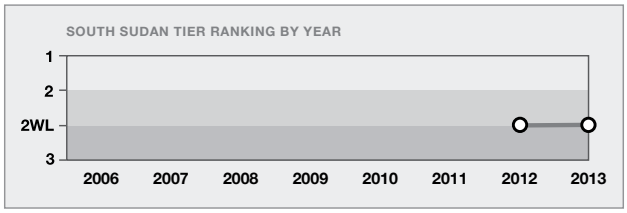
South Sudan is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. South Sudanese women and girls, particularly those from rural areas or those who are internally displaced, are vulnerable to forced labor as domestic servants in homes in Yei, Bor, Wau, Torit, Nimule, and Juba, and possibly throughout the country; most are believed to be working without contracts or government-enforced labor protections. Some of these women and girls are sexually abused by male occupants of the household or forced to engage in commercial sex acts. South Sudanese girls, some as young as 10 years old, engage in prostitution within the country—including in restaurants, hotels, and brothels—at times induced by or under the control of third parties, including corrupt law enforcement officials. The majority of these victims are exploited in urban centers such as Juba, Torit, and Wau. Child prostitution continued to rise in Juba during the reporting period, as did the number of street children and child laborers—two groups that are highly vulnerable to labor and sexual exploitation. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, and begging may be victims of forced labor. South Sudan is a destination country for Ugandan, Kenyan, Ethiopian, Eritrean, and Congolese (DRC) women and girls subjected to sex trafficking. Many migrate willingly, with the promise of legitimate work, and are subsequently forced or coerced into the sex trade. South Sudanese and foreign business owners exploit the lure created by employment opportunities in hotels, restaurants, and the construction industry to entice men and women from these countries, as well as South Sudanese women and children living in rural areas, to migrate to urban centers where they are subsequently forced to work for little or no pay. Kenyan and Ugandan children are subjected to domestic servitude and forced labor in construction and street vending in South Sudan. Local civil society organizations report that overall instances of trafficking increased during the reporting period, largely due to a continued influx of foreign laborers, including children, who are vulnerable to exploitation and that some traffickers may operate in organized networks within the country and across borders. Some government officials, including members of the Sudan People's Liberation Army (SPLA) and the South Sudan National Police Service (SSNPS) were complicit in trafficking offenses. Authorities occasionally assisted traffickers in crossing international borders, and some public officials subjected women and girls to domestic servitude; others purchased sex from child trafficking victims or facilitated the prostitution of children.

Inter-ethnic abductions continued between some communities in South Sudan, especially in Jonglei and Eastern Equatoria states. In Jonglei state, this was less prevalent than during the previous reporting period; however, dozens of women and children were kidnapped during the year. Some abductees were subsequently subjected to conditions of domestic servitude, forced animal herding, or sex trafficking. South Sudanese girls, particularly in Upper Nile state, were reportedly sometimes abducted by Sudanese slave traders and transported into Sudan, where they were subsequently forced into domestic servitude or sold into other forms of slavery in Khartoum or other urban centers. Thousands of Dinka women and children and a lesser number of Nuba children were abducted and subsequently enslaved by members of the Missiriya and Rizeigat ethnic groups during the concluded North-South civil war. Some of those enslaved remain in Sudan with their captors. Orphans were vulnerable to abduction for exploitation in sex and labor trafficking while moving between refugee camps, particularly while crossing the Kenya-South Sudan border.

Girls as young as nine years old in Eastern Equatoria state were forced into marriages, at times as compensation for inter-clan killings; some may have been subsequently subjected to sexual slavery or domestic servitude. Forcible recruitment of adults and particularly children by virtually all armed groups involved in Sudan's concluded North-South civil war, including the SPLA, was previously commonplace. UN monitors in the country, however, reported that there was no evidence of forcible recruitment of adults or children by the SPLA during the year. Monitors did report one incident in which two children were kidnapped by SPLA officers and

subsequently released; these children may have been subjected to labor or sexual exploitation while held by the officers. Children remained among the ranks of the government's security forces; the UN reported 72 children were identified and removed from the SPLA, and one child was identified and removed from the SSNPS. While UNICEF reported that the SPLA removed from its ranks all known children who were used in combat, at least 250 children remained associated with the SPLA as of December 2012, performing various support roles. Some areas of the country were difficult to reach or too unsafe to access, limiting international monitors' ability to assess the SPLA's adherence to laws in all regions of the country, and government and NGO officials acknowledged that incidents of sex trafficking and forced labor of children associated with the SPLA may still occur. During the reporting period, militias that were known to harbor children among their ranks were integrated into the SPLA, though UNICEF reports that the groups were adequately vetted and that in all known cases associated children were identified and removed prior to being integrated. Unlike during the previous year, there were no reports of forcible recruitment of adults or children by the SSNPS. Armed militia groups, including those allied to David Yau Yau in Jonglei state, recruited hundreds of children as young as 10 years old throughout the year, at times through force. The Sudan People's Liberation Movement—North (SPLM-N), a Sudan-based group that was formerly aligned with the SPLA and that according to published reports continued to receive support from the SPLA during the reporting period, periodically conducted campaigns in which it forcibly recruited adults and children it labeled as "deserters" within refugee camps in South Sudanese territory, including in Yida, Unity state and Maban, Upper Nile state. The SPLM-N reportedly used child soldiers in Sudan to fight against the Sudan Armed Forces and aligned militias. Although the Lord's Resistance Army (LRA) continued to harbor enslaved South Sudanese children in neighboring countries for use as cooks, porters, concubines, and combatants, the UN reported there were no LRA attacks or abductions in South Sudan during the reporting period.

The Government of South Sudan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made progress in implementing its UN-backed action plan to eliminate the use of child soldiers in its armed forces; it identified and demobilized 72 children from the SPLA, improved efforts to vet new recruits for age verification, and, in partnership with UN agencies, increased its provision of reintegration services to demobilized children. However, its efforts to address other forms of trafficking—which reportedly increased during the year—remained negligible. Authorities identified six suspected trafficking victims without rescuing them from situations of exploitation or referring them to care. Few services for trafficking victims were available, and the government continued to indiscriminately arrest individuals in prostitution, including child sex trafficking victims, and sentence them to time in prison. Observers reported an increased awareness among government officials of the problem of child soldier recruitment, but awareness of other forms of trafficking remained low among all levels of government. The government did not demonstrate overall increased efforts to address all forms of trafficking since the previous reporting period; therefore, South Sudan is placed on Tier 2 Watch List for a second consecutive year.



Recommendations for South Sudan: Adopt a time-bound national action plan to combat human trafficking, and allocate resources toward its implementation; launch a public awareness campaign to educate government officials and the general public on the nature and dangers of all forms of human trafficking; enact the draft labor act to ensure adequate prohibitions of forced labor; train law enforcement and judicial officials to recognize trafficking victims among vulnerable groups, particularly individuals in prostitution and children in street vending, construction, or domestic work; work with NGOs to develop an inventory of service providers, and train government officials on procedures to refer victims to these organizations to receive care; ensure trafficking victims are not prosecuted for crimes committed as a direct result of being trafficked; increase efforts to investigate suspected human trafficking cases, prosecute trafficking offenses, and convict and punish trafficking offenders; continue to allow unimpeded access to military barracks for monitoring missions to identify and remove any child soldiers or other children associated with the military; in accordance with the UN-backed action plan and the February 2013 child protection order, punish military officials found to be in violation of laws related to recruitment, use, and association of children; end all support—whether financial or in-kind—to militia groups that unlawfully recruit or use child soldiers or forcibly recruit adults for operations within or outside the country; form an interagency committee to develop and implement a national anti-trafficking policy; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of South Sudan made no significant law enforcement efforts to combat trafficking during the reporting period. Its law enforcement presence in most regions of the country remained limited; some courts did not operate, and those that functioned often lacked adequate human and physical resources to investigate and prosecute criminals, including traffickers. Nevertheless, the government took law enforcement action against women and girls in the sex trade, many of whom may have been trafficking victims; these actions, which were harmful to victims, demonstrate that it was within the government's limited means to begin investigating and prosecuting trafficking offenses using existing laws. South Sudanese law does not prohibit all forms of trafficking. South Sudan's Penal Code Act of 2008 (Article 282) prescribes a sufficiently stringent punishment of up to seven years' imprisonment for the sale of a person across international borders. The Penal Code Act also prohibits and prescribes punishments of up to seven years' imprisonment for abduction (Article 278) and transfer of control over a person (Article 279) for the purpose of unlawful compulsory labor; the prescribed punishment of up to two years' imprisonment for compulsory labor without aggravating circumstances is not sufficiently stringent. Article 276 criminalizes buying or selling a child for the purpose of prostitution and prescribes a punishment of up to 14 years' imprisonment—a penalty that is sufficiently

stringent and commensurate with those prescribed for other serious crimes, such as rape. Punishments prescribed in Article 254 for procuring a child (up to 10 years' imprisonment) or an adult (up to two years' imprisonment) for the purposes of prostitution are not commensurate with those for rape. Article 258 prescribes punishments of up to 10 years' imprisonment for parents or guardians who cause or allow their child to be involved in the sex trade. South Sudan's Child Act of 2008 prohibits the recruitment and use of children for military or paramilitary activities, and prescribes punishments of up to 10 years' imprisonment for such crimes. The omnibus labor act, which was drafted by the Ministry of Labor in 2009 and would provide further protections against forced labor, was once again not passed during the most recent legislative session.

The Government of South Sudan did not investigate or prosecute any trafficking offenses using these or other articles during the reporting period. Instead, it continued to arrest and jail victims for prostitution or immigration violations, sometimes apprehended through large-scale indiscriminate sweeps of brothel districts. Pervasive corruption in the judicial sector allowed perpetrators to prevent legal proceedings using intimidation or bribery, and charges were dropped in some instances against prominent community members or members of the security forces suspected of trafficking. Police facilitated the extradition of two Ugandan nationals, alleged to have forced victims into street vending in South Sudan, to their home country for investigation but did not pursue efforts to investigate or prosecute the suspected offenses in South Sudan. Despite signing an action plan with the UN in the previous reporting period, which committed the SPLA to hold its military officers criminally accountable for the recruitment or use of children, the government did not make progress in investigating, prosecuting, or punishing SPLA officers who allegedly committed such acts. In February 2013, however, it issued a command order to military officers stating that anyone, including commanders, who recruits or uses child soldiers in any capacity will be prosecuted and punished under the code of military justice. It is unknown whether the government took any actions to enforce prohibitions on the recruitment of children among the SPLM-N, to which it allegedly provided some support, as it maintained that it did not have a relationship with this group and knew nothing about its recruitment practices. The government did not provide specialized anti-trafficking training to law enforcement officers or judicial officials during the year, though an international donor developed training for new police recruits, and approximately 300 received this training in February and March 2013. Despite evidence of government complicity in trafficking and trafficking-related criminal activities, no government officials were investigated or prosecuted for such crimes during the reporting period.

Protection

The Government of South Sudan made progress in providing limited protection to former child soldiers, but its provision of protection to victims of other forms of trafficking was negligible, and at times its law enforcement efforts were harmful to victims. The government did not take steps to proactively identify victims of sex or labor trafficking among vulnerable populations, and it did not employ a systematic process to transfer identified victims to organizations to receive care. The Ministry of Gender, Child, and Social Welfare (MoGSW), with support from international donors, operated a children's shelter that could be used to shelter trafficking victims; however, the shelter was not equipped to handle trafficking cases and was poorly resourced. Front-line officers lacked awareness of available resources for trafficking victims and failed to remove from exploitative situations victims with whom they came in contact; during the year, immigration and police officials identified six suspected sex trafficking victims and reported them to an international organization in Juba. The organization, however, was unable to locate the victims, and their whereabouts are unknown. The MoGSW reportedly referred an unknown number of additional victims to a local NGO on an *ad hoc* basis. Members of the Ugandan and Kenyan expatriate communities and community organizations identified 10 possible victims of forced labor, including domestic servitude, seven of whom were children, and referred them to an international organization. There were no specialized services available for male, adult, or foreign trafficking victims or for any victims outside of Juba. The government did not encourage victims' assistance in the investigation and prosecution of trafficking crimes or provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. Social stigma and justified fears of punitive consequences discouraged victims, particularly sex trafficking victims, from communicating with law enforcement authorities; in one reported incident, an SPLA officer forcibly removed a child sex trafficking victim from an NGO facility. Government officials' failure to recognize cases of human trafficking at times led to victims being punished as law violators. In one such case, a Ugandan victim seeking assistance from the police in Juba was arrested for lack of proper documentation. During the year, police routinely arrested and jailed individuals in prostitution without making efforts to determine whether they were trafficking victims.

UN monitors identified and demobilized 72 child soldiers in the SPLA and one child in the SSNPS during 2012. In August 2012, SPLA officers abducted two girls aged 10 and 13 during civilian disarmament in Jonglei state; they were released two days later. In February 2013, the SPLA published a command order granting full access to barracks and other installations for international monitors, and UN officials reported the military abided by these terms. The South Sudan Disarmament, Demobilization, and Reintegration Commission partnered with UN agencies to provide reintegration services, including interviewing and registration, to 114 child soldiers rescued from both the government's security forces and other armed groups. State-level ministries of social development conducted family tracing for registered children. During the year, the services available to male and female children increased to include vocational training for older children and support for school attendance for those younger than 13. There were no specialized support services, however, available for girls released from armed groups.

Prevention

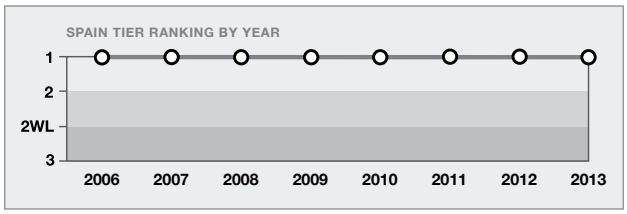
The government made modest efforts during the reporting period to prevent trafficking. It did not conduct any anti-trafficking information or education campaigns, though in August 2012 the SPLA, together with UN, held awareness-raising sessions on the UN-backed action plan addressing child soldiers as well as relevant South Sudanese laws prohibiting child soldiering. More than 1,600 SPLA soldiers and officers participated in these sessions, and 98 local community leaders participated in additional sessions about the prevention of child recruitment into armed groups. Trafficking awareness

remained low among government officials and members of the public. It is unknown what efforts, if any, authorities in South Sudan took during the reporting period to address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. In 2012, the government established a national steering committee on child labor and a specialized unit with dedicated staff to investigate general cases of child labor, which would include forced child labor. In addition, the South Sudan Human Rights Commission conducted research on child labor issues. Both of these institutions lacked resources, however, to conduct investigations and did not report any actions to address forced child labor. With UN financial support, the SPLA trained 157 child protection officers in 2012 to recognize and report the military's association with child soldiers, to work with community leaders to prevent underage recruitment, and to vet soldiers integrating from rebel militia groups. UN monitors report the SPLA's procedures for vetting new recruits for age verification improved during the year and, as a result of these efforts, many children were barred from joining the military during a recruitment drive in April 2012. Nonetheless, low rates of birth registration made it difficult to verify ages, and the government's recruitment drive increased children's vulnerability to recruitment. The government made no discernible efforts to reduce the demand for commercial sex acts during the reporting period. South Sudan is not a party to the 2000 UN TIP Protocol.

SPAIN (Tier 1)

Spain is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Women, primarily from Romania, Ukraine, Russia, Croatia, Bulgaria, Brazil, Colombia, Ecuador, Paraguay, Venezuela, China, and Nigeria, are subjected to sex trafficking in Spain. Victims are recruited by false promises of employment in the service industry or agriculture and are subsequently subjected to sex trafficking and debt bondage upon their arrival to Spain. Nigerian women are subjected to sex trafficking under debt bondage and threats through voodoo rituals. An estimated 90 percent of women in prostitution in Spain are under the control of organized crime networks. Chinese, Nigerian, and Albanian trafficking networks operate out of major cities in Spain. Undocumented migrant men and women reportedly are forced to work in domestic service, agriculture, construction, and the service industry. A growing number of Portuguese nationals are subjected to forced labor in restaurants, agriculture, and domestic work in Spain. Barcelona is a transit area for Pakistani nationals subjected to labor trafficking in other European cities. Unaccompanied migrant children in Spain continue to be vulnerable to sex trafficking and forced begging. Spanish nationals are also vulnerable to trafficking within the country, including sex trafficking of children.

The Government of Spain fully complies with the minimum standards for the elimination of trafficking. During the year, police improved implementation of a protocol on victim identification and referral through increased coordination with NGOs prior to law enforcement actions. However, a continuing need to improve screening methods by law enforcement among vulnerable migrants and foreign women in prostitution coupled with victims' fear of reprisal or mistrust of authorities resulted in too few victims making use of the government's reflection period for suspected trafficking victims. The government continued to vigorously prosecute trafficking offenders, including complicit officials. However, the government did not convict any offenders for forced labor. Specialized services for child victims or male labor trafficking victims remained inadequate.



Recommendations for Spain: Continue to institutionalize use of the protocol on victim identification and referral to ensure that NGOs are included in implementing a victim-centered approach to screening and assistance; ensure that the process for granting potential trafficking victims a reflection period are based on identification procedures that account for victims' likely trauma, fear of reprisal, and mistrust of authorities and ensure victims are afforded the full time to recover before making a decision of whether to cooperate with law enforcement; establish national procedures for the proactive identification of child victims and ensure prosecutors and child protective services are coordinated to avoid re-victimization; establish specialized anti-trafficking services for child victims and male labor trafficking victims; ensure anti-trafficking law enforcement actions include victim protections and do not punish victims for acts committed as a direct result of being trafficked; continue to investigate and prosecute trafficking offenses, including those for labor trafficking; provide comprehensive data on law enforcement efforts, including investigations and sentencing for trafficking offenses; and vigorously prosecute and punish government officials complicit in trafficking.

Prosecution

The Government of Spain maintained strong law enforcement efforts in 2012. Spain prohibits all forms of human trafficking through Article 177 bis of its criminal code, which prescribes penalties from five to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with the prescribed penalties for other serious crimes, such as rape. Courts prosecuted 46 defendants for sex trafficking and seven for labor trafficking, compared with 50 prosecutions initiated in the prior year. In 2012, the government convicted 13 offenders for sex trafficking and sentenced 24 offenders, including some convicted during the previous reporting period. While the government did not provide comprehensive sentencing data, it provided individual case information to demonstrate efforts to hold traffickers accountable in 2012. A Barcelona court sentenced two traffickers to eight years' imprisonment for trafficking and four years' and six months' imprisonment for forced prostitution, with a fine of the equivalent of $12,800 in victim compensation; one trafficker received six years and seven months' imprisonment for trafficking and forced prostitution; and two traffickers received two years' imprisonment for forced prostitution, with a fine of the equivalent of approximately $5,000 in victim compensation. The government investigated government officials allegedly complicit in trafficking. During the reporting period, the government sentenced a national police officer

complicit in trafficking to three years' imprisonment; he was formerly employed in the Aliens Service. A Galician court continued to investigate members of the National Police and the Civil Guard alleged to be complicit in exploiting Brazilian women in prostitution. Prosecution of a major complicity case from the prior reporting period continued against officials for alleged forced prostitution. Police dismantled a criminal organization that exploited 400 women in six brothels in several provinces of Andalusia; arrests included a former councilman and the president of the chamber of commerce of Ayamonte. The government increased training for consular officials on identifying human trafficking. The government trained law enforcement on trafficking and funded NGOs to provide specialized training for officials in identifying trafficking and providing assistance to victims.

Protection

The government improved protection efforts by coordinating with NGOs to protect trafficking victims in 2012, but screening for trafficking among vulnerable migrants and care of trafficked children needed improvement. The Organized Crime Intelligence Center reported it identified 125 trafficking victims and the Catalan regional police reported identifying 190 victims, including 23 labor trafficking victims, in 2012, an increase from a total of 234 victims identified in 2011. NGOs provided assistance to at least 191 newly identified victims during the year, 127 of whom were referred by law enforcement. During the year, law enforcement implemented a formal protocol that increased their efforts to coordinate with NGOs prior to raids on brothels and in preparation for identifying and assisting potential victims. NGOs report that the police are increasingly sensitized to the special needs of victims in trafficking investigations. The government granted reflection periods—time in which victims could recover while deciding whether to assist law enforcement—to 93 female victims in 2012, compared with 98 victims in 2011. A report by the Spanish ombudsman office released during the year noted concern over the low number of victims afforded a reflection period and attributed this shortcoming to officials conducting screenings for trafficking that were too routine and did not take into account potential victims' unique situations or recent traumatic experiences. The report assessed procedures prior to implementation of the new protocol. Officials reportedly incorrectly discounted trafficking indicators if the potential victim initially consented to migrate, which is contrary to the provision on consent in the 2000 UN TIP Protocol. Immigration authorities returned trafficking victims in the asylum process to their countries of origin without a proper risk assessment or referral to services. NGOs reported authorities improved efforts during the reporting period to offer reflection periods to most victims, but this was not effective as victims' reluctance to assist law enforcement resulted in the majority of victims rejecting the reflection period. Authorities granted 66 temporary residency permits to victims who agreed to assist law enforcement in 2012, compared to 58 permits granted in 2011. Victims who were willing to testify in court were allowed longer-term one-year residency permits, which were renewable up to two years. There was no exception made for child victims or victims suffering from trauma in applying the requirement that victims testify in order to receive immigration relief. The ombudsman report also highlighted the dearth of specialized care and shelter for child trafficking victims. Child protection agencies did not track child trafficking victims under their care, some of whom were involved in criminal proceedings as victims or witnesses; this lack of coordination between officials re-victimized children who were unnecessarily subjected to repeated procedures. The Spanish criminal code exempts trafficking victims from punishment for criminal offenses committed while they were suffering exploitation and observers report the government made improvements in applying this in practice. Nevertheless, media reports noted deportations of women in forced prostitution.

While the government restricted undocumented migrants' access to health care during the reporting period, the Ministry of Health determined that the restriction did not apply to undocumented trafficking victims. The government funded its initial 2009 to 2012 national action plan against sex trafficking with the equivalent of approximately $61 million. In 2012, the government allotted an additional $8 million to fund the plan. The government's approval in 2012 of an equivalent of approximately $2.6 million in funding for NGO services and shelter for trafficking victims was reduced to equivalent of approximately $1.9 million in 2013 as a part of government-wide budget cuts. During the reporting period, the government, in collaboration with NGOs, released an updated resource guide for trafficking victims listing available services and shelter.

Prevention

The government continued to implement a variety of anti-trafficking public awareness campaigns, including through television broadcasts and during the national lottery drawing. The government undertook a demand reduction campaign to discourage newspapers from publishing classified ads for explicit sexual services, which are likely often provided by trafficking victims. Observers asserted that women in prostitution were penalized more often than buyers of commercial sex under new local laws against solicitation of prostitution. During the reporting period, a congressional subcommittee was created to assess anti-trafficking efforts in Spain and is currently evaluating the government's national action plan in preparation for an updated 2013 plan, which should include efforts to combat labor trafficking. The government maintained a website designed with UNICEF to warn potential Spanish child sex tourists that they could be subject to prosecution under Spanish law for criminal acts committed abroad, but did not prosecute any Spanish citizens for child sex tourism during the reporting period. Spanish troops received trafficking-specific training prior to their deployment abroad for international peacekeeping missions.

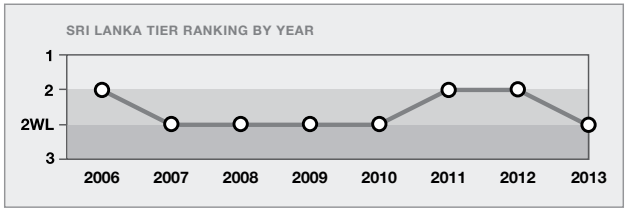
SRI LANKA (Tier 2 Watch List)

Sri Lanka is primarily a source and, to a much lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. Some of the Sri Lankan men, women, and children (16 to 17 years old) who migrate consensually to Saudi Arabia, Kuwait, Qatar, the United Arab Emirates, Jordan, Bahrain, Lebanon, Iraq, Afghanistan, Malaysia, and Singapore to work as construction workers, domestic servants, or garment factory workers subsequently face conditions indicative of forced labor including restrictions on movement, withholding of passports, threats, physical or sexual abuse, and threats of detention and deportation for immigration violations. Before their departure, many male migrant workers go into debt to pay high recruitment fees imposed by unscrupulous licensed labor recruitment

agencies—most of them members of Sri Lanka's Association of Licensed Foreign Employment Agencies (ALFEA)—and their unlicensed sub-agents; female migrants report being required to pay off recruitment fees through salary deductions in the destination country. Some recruitment agencies and agents also commit fraud by engaging in contract switching; they promise one type of job and conditions but then change the job, employer, conditions, or salary after arrival. In the reporting period, due to recent government restrictions on the emigration of Sri Lankan women, fraudulent recruitment agents have increased their recruitment of Sri Lankan men to travel abroad. In 2012, Sri Lankan victims of forced labor were identified in Israel. Some Sri Lankan women are subjected to forced prostitution in Jordan, Singapore, Maldives, and other countries.

Within the country, women and children are subjected to sex trafficking in brothels. Boys are more likely than girls to be forced into prostitution in coastal areas for domestic child sex tourism. Children, individuals with physical deformities, and those from socially vulnerable groups are forced to beg or engage in criminal activity in the cities of Colombo and Kandy. In addition, there have been reports of children being subjected to bonded labor and forced labor in dry-zone farming areas on plantations, and in the fireworks and fish-drying industries. Some child domestic workers in Colombo, generally from the Tamil tea-estate sector of the country, are subjected to physical, sexual, and mental abuse, nonpayment of wages, and restrictions of their movement. Internally-displaced persons, war widows, and unregistered female migrants remained particularly vulnerable to human trafficking. A small number of women from Thailand, China, and countries in South Asia, Europe, and the former Soviet Union have been subjected to forced prostitution in Sri Lanka in recent years.

The Government of Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government failed to demonstrate evidence of increasing overall efforts to address human trafficking over the previous reporting period; therefore, Sri Lanka is placed on Tier 2 Watch List. Law enforcement efforts and victim protection, particularly identification, were very weak during the reporting period. The government, however, continued modest prevention efforts, including convicting one labor recruiter who committed fraudulent recruitment, continued inter-ministerial coordination, and developed a national action plan. Despite trainings and the partial implementation of victim identification procedures, the government did not report that it identified any trafficking victims. Government officials confused trafficking in persons with other crimes, such as human smuggling, illegal immigration, and prostitution; this confusion impeded law enforcement and victim protection efforts.



Recommendations for Sri Lanka: Improve efforts to investigate and prosecute suspected trafficking offenses, respecting due process, and convict and punish trafficking offenders; investigate and prosecute government officials suspected of complicity in human trafficking; approve and fully implement procedures to proactively identify trafficking victims among vulnerable populations and refer them to care facilities; train local and national government officials on care and referral procedures; ensure that victims of trafficking found within Sri Lanka are not detained or otherwise penalized for unlawful acts committed as a direct result of being trafficked, such as visa violations or prostitution; train local law enforcement on investigation of cases and evidence-collection as well as the provisions of Article 360(C) of the penal code; continue to clarify the definition of human trafficking, as well as the differences between trafficking and crimes such as smuggling and prostitution, in training of government officials; facilitate the speedy repatriation of foreign trafficking victims by providing airfare and not obligating them to remain in the country if they choose to initiate law enforcement proceedings; provide witness protection and incentives for victims to cooperate with law enforcement to enable prosecutions; improve services for shelters, legal aid, and counseling, and improve staff training at embassies in destination countries; promote safe and legal migration rather than imposing discriminatory policies that discourage migration or impose age restrictions on migrants; implement the provision of the Abu Dhabi Dialogue Framework for Regional Cooperation on reducing recruitment costs for migrants; increase the accessibility of information about the migration process to potential migrants before they decide to migrate; continue to raise awareness of the criminal penalties for engaging in child sex tourism; improve quality of pre-departure trainings, including by teaching sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and in Sri Lanka; expand the Bureau of Foreign Employment's mandate to include the regulation of subagents; improve data collection on the number of trafficking victims identified and assisted in Sri Lanka and in Sri Lankan embassies; and accede to the 2000 UN TIP Protocol.

Prosecution

The Sri Lankan government continued limited law enforcement efforts to address human trafficking during the reporting period. Sri Lanka prohibits all forms of trafficking through Article 360(C) of its penal code, which prescribes punishments of up to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government investigated 44 cases of trafficking in 2012, the same number that was investigated in 2011. The government did not report any prosecutions or convictions for human trafficking under Article 360(C) in 2012 or 2011. Civil society groups report that human trafficking offenses may escape detection, or offenders may be convicted of lesser offenses or civil violations under non-trafficking statutes, due to difficulties in obtaining sufficient evidence and law enforcement officials' confusion of human trafficking and other crimes, such as smuggling or prostitution. The Criminal Investigation Department reported it jointly investigated a potential human trafficking case with police in Malaysia, and the investigation concluded as there was insufficient evidence of trafficking. The government did not report on the disposition of a joint investigation with Singaporean police that occurred in 2011.

Government employees' complicity in trafficking offenses remained a problem. There were allegations that police and other officials accepted bribes to permit brothels to operate; some of the brothels exploited trafficking victims. Many recruitment agencies were run by politicians or were politically-connected. Some sub-agents cooperated with Sri Lankan officials to procure forged or modified documents, or real documents with false data, to facilitate travel abroad. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. Senior officials from the attorney general's office and the police department conducted anti-trafficking modules in a five-day training-of-trainers program organized by an international organization.

Protection

The government made limited progress in protecting victims of trafficking during the year. The government did not approve its draft standard operating procedures (SOPs) for the identification of trafficking victims and their referral to protective services; consequently, trafficking victims may have been inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. Some government officials had reportedly begun to implement the victim identification SOPs, which, as of the publication of this report, were pending final approval. Furthermore, various government agencies—including the Department of Immigration and Emigration, the Ministry of Child Development and Women's Affairs (MCDWA), and the Sri Lankan Embassy in Jordan—reportedly trained government officials on human trafficking, including on the identification and protection of victims. Despite the draft SOPs and training, the government did not report that it identified or assisted any trafficking victims in the reporting period. IOM reported assisting one male and 82 female trafficking victims in Sri Lanka in 2012. While the groundbreaking for a counter-trafficking shelter occurred in December 2012, the shelter was not yet operational at the close of the reporting period. The shelter is funded by a foreign government and will be operated by an international organization; the Sri Lankan government contributed the land and building.

The Bureau of Foreign Employment (SLBFE) continued to operate short-term shelters in Sri Lankan embassies and an overnight shelter in Sri Lanka's international airport for returning female migrant workers who encountered abuse abroad. These facilities were funded by fees the SLBFE collected from registered migrant workers prior to their departure. There was no information as to whether these embassy shelters restricted adult victims' freedom of movement. Civil society groups questioned whether the SLBFE's mandate of protecting migrant workers may be compromised by its funding sources—migrant workers' recruitment fees and commissions paid by employment agencies; these fees give the bureau incentives to promote migration rather than protect the workers. In the reporting period, the Sri Lankan embassy in Jordan sheltered over 250 Sri Lankan female domestic workers, some of whom were trafficking victims. There was no information on whether the government encouraged victims to assist in the investigation and prosecution of trafficking cases. The government did not provide foreign victims with legal alternatives to their removal to countries where they might face hardship or retribution.

Prevention

The Sri Lankan government made limited progress in its efforts to prevent trafficking during the last year. The government's inter-ministerial anti-trafficking taskforce continued to meet monthly and developed a 2012 anti-trafficking action plan, which was adopted in March 2012. In December 2012, the Colombo High Court sentenced a recruitment agent, convicted for fraudulent recruitment under Article 360(C), to two years' imprisonment and a fine, but suspended the sentence. The government imposed a ban on the migration of females younger than 25 years for domestic work in Saudi Arabia and often refused to allow women with young children to migrate for work; evidence shows that bans such as these may drive migration further underground and lead to increased human trafficking. The MCDWA conducted programs to educate women on human trafficking. While the SLBFE continued to require migrant domestic workers with no experience working in the Middle East to complete a 12-day pre-departure training course, this did not always happen in practice. Furthermore, the majority of returning migrants who had taken the course reported that the pre-departure training they received was not helpful in their destination country. The government adopted the Abu Dhabi Dialogue Framework of Regional Collaboration, which includes provisions to familiarize workers with their rights and reduce recruitment fees. In measures that could prevent transnational labor trafficking of Sri Lankans, the SLBFE reported that it filed 35 charges against recruitment agencies in 2012 for charging illegal fees in recruitment (compared to 276 agencies charged in 2011) and fined recruitment agencies found to be guilty of fraudulent practices the approximate equivalent of about $10,000 (in comparison to the approximate equivalent of $25,000 in 2011). The SLBFE conducted island-wide programs for police and local government authorities on the identification of illegal labor recruitment practices, and aired 30-minute docudramas on safe migration and human trafficking at various locations. The Government of Sri Lanka, working with UNDP, continued to provide personnel time to conduct mobile documentation clinics for conflict-affected people. In order to address child sex tourism, the National Child Protection Authority created and distributed 20,000 flyers warning of the legal penalties for acts of child sexual exploitation, distributed in tourist areas of southern Sri Lanka. The Government of Sri Lanka did not report any efforts to reduce the demand for commercial sex acts during the reporting period. Nine hundred Sri Lankan peacekeepers received training on human trafficking prior to their deployments abroad for international peacekeeping missions. Sri Lanka is not a party to the 2000 UN TIP Protocol.

SUDAN (Tier 3)

Sudan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking occurs within Sudanese territory, including in areas outside of the government's control. Sudanese women and girls, particularly those from rural areas or those who are internally displaced, are vulnerable to forced labor as domestic workers in homes throughout the country; most are believed to be working without contracts or government-enforced labor protections. Some of these women and girls are sexually abused by male members of the household or forced to engage in commercial sex acts. Thousands of Dinka women and children, and a lesser number of children from the Nuba tribe, were abducted

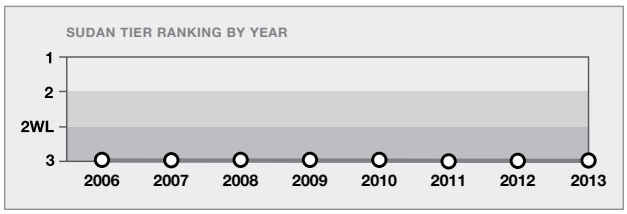
and subsequently enslaved by members of the Missiriya and Rizeigat tribes during the civil war that spanned from 1983 until 2005; some of those enslaved remain with their captors. Sudanese girls engage in prostitution within the country, including in restaurants and brothels, at times with the assistance of third parties. There are reports of organized child street begging in Khartoum and other large cities.

Sudanese women and girls are subjected to domestic servitude in Middle Eastern countries such as Bahrain, Egypt, Qatar, and Saudi Arabia and to sex trafficking in European countries. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers face conditions indicative of forced labor. Sudanese men who migrate illegally to Libya have been rounded up, detained in prison facilities often outside of state control, and exploited as forced laborers. Sudanese children in Saudi Arabia are used by criminal gangs for forced begging and street vending. Sudanese and Eritrean nationals are brutalized by smugglers from the Rashaida tribe in the Sinai, including by being whipped, beaten, deprived of food, raped, chained together, and forced to do domestic or manual labor at smugglers' homes; some of these individuals were not willing migrants but were abducted from Sudan-based refugee camps or at border crossings.

Sudan is also a transit and destination country for Ethiopian and Eritrean women, including undocumented immigrants and refugees, who are subjected to domestic servitude in Sudan and the Middle East. Foreign domestic workers recruited by Khartoum-based employment agencies are exposed to exploitative practices, such as nonpayment of salaries and physical abuse. Ethiopian, Eritrean, Somali, and possibly Thai women are subjected to forced prostitution in Sudan; agents recruit young women from Ethiopia's Oromia region with promises of high-paying employment as domestic workers, only to force them into prostitution in brothels in Khartoum.

During the reporting period, Sudanese children in Darfur were forcibly recruited as child soldiers, at times through abduction, and used by armed groups such as the Liberation and Justice Movement, Justice and Equality Movement (JEM), various factions of the Sudan Liberation Army (SLA), and government-supported Janjaweed militia. Government security forces, including the Sudan Armed Forces (SAF) and the Central Reserve Police (CRP), also recruited and used child soldiers; the SAF, for instance, reportedly recruited children as young as 13 years old from the Sakaly Camp for internally displaced persons in Nyala. Children were verified as being associated with the government-aligned Popular Defense Forces (PDFs) during the year in both Darfur and the "Two Areas" (South Kordofan and Blue Nile), as well as with pro-government militias. The Sudan People's Liberation Movement-North (SPLM-N) forcibly recruited and used child soldiers in South Kordofan and Blue Nile states; in the Abyei Administration Area, at least 48 children were forcibly recruited by the Sudan People's Liberation Army-South during the year.

The Government of Sudan does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government took some initial steps—prosecuting suspected traffickers, drafting anti-trafficking legislation, convening its first workshop to discuss human trafficking, and demobilizing and reintegrating child soldiers—its efforts to combat human trafficking through law enforcement, protection, or prevention measures were undertaken in an *ad hoc* fashion rather than as the result of strategic planning. It did not officially identify trafficking victims or make public data regarding its efforts to combat human trafficking. Its armed forces and proxy militias are reported to have unlawfully recruited and used child soldiers during the reporting period, and it did not take action to conclude a proposed action plan with the UN to address the problem.



Recommendations for Sudan: Enact a comprehensive law to define and address human trafficking crimes and harmonize existing statutes; increase efforts to investigate suspected human trafficking cases, prosecute trafficking offenses, and convict and punish trafficking offenders; launch a public awareness campaign to educate government officials and the general public on the nature and dangers of human trafficking; institute regular training for Sudanese diplomats posted overseas, as well as officials who validate migrant workers' employment contracts or regulate employment agencies, to enable proactive identification and provision of services to trafficked migrant workers; establish an official process for law enforcement officials to identify trafficking victims among vulnerable groups and refer them for assistance; allow unimpeded access to military barracks for monitoring missions to identify and remove any child soldiers; demobilize all remaining child soldiers from the ranks of aligned militias; amend the Law of 1955 Regarding Domestic Servants to provide additional rights and protections for domestic workers, such as mandatory written employment contracts and a limit on the number of hours worked each day; develop, publicize, and enforce a clear, easily-navigable process for employers to officially register their domestic workers and employment contracts, as required by the Law of 1955 Regarding Domestic Servants, as well as to regularize undocumented foreign domestic workers; take steps to identify and provide protective services to all types of trafficking victims found within the country, particularly those exploited in domestic servitude or commercial sexual exploitation; make a much stronger effort through a comprehensive policy approach that involves all vested parties to identify, retrieve, and reintegrate abductees who remain in situations of enslavement; and accede to the 2000 UN TIP Protocol.

Prosecution

The government's anti-trafficking law enforcement efforts appeared to have increased nominally during the reporting period, but it did not make information on such efforts available for inclusion in this report. The Criminal Act of 1991 does not prohibit all forms of trafficking in persons, though Articles 156 and 163 prohibit inducing or abducting someone to engage in prostitution ("seduction") and forced labor, respectively. Prescribed penalties of up to five years' imprisonment for "seduction" are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Prescribed penalties for forced labor of up to one years' imprisonment or a fine are not sufficiently stringent. No trafficking offender has ever been prosecuted under these

articles, and it was unclear whether the National Intelligence and Security Services (NISS) or police forces from the Ministry of Interior—the entities responsible for investigating cases of human trafficking—did so during the reporting period. The Child Act of 2008, enacted in January 2010, prohibits but does not prescribe punishments for forced child labor, child prostitution, sex trafficking, and the recruitment of children under the age of 18 into armed forces or groups; while the act includes provisions for the rehabilitation and reintegration of child victims, no government entity has been assigned responsibility for implementation. Some states, such as South Kordofan, have since enacted their own child acts based on the national law. The Sudan Armed Forces Act of 2007 prohibits members of the armed forces from recruiting children younger than 18, enslaving civilians, or coercing civilians into prostitution; the government has never used this statute. The Law of 1955 Regarding Domestic Servants outlines a process for employing and registering domestic workers and provides limited labor rights and protections for them; however, officially registering domestic workers as required by the law entails a complicated process with bureaucratic impediments, including high fees and officials' expectation of receiving bribes, and accordingly few if any domestic workers are registered and protected under the law.

In July 2012, the Minister of Justice submitted draft anti-trafficking legislation, proposed by the legal division of the Secretariat of the Sudanese Working Abroad, to the council of ministers, where it remained under review at the close of the reporting period. The Informatics and Organized Crimes Bureau of the Sudan Police Force investigates and refers trafficking crimes for prosecution on the federal level; the government did not, however, report the number of investigations or prosecutions it undertook on the federal level or under which laws offenders were prosecuted. During the year, Kassala State prosecutors initiated prosecutions in 12 cases reported to be human trafficking, six of which resulted in the conviction of 23 perpetrators; the details of these cases and whether they constituted human trafficking rather than other related crimes such as smuggling, kidnapping, or extortion remains unknown. The government did not report investigating or prosecuting public officials allegedly complicit in human trafficking, despite reports that Sudanese police sold Eritreans to the Rashaida along the border with Eritrea. The government failed to provide specialized anti-trafficking training to police, military, prosecutorial, or judicial personnel.

Protection

The government demonstrated modest efforts to protect victims of trafficking during the past year. Nongovernmental entities reported that police, military intelligence, and the NISS released or rescued 195 victims of trafficking in 2012; however, due to the legal regime in Sudan, it is unclear whether they were victims of trafficking as opposed to smuggling, kidnapping, or extortion. The government did not report identification of any victims of trafficking or maintenance of records regarding efforts to provide protective services to such persons. Sudan has few care facilities accessible to trafficking victims. The Ministry of Welfare and Social Insurance remained responsible for providing legal protection, housing, shelter, and medical and psycho-social support to women and children vulnerable to commercial sexual exploitation and other forms of trafficking within Sudan, and the ministry provided limited medical and psycho-social care to an unknown number of potential trafficking victims in several states in 2012. Fifteen child and family protection units in the police force, including four in Khartoum, continued to be staffed by social workers who offered legal aid and psycho-social support to victims of abuse and sexual violence. Such units do not yet exist in all states and the capacity of these entities and the services they provided varied from state to state; it is unclear whether any trafficking victims received care through these entities. Police referred street children in abusive situations to orphanages on a case-by-case basis and remanded individuals who may have been trafficked to the care of community leaders.

The SAF's child protection unit is charged with monitoring child soldiering and conducting training for military personnel on laws protecting children but lacks a formal mandate to enforce such laws. It is unknown whether or to what extent the SAF demobilized children from the PDFs or other associated militias during the year. In 2012, officials at the SAF barracks in Talodi and Abugibaiha transferred 18 boys who had fled from SPLM-N training camps to the Ministry of Social Development for reintegration. In January 2013, the Sudan Disarmament, Demobilization and Reintegration Commission registered for rehabilitation and reintegration of more than 70 former child soldiers in South Darfur who had been released from the SLA/Historical Leadership in 2011. The National Council for Child Welfare reported that it provided training to the SAF, PDFs, and the CRP about the importance of not recruiting children. During the year, the UN country task force on monitoring and reporting grave violations against children in situations of armed conflict reported that 65 PDFs officers participated in training on child protection in Dilling and Kadugli.

Although the Ministry of Labor's Secretariat of Sudanese Working Abroad—the body responsible for collecting fees and taxes from Sudanese migrant workers before their departure and protecting their rights and interests while abroad—reportedly has an anti-trafficking section to repatriate abused workers from the Middle East, the Government of Sudan failed to authorize separate meetings with this body for the purpose of providing information on its anti-trafficking efforts for this report. It is thus unknown what efforts, if any, the Ministry of Foreign Affairs or any of Sudan's diplomatic missions made to address the significant problem of labor exploitation of Sudanese nationals working abroad.

The government did not employ a system for proactively identifying trafficking victims among vulnerable populations or a referral process for transferring victims to organizations providing care. It did not encourage victims' assistance in the investigation and prosecution of trafficking crimes or provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. No reliable data exist regarding the detention or punishment of trafficking victims for unlawful acts committed as a result of being trafficked. Authorities in Kassala and Gedaref deported an unknown number of suspected traffickers and potential trafficking victims to Eritrea and Ethiopia during the reporting period. It is unknown whether the government made any efforts to address the labor exploitation of foreign migrants working in or forced into prostitution in Sudan. The government made no efforts to assist victims of abduction and enslavement that occurred during the twenty-two year civil war or to facilitate their safe return to their families.

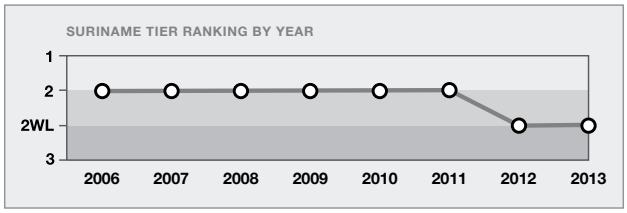
Prevention

The government demonstrated modest efforts during the reporting period to prevent trafficking. In September 2012, the High Advisory Council for Human Rights conducted a workshop on human trafficking and made recommendations that the government pass the proposed anti-trafficking law, sign and ratify all regional and international trafficking in persons-related conventions, and better coordinate efforts between government entities, including the establishment of a technical committee to implement the anti-trafficking law. In April 2012, the Governments of Sudan and Libya finalized an agreement on labor migration in which Sudan agreed to provide qualified laborers and Libya agreed to legalize the status of Sudanese workers. The NISS reportedly held discussions with Rashaida leaders in 2012 during which it encouraged the tribe to cease its involvement in human trafficking and other crimes; in response to the continuation of such crimes, the government increased the number of police deployed to Shagarab III refugee camp by 10 officers. During the reporting period, the Ministry of Labor established the Department of Inspection and Public Legislation, which reportedly began work to amend the Labor Law of 1998 to make it compliant with international standards. Although, after two years of review, the Ministry of Defense approved a joint action plan with the UN to end the recruitment and use of child soldiers, the Ministry of Interior did not follow suit, and the plan remains unsigned. The government did not take any known measures during the reporting period to reduce the demand for commercial sex acts. Sudan is not a party to the 2000 UN TIP Protocol.

SURINAME (Tier 2 Watch List)

Suriname is a source, destination, and transit country for women, men, and children who are subjected to sex trafficking and forced labor. Women and girls from Suriname, Guyana, Brazil, and the Dominican Republic are subjected to sex trafficking in the country. During the year, the Brazilian government identified Suriname as a key transit point for Brazilian trafficking victims exploited in Europe. Media reports and past convictions indicate that debt bondage and sex trafficking occur within the Chinese migrant community. NGOs and government sources continued to indicate that some women and girls are exploited in sex trafficking in Suriname's interior around mining camps, although the remote and illegal nature of these camps renders the scope of the problem unknown, and there is little government presence in these areas. Migrant workers in agriculture and on fishing boats off the coast are highly vulnerable to forced labor, as are children working in informal urban sectors and gold mines.

The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities increased the number of sex trafficking cases prosecuted, and identified an increased number of child sex trafficking victims, The government did not, however, report any trafficking convictions, raising concerns about accountability for trafficking offenders. Victim protection remained inadequate, and local official complicity was a serious concern. Therefore, Suriname is placed on Tier 2 Watch List for the second consecutive year.



Recommendations for Suriname: Vigorously investigate and prosecute trafficking cases and convict trafficking offenders, including officials complicit in human trafficking; ensure that victims receive adequate specialized services through partnering with and funding NGOs that provide these services; ensure that a victim's initial refusal to testify against a trafficker does not prevent authorities from pursuing a prosecution; provide training to law enforcement, immigration, health care, labor, and judicial officials and social workers regarding the identification of trafficking cases and the treatment of victims; and continue to raise awareness about all forms of trafficking.

Prosecution

The Government of Suriname prosecuted an increased number of sex trafficking cases during the year; however, accountability for trafficking offenders continued to be a problem as it convicted no trafficking offenders and local official complicity remained a concern. Suriname prohibits all forms of human trafficking through a 2006 amendment to its criminal code, which prescribes sufficiently stringent penalties of five to 20 years' imprisonment—penalties that are commensurate with those prescribed for other serious crimes, such as rape. The police continued to operate a specialized anti-trafficking unit that investigated cases and conducted administrative checks of nightclubs in the capital where prostitution occurred. The government had insufficient resources to conduct investigations in the country's interior, however, and prosecutions are almost exclusively dependent on the victim's willingness to testify.

Officials investigated eight cases of child sex trafficking in 2012, compared to two cases of child sex trafficking in 2011. Authorities investigated two potential forced labor cases involving fishing vessels: one Chinese vessel with Burmese fishermen and a Guyanese vessel with Guyanese fishermen. Officials determined, however, that these cases were labor disputes. The government initiated five prosecutions involving 19 trafficking offenders or accomplices during the year, including six trafficking offenders whose trial *in absentia* was ongoing at the close of the reporting period; authorities did not report convicting any trafficking offenders. The government initiated the prosecution of a local government official for subjecting two Guyanese girls to forced prostitution. In another case, authorities refused to investigate a businessman accused of luring a foreign victim to Suriname with a job offer and subsequently attempting to compel the woman to engage in sexual acts for his webcam pornography business, and physically assaulting the victim when she refused. The government reported training law enforcement officials in the capital and in one district on investigations and victim identification.

Protection

The Government of Suriname identified an increased number of child sex trafficking victims during the year, though victim services remained inadequate and authorities refused to assist

an adult sex trafficking victim. Authorities did not employ formal procedures to proactively identify trafficking victims among vulnerable populations, such as women in prostitution or migrant workers, but 40 labor inspectors received training on how to identify victims during routine labor inspections. Although the government did not have a formalized process to refer trafficking victims to NGOs that provide services, authorities reported doing so on an *ad hoc* basis. Overall, the government had insufficient resources to pay for victim care, and adequate medical and psychological services were lacking. During the year, Surinamese authorities identified 20 potential trafficking victims and referred only seven to care facilities. The government reimbursed one NGO for providing basic services to seven child sex trafficking victims, and three child victims ran away from the NGO shelter and were returned by the police. Services for adult victims were more limited, and at least one adult foreign victim received no care services from authorities. The government reported that it encouraged victims to assist with the prosecution of trafficking offenders, but it was unclear how many did so during the year. There was no specialized mechanism in place to provide foreign victims of trafficking with alternatives to their removal to countries where they faced retribution or hardship, and while authorities reported that foreign victims could apply for work or residency permits, none did so during the year.

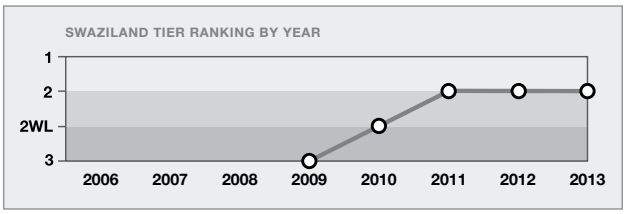
Prevention

The Government of Suriname maintained limited trafficking prevention efforts during the reporting period. The government's interagency anti-trafficking working group continued to coordinate the government efforts. In 2012, the working group created a draft anti-trafficking policy and released a public service announcement to raise awareness about human trafficking. The anti-trafficking police maintained a hotline, although it was unclear how many calls it received during the year. There were no reported cases of or measures against child sex tourism during the year. The government made no discernible efforts to reduce the demand for commercial sex or forced labor.

SWAZILAND (Tier 2)

Swaziland is a source, destination, and transit country for women and children who are subjected to sex trafficking, domestic servitude, and forced labor in agriculture. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude in the cities of Mbabane and Manzini, as well as in South Africa, Mozambique, and the United States. Swazi chiefs may coerce children and adults—through threats and intimidation—to work for the king. Swazi boys and foreign children are forced to labor in commercial agriculture and market vending within the country. During the year, a young Nigerian woman and two Mozambican boys were discovered in forced labor in market vending. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swazi nationals for work in South African mines—means often used to facilitate trafficking crimes. Swazi men in border communities are also recruited for forced labor in South Africa's timber industry. Some Swazi women are forced into prostitution in South Africa and Mozambique after voluntarily migrating in search of work. Traffickers reportedly force Mozambican women into prostitution in Swaziland, or transit Swaziland with their victims *en route* to South Africa. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and portering; some of these boys subsequently become victims of forced labor. Traffickers appear to utilize Swaziland as a transit country for transporting foreign victims from beyond the region to South Africa for forced labor; in 2011, Swazi authorities intercepted several transiting Indian nationals and, in 2012, a few cases of Ugandan and Chinese nationals.

The Government of Swaziland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government initiated prosecution of two suspected trafficking offenders and recalled a Swazi diplomat from an overseas posting for alleged trafficking complicity. Police and immigration officials intercepted nine potential foreign victims in 2012, though they failed to identify or investigate cases involving Swazi victims. Moreover, the government failed to train any of its officials, including law enforcement personnel, on existing legislation and indicators for victim identification, which stymied investigations and prosecutions. During the previous reporting period, the government failed to provide adequate shelter and support for victims following their identification, which led to the deportation of six victims in 2011; this deficiency was again highlighted in 2012, when additional victims were not provided sufficient shelter and services—increasing their vulnerability to revictimization. While the anti-trafficking taskforce and its secretariat continued to guide anti-trafficking efforts, a lack of funds hindered progress on all fronts, especially with regard to the provision of adequate protection to victims.



Recommendations for Swaziland: Complete the review and drafting of amendments to the 2010 anti-trafficking act to allow for permanent residency of foreign trafficking victims; complete and disseminate implementing regulations to allow for full implementation of the 2010 anti-trafficking act's victim protection and prevention provisions; ensure the activities of the taskforce, secretariat, and implementing departments are sufficiently funded, particularly to enable the provision of adequate accommodation and care to victims; differentiate the process of victim identification from the prosecution of offenders, as victim identification should not be tied to the successful prosecution of a trafficker; investigate and prosecute trafficking offenses, including internal trafficking cases, and convict and punish trafficking offenders; begin regulating labor brokers and investigate allegations of fraudulent recruitment; prioritize the training of officials on the 2010 anti-trafficking act and case investigation techniques; develop and implement formal procedures to identify trafficking victims proactively and train officials on such procedures; continue partnering with non-governmental, international, and religious organizations to provide services to victims; develop a formal system to refer victims to care; institute a unified system for collecting trafficking case data for use by all stakeholders; and continue to conduct anti-trafficking awareness campaigns.

Prosecution

The Government of Swaziland maintained its modest anti-trafficking law enforcement efforts during the reporting period. It began prosecution of two alleged labor trafficking offenders, investigated several potential trafficking cases—some in cooperation with other governments—and recalled a diplomat from an overseas posting for trafficking-related complicity. However, the government failed to convict any trafficking offender or train any of its officials. The People Trafficking and People Smuggling (Prohibition) Act, 2009, which became effective in March 2010, prescribes penalties of up to 20 years' imprisonment, plus a fine to compensate the victim for losses, under section 12 for the trafficking of adults and up to 25 years' imprisonment under section 13 for the trafficking of children; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government has not drafted or enacted the necessary implementing regulations for the law or used it to successfully convict a trafficking offender. After a 2011 case revealed inconsistencies between the anti-trafficking act and the Immigration Act of 1992, the government initiated a process to harmonize these laws; in February 2013, the government held a workshop, in partnership with UNODC, to begin this process, but has not yet began drafting these amendments.

In February 2013, the government charged two Nigerian nationals under the 2010 act for the alleged labor trafficking of a third Nigerian national who was recruited with promises of a college education, but was made to sell goods after her arrival in Swaziland under conditions indicative of forced labor, including denial of food, passport withholding, and physical assault; the two offenders have been released on bail pending trial. In November 2012, the Siteki Magistrate Court acquitted one suspected trafficking offender accused of trafficking two Mozambican boys into forced labor in market vending. The government intercepted nine potential foreign trafficking victims in transit during the year. In one case, two Chinese nationals were discovered traveling with two Swazi nationals at Lomahasha Border Post; one of the alleged offenders was reportedly an official with the Swaziland Revenue Authority. Officials withdrew charges against the suspects after the victims fled the country. The government recalled a Swazi diplomat from an overseas posting, following allegations of confinement, underpayment of wages, and long working hours by the diplomat's former domestic worker. However, the government failed to investigate or prosecute officials allegedly complicit in trafficking or trafficking-related crimes, including citizenship and immigration staff accused of issuing falsified official Swazi documents. During the reporting period, the Royal Swaziland Police Service cooperated with South African, Ugandan, and Mozambican counterparts in the investigation of transnational trafficking cases and in victim repatriations. Despite its efforts to investigate potential trafficking cases involving foreign victims, the government—specifically police and immigration officers—failed to investigate any cases involving Swazi victims trafficked internally or abroad. The Domestic Violence, Sexual Abuse, and Child Protection (DCS) unit of the Swazi police—with primary responsibility for trafficking cases—and the senior attorney who handles trafficking cases at the Directorate for Public Prosecutions (DPP) collaborated routinely; however, both DCS and DPP staff were severely under-resourced and in need of training during the year. The government did not provide anti-trafficking training to these or any of its officials during the year.

Protection

For a second consecutive year, the government did not increase its protection efforts as it failed to ensure adequate assistance to and secure accommodation for trafficking victims. For example, in November 2012, following the rescue of two potential trafficking victims and their placement in a training and conference center for temporary stay, a government-contracted security guard raped both women at knifepoint while on duty; authorities arrested the suspected rapist, who remains in jail awaiting trial. In addition, some cases of trafficking were not adequately investigated, leading to victims being charged with immigration violations and placed in detention facilities. For example, in June 2012, five Ugandans were denied entry at the South African border because they lacked entry visas, and spent five months in a detention facility awaiting repatriation despite the government's identification of them as trafficking victims. Although during the year the government began development of a national victim referral mechanism and standard operating procedures for the handling of trafficking cases in partnership with UNODC, it continued to lack systematic procedures for the proactive identification of trafficking victims and their referral to care. Government authorities identified nine potential trafficking victims transiting the country and three victims exploited in Swaziland. The government provided assistance to victims both directly—with food, clothing, health care, and counseling—and in partnership with NGOs, in particular for psycho-social care. In 2012, the government set up a revolving fund for "immediate" assistance needs, which was used to purchase food and clothing for victims. During the year, the government assisted repatriated Swazi victims in safe reintegration back to their home communities, including 12 repatriated from South Africa during the year. The government did not offer foreign victims alternatives to their removal to countries where they may face retribution or hardship. Although the government did not issue them temporary residency permits during their stay, upon their departure from Swazi territory, the victims had their stay documented as "legal" in their passports by the government, a compromise that involved negotiation among several government stakeholders because of the conflict between Swaziland's trafficking and immigration laws.

Prevention

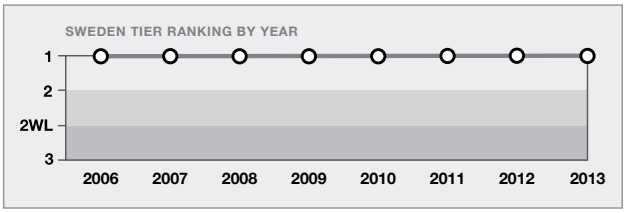
The government maintained its modest efforts to prevent trafficking during the reporting period. Although the Task Force for the Prevention of People Trafficking and People Smuggling and its Secretariat, which coordinates the work of the taskforce, held regular meetings and continued to be instrumental in guiding the government's anti-trafficking response, most prevention efforts were funded by NGOs and international donors. In January 2013, in partnership with UNODC, the Secretariat held a second stakeholder workshop, which included a review of the draft national strategic framework and action plan it prepared in 2012. The Secretariat conducted public awareness activities at the Swaziland international trade fair in Manzini in late 2012, targeting traditional leaders, students, young women, and parents with information on preventing child trafficking and how to report suspected cases. As part of donor-funded community awareness campaigns, the Secretariat and members of the taskforce, including representatives from DPP, police, and immigration, explained trafficking and the role of local and national authorities in combating the crime; these workshops took place in 10 communities over the past

two years, reaching an estimated 3,000 Swazis. As part of this project, the government developed and printed awareness raising materials, which were distributed at events around the country in 2012. The anti-trafficking hotline—funded and managed by the government—continued to receive tips on potential cases; the hotline received thousands of calls, of which three led to the government's initiation of investigations during the year. The government did not identify or prosecute labor brokers who were alleged to recruit workers through fraud and charge excessive fees; labor brokers remained unregulated. It made no efforts to reduce the demand for commercial sex acts. The government ratified the 2000 UN TIP Protocol in September 2012.

SWEDEN (Tier 1)

Sweden is a destination, source, and, to a lesser extent, transit country for women and children subjected to sex trafficking and a destination country for men, women, and children subjected to forced labor. Women, men, and children are subjected to forced labor and forced criminal activities, including begging and stealing. Identified and suspected victims of forced prostitution largely originate from Eastern Europe (Romania, Lithuania, Russia, Georgia, Azerbaijan, Bulgaria, and Poland), Africa (Nigeria, Eritrea, Gambia, Cameroon, Uganda, Sierra Leone, and Kenya), and Asia (Thailand, India, Uzbekistan, and Mongolia). Swedish girls were also vulnerable to sex trafficking within the country. Men and women from Bulgaria, Cameroon, Latvia, Slovakia, China, Bangladesh, Estonia, Thailand, and Vietnam are subjected to labor trafficking in the domestic service and hospitality sectors, as well as in seasonal labor, when workers travel to Sweden to pick berries or perform construction, forestry, or gardening work. Authorities report that organized crime groups are increasingly involved in leading trafficking schemes in Sweden. Both victims and perpetrators of forced begging and stealing originate primarily in Romania and Bulgaria. The 3,578 unaccompanied foreign children who arrived in Sweden in 2012 to seek asylum, primarily from Afghanistan, are vulnerable to human trafficking. Child sex tourism offenses committed by Swedish nationals traveling abroad remain a problem.

The Government of Sweden fully complies with the minimum standards for the elimination of trafficking. Swedish courts convicted more trafficking offenders than in past years, though law enforcement launched fewer investigations, and there were concerns that judges did not fully understand the trafficking phenomenon. The government began a pilot project with an NGO to ensure the safe repatriation of foreign trafficking victims found in Sweden, while there continued to be concerns about the lack of specialized care for men and child victims of trafficking. Authorities took action to combat child sex tourism committed abroad by Swedish nationals, and imposed new rules on employers of seasonal workers, though the government continued its anti-trafficking work without an action plan against labor trafficking.



Recommendations for Sweden: Vigorously prosecute, convict, and punish labor and sex trafficking offenders using Sweden's anti-trafficking statute; ensure that trafficking offenders receive sentences commensurate with the gravity of this serious crime; ensure judges receive training on the application of the anti-trafficking law; ensure that migrant and seasonal laborers receive education about their rights in Sweden; ensure that trafficking victims are offered a reflection period in accordance with Swedish law; continue efforts to identify and provide trafficking-specific assistance to child trafficking victims in Sweden, including Swedish victims of trafficking; ensure adult male victims of trafficking receive trafficking-specific assistance; consider proactive measures to prevent unaccompanied foreign minors from being subjected to sex trafficking and forced labor; formalize victim identification mechanisms; ensure that labor trafficking is explicitly included in the mandate of the national coordinator and any national action plan; ensure that victims of labor trafficking are provided with full information about their rights and that they are empowered to testify against their exploiters; provide longer term residency options for victims who may face retribution or hardship in their country of origin; ensure that municipal authorities understand victim protection protocols; consider a national anti-trafficking awareness campaign to address forced labor in addition to forced prostitution; vigorously prosecute Swedish child sex tourism offenders; and continue regular, self-critical assessments of Sweden's anti-trafficking efforts.

Prosecution

The Government of Sweden demonstrated mixed law enforcement efforts during the reporting period, launching fewer trafficking investigations. Sweden's 2002 anti-trafficking law prohibits both sex trafficking and forced labor and prescribes penalties of two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, Swedish law enforcement investigated 21 sex trafficking cases, a decline from 35 in 2011. Law enforcement investigated 48 cases of forced labor, forced begging, or forced criminal activities, in contrast to 62 in 2011. Of the 21 cases of sex trafficking, nine involved children; 13 of the 48 labor trafficking cases involved children. Authorities initiated prosecutions of 35 suspected trafficking offenders under Sweden's trafficking statute and related laws, in contrast to 43 prosecutions initiated in 2011. The courts dismissed two cases, down from eight dismissals in 2011. The remaining 33 offenders were convicted and received sentences of up to five years in prison, roughly equivalent to the 27 convicted in 2011, with sentences of up to four and a half years in prison. The government did not report the investigation, prosecution, or conviction of any government officials complicit in trafficking.

The commitment and expertise of Swedish police and prosecutors was hampered by an inadequate anti-trafficking

response on the part of the judiciary. For instance, in 2010, the government revised its anti-trafficking law to clarify that evidence of a victim's initial consent does not override evidence of subsequent coercion, but some judges continue to acquit or dismiss cases where initial consent was indicated. While the government continued to provide specialized trainings and handbooks for investigators and prosecutors, observers reported that many judges do not understand the trafficking phenomenon and lacked interest in receiving training. Swedish authorities collaborated with foreign governments on trafficking investigations, including Belgium, Lithuania, Norway, and Serbia.

Protection

The government demonstrated some progress in the reporting period with increased attention to the safe repatriation of victims trafficked in Sweden, though there were continued concerns regarding service delivery to male trafficking victims. The government identified 69 victims of trafficking during the reporting period, compared to approximately 141 victims identified in the previous reporting period and 84 victims in 2011. There were 21 victims of sex trafficking and 48 victims of trafficking for other purposes. Police referred adult female victims of trafficking to NGOs operating women's shelters, where victims receive assistance with immigration issues, medical care, Swedish language training, and educational and employment needs. Victims could leave the shelter at will and without a chaperone. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing. The government provided no specialized shelter for male victims of trafficking, who were often housed in shelters for the homeless, drug addicts, or individuals with mental illness. Municipalities reimbursed NGOs that provided services to victims who had received a residence permit for cooperating with police. The government provided medical care and assistance with repatriation for victims not assisting law enforcement. The government offered a reflection period of 30 days during which victims could decide whether to cooperate with law enforcement authorities; this provision was not well-known across law enforcement and authorities rarely informed victims about the reflection period. The Migration Board issued 28 temporary residence permits to trafficking victims in 2012, two of which were for children of trafficking victims, compared to 39 permits in 2011. State prosecutors had the power to file an application for a permanent residence permit on behalf of a trafficking victim during or after a trial based upon the person's need of protection; however, no victims obtained such immigration status in 2012. The government decided to grant two Mongolian children asylum based on information that they had been victims of trafficking in their country of origin prior to arriving in Sweden. NGOs reported that municipal authorities had an uneven understanding of victim protection protocols. In 2012, the government launched a pilot program with an NGO to ensure the safe repatriation of foreign victims trafficked in Sweden. The government continued to integrate training on victim identification and referral to police at basic training. The court appointed legal counsel for victims of trafficking during the course of criminal proceedings and, although there was no formal victim restitution program, the government's Crime Victim Compensation and Support Authority awarded compensation to some trafficking victims in 2012. There were no reports that the government penalized identified victims for unlawful acts they may have committed as a direct result of being trafficked.

Prevention

The Swedish government improved prevention efforts during the reporting period, instituting new rules for employers of seasonal workers and taking robust action against child sex tourism. The interagency working group continued to meet, and the government's anti-trafficking program was still formally guided and funded by an extension of its 2008-2010 action plan against prostitution and human trafficking for sexual purposes. Under this plan, the Government of Sweden designated the Stockholm county administration as the coordinating body of the government's victim services activities. Recognizing that forced labor has expanded in the country, Swedish authorities have voluntarily acted, in the absence of a formal mandate or action plan, to combat this additional form of trafficking in persons. Nevertheless, the government recognized that the lack of a formal mandate or action plan to address labor trafficking sometimes hindered its efforts to address the crime. The national rapporteur continued to provide an annual report of the trafficking situation in Sweden which included areas of improvement. The Swedish government funded a national help line for victims of violence and sexual abuse, including trafficking, which was available in a number of languages, including languages spoken in the countries that are most commonly countries of origin for victims of trafficking in Sweden.

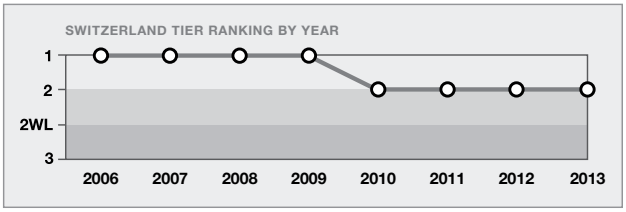
The Swedish Migration Board implemented new rules on employers of foreign seasonal workers, requiring employers to demonstrate that they can guarantee their workers' salaries. These employers must also register in Sweden or another EU country, which increases accountability. The government continued to conduct robust activities to reduce the demand for commercial sex, including by establishing social services groups in the three largest cities that counsel individuals arrested for purchasing commercial sex. Sweden's law prohibiting child sexual offenses has extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad. The national criminal police staffed a unit focused on combating child sex tourism with two intelligence officers and two full-time investigators, who assisted foreign and Swedish authorities with criminal cases of child sex tourism. In 2012, the government convicted one Swedish man for child sex tourism.

SWITZERLAND (Tier 2)

Switzerland is primarily a destination and, to a lesser extent, a transit country for women and children subjected to sex trafficking and children forced into begging and theft. Sex trafficking victims originate primarily from Central and Eastern Europe (Hungary, Poland, Bulgaria, Slovakia, Czech Republic, Slovenia, Romania, Ukraine, Moldova, and Albania), though victims also come from Latin America (Brazil, the Dominican Republic, and Colombia), Asia (Thailand and Cambodia), and Africa (Nigeria and Cameroon). During the last year, Swiss government officials and NGOs reported an increase in the number of children forced into begging and shoplifting from other parts of Europe, especially Hungary, Romania, and Bulgaria, many of whom were ethnic Roma. Federal police assessed that the total number of potential trafficking victims residing in Switzerland was between 2,000 and 3,000. Swiss authorities identified larger numbers of Turkish and Macedonian criminal groups also engaged in human trafficking, often in coordination with drug trafficking

activities. Federal police noted victims were increasingly housed in rented apartments in smaller, industrialized villages outside of large cities. There reportedly was forced labor in the domestic service sector, particularly in foreign diplomatic households in Geneva, and increasingly in agriculture, construction, hotels, and restaurants. According to Swiss authorities, female and underage asylum seekers were especially vulnerable to sex trafficking.

The Government of Switzerland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government took clear steps to improve its anti-trafficking program during the reporting period, including opening more cases of alleged trafficking offenses and cooperating with international partners to disrupt major trafficking rings operating in the country. Improving from previous years, Swiss courts sentenced several trafficking offenders to significant time in prison. The government identified more victims of trafficking and enhanced the protection of witnesses. Switzerland also advanced legislation that would prohibit prostitution of all persons under 18, and, in 2012, issued its first anti-trafficking action plan. Nevertheless, until the third-party harboring, transport, or recruitment of a teenager (under the age of 18) in prostitution is illegal, Switzerland does not prohibit all forms of trafficking.



Recommendations for Switzerland: Ensure the prohibition of the prostitution of all persons under 18 years old nationwide; continue to explore ways to increase the number of convicted traffickers who receive sentences commensurate with the gravity of this serious crime; increase the number of convicted traffickers serving time in prison; amplify training on and enforcement of labor trafficking laws, including laws covering forced begging and forced criminal activities; enhance the collection and compilation of law enforcement and victim assistance data; provide adequate funding for trafficking victim service providers and ensure there are trafficking-specific services for children and male victims; identify more children in begging as trafficking victims; conduct a nationwide awareness campaign that addresses labor and sex trafficking and targets potential victims, the general public, as well as potential clients of the sex trade and consumers of products made and services provided through forced labor; and, drawing from recommendations in the Union of Swiss Cities and City of Bern report on begging, strengthen trafficking victim services to affected children in all cantons.

Prosecution

The Government of Switzerland improved its anti-trafficking law enforcement efforts this reporting period, largely by taking key steps toward expanding the prohibition on child prostitution, but also by dismantling major trafficking networks and sentencing convicted offenders to significant prison terms. Switzerland prohibits trafficking for most forms of sexual and labor exploitation through Articles 182 and 195 of the Swiss penal code, which prescribe penalties of up to 20 years' imprisonment. These penalties are commensurate with penalties prescribed for other serious crimes, such as rape. Swiss law does not expressly prohibit the prostitution of children aged 16 and 17 under all circumstances throughout the country, leaving these children vulnerable to sex trafficking when a third party profits from a child in prostitution. In November 2012, the upper house of the legislature voted unanimously in favor of a draft amendment to the Swiss penal code that would prohibit the prostitution of children aged 16 and 17, including the transportation or harboring of children in prostitution; however, the amendment was still pending in the lower house of the legislature at the close of the reporting period. Several cantons prohibited the prostitution of individuals under 18 years of age.

The Swiss government continued to organize anti-trafficking efforts under the umbrella of the Coordination Unit against the Trafficking of Persons and Smuggling of Migrants (KSMM), a specialized unit within the Federal Office of Police tasked with anti-trafficking policy, information exchange, cooperation, and training; the KSMM was not directly involved in criminal proceedings or investigations. The government did not provide current data on law enforcement efforts against labor trafficking. Swiss authorities conducted 226 investigations into human trafficking and forced prostitution in 2012, in contrast to 233 in 2011. During the reporting period, the government prosecuted at least 31 suspected offenders for trafficking offenses, 26 of which were new cases in 2012, compared to approximately 50 in 2011. In 2011, the most recent year for which comprehensive conviction data were available, Swiss authorities convicted 14 sex trafficking offenders, with one offender receiving a prison term of four and a half years. At least three other offenders received prison sentences, and nine individuals were given suspended sentences or fined. During the reporting period, Swiss judges sentenced more convicted traffickers to longer prison sentences than in previous years. In July 2012, a court in Zurich sentenced one trafficking offender to 14 years in prison. In January 2013, the Bellinzona criminal court sentenced one trafficker to 10.6 years in prison. In March 2013, following a wide-scale police investigation that uncovered 50 Thai victims subjected to sex trafficking in Switzerland, a Swiss court sentenced the ringleader to six and a half years in prison. However, there were continued concerns over some cantonal courts predominantly issuing suspended sentences to convicted trafficking offenders, reportedly because some prosecutors and judges lacked sufficient sensitization to trafficking crimes.

In October 2012, the federal police organized a specialized anti-trafficking training for law enforcement personnel in the French-speaking part of the country. During the reporting period, Swiss authorities cooperated with several countries and with Europol to investigate trafficking crimes, including the October 2012 eight-country coordinated raid against West African human trafficking networks that identified 468 potential trafficking victims across Europe. The government did not report the investigation, prosecution, conviction, or sentencing of any public officials for trafficking-related complicity.

Protection

The Government of Switzerland improved its victim protection efforts during the reporting period, significantly enhancing protections for victims who chose to be witnesses in court

proceedings. Under the Swiss Victims Assistance Law, all trafficking victims were entitled to shelter, free medical aid, living stipends, and psychological, social, and legal assistance from government-funded victim assistance centers. Although some facilities specialized in assistance to trafficking victims, most were shelters for victims of domestic violence and, as such, were inadequate for trafficking victims' care. Trafficking victims were allowed to leave the shelters at will and without chaperones. Two anti-trafficking NGOs offered specialized shelter in apartments exclusively for female trafficking victims. Availability of services to men was often limited in rural areas, but in urban areas, there were assistance centers with more specialized expertise available for trafficked men and boys. Federal and cantonal authorities compensated most NGOs that provide services to trafficking victims primarily on the basis of agreed per capita payments for services rendered to victims. The country's principal anti-trafficking NGO received approximately one third of its operating budget from the government.

Several of Switzerland's cantons have formal procedures for the identification of victims and their referral to protective services. However, observers reported that a significant number of trafficking victims remain unidentified. In 2012, the government registered 86 victims of trafficking and 60 victims of forced prostitution, compared to 2011 when the government identified at least 61 victims. The lead NGO reported assisting 155 victims in 2012, compared to 164 in 2011. Twelve of these victims were victims of labor trafficking. Although the majority of victims served were women, one major anti-trafficking NGO offered assistance to a male sex trafficking victim.

Observers estimated that approximately 40 percent of identified trafficking victims cooperated in the investigation or prosecution of trafficking offenders in 2012. Cantonal immigration offices granted a three-month reflection period to 14 trafficking victims in 2012 and issued 54 short-term residency permits to victims for the duration of legal proceedings against their traffickers, compared with more than 19 30-day stays of deportation and 66 short-term residency permits in 2011. The government also granted two trafficking victims long-term residency permits on personal hardship grounds, a decrease from 13 victims in 2011. Although there were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked, NGOs reported that authorities in Zurich increasingly issued fines to women illegally engaged in prostitution during the reporting period.

Prevention

The government significantly improved its trafficking prevention activities during the reporting period, including by issuing its first anti-trafficking national action plan. The Swiss released the 2012-2014 national action plan against human trafficking in October 2012, which called for a number of new anti-trafficking measures, including the penalization of child prostitution, the creation of a practical guide to fighting forced labor and identifying its victims, and creation of a national program for the protection of victims. The government included NGOs in the development of the action plan. In October 2012, the government organized a one-day conference in Bern to present the action plan and discuss human trafficking; over 300 people attended the event. The government did not launch any broad-based anti-trafficking public awareness campaigns during the reporting period. The government continued to regulate the employment of domestic servants in the homes of diplomats, including monitoring salaries and working conditions of domestic workers. The government continued to conduct an annual assessment of its anti-trafficking efforts and publish the results. Over the course of the last three years, the Government of Switzerland established bilateral agreements with authorities in Nigeria, Serbia, Kosovo, and Bosnia and Herzegovina to discuss migration and trafficking issues. The government maintained an online reporting office in four languages for tips on suspected cases of child sex tourism. The Swiss government did not report prosecuting any Swiss citizens for child sex tourism offenses. The government did not take action to reduce the demand for commercial sex acts.

SYRIA (Tier 3)

Since March 2011, the Syrian government has deployed its security forces to violently repress anti-government demonstrators. At the end of this reporting period, UNHCR estimated that over 60,000 people have died since the protests began. Due to the consistent lack of security and continued inaccessibility of the majority of the country, it is not possible to conduct a thorough analysis of the impact of the ongoing conflict on the scope and magnitude of Syria's human trafficking situation. Reports indicate that an unknown number of trafficking victims have fled the country as a result of widespread violence that has plagued many cities, including the capital Damascus, and major cities such as Aleppo, Homs, Hama, Dara'a, and Idlib, as well as a devastated economy; however, according to international organizations, some trafficking victims remain trapped in Syria.

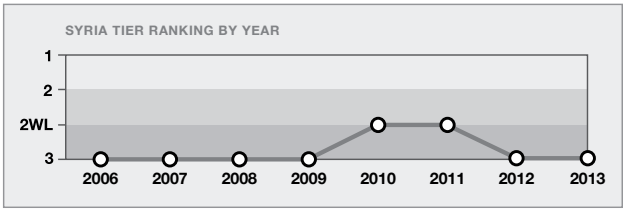
Prior to the political uprising and violent unrest, Syria was principally a destination country for women and children subjected to forced labor or sex trafficking. Thousands of women—the majority from Indonesia, the Philippines, Somalia, and Ethiopia—were recruited by employment agencies to work in Syria as domestic servants, but were subsequently subjected to conditions of forced labor by their employers. Some of these women were confined to the private residences in which they worked, and contrary to Syrian law, most had their passports confiscated by their employer or the labor recruitment agency. Contracts signed in the worker's country of origin were often changed upon arrival in Syria, contributing to the worker's vulnerability to forced labor. At the end of the reporting period, uncorroborated media reports suggested that undocumented Filipina domestic workers continue to be sent to Syria after transiting Dubai; these workers continue to be particularly susceptible to conditions of forced labor. In September 2012, the media reported that the Government of the Philippines was seeking the return of more than 5,000 women and girls from Syria, but many were trapped in cities under siege such as Homs and Hama. As in the previous reporting period, the Government of Ethiopia's ban on its citizens accepting employment in Syria did not stop the flow of workers into the country. Some Iraqi refugees reportedly contract their daughters to work as maids in Syrian households, where they may be raped, forced into prostitution, or subjected to forced labor. At the end of the reporting period, the UN Commission of Inquiry on Syria, UNICEF, and an international NGO corroborated local media reports that the Syrian armed forces and opposition forces are using Syrian children, some as young as eight years old, as soldiers in combat and support roles and as human shields.

The UN reported in February 2013 that Syrian government forces seized children under 18 years old at checkpoints, and government-affiliated militia used sectarian affiliation, kinship systems, and cash to fill their ranks; these methods may have led to the recruitment of child soldiers. Children were also used as informers; government, government-affiliated, and opposition forces punished "informants" with judicial or extrajudicial execution. Anti-governmental opposition armed groups also enlisted children under 18 years old into their ranks. Some armed groups used children as prison guards; an uncorroborated video allegedly showed a child associated with an armed group behead a prisoner. A Syrian-based organization also documented the deaths of at least 17 children who fought for the Free Syrian Army.

Traffickers prey on Syria's large Iraqi refugee population, with some Iraqi women and girls exploited by their families or by criminal gangs; victims were sent to work in nightclubs, placed into temporary "marriages" to men for the sole purpose of prostitution, or sold to pimps who "rent" them out for longer periods of time. Some Iraqi parents reportedly abandoned their daughters at the Iraqi side of the border with Syria with the expectation that traffickers would provide forged documents for them to enter Syria and work in a nightclub. In other instances, refugees' children remained in Syria while their parents left the country in search of improved economic circumstances, leaving the children vulnerable to trafficking. Iraqi women deported from Syria on prostitution charges are vulnerable to being trafficked or retrafficked by criminal gangs operating along the border. With the continued political unrest, many Iraqi refugees that remained in Syria reported being unable to find work in the informal sector. A number of these refugees were coerced into taking part in anti-government protests, and therefore harassed or subjected to abuse, all of which increase this vulnerable population's susceptibility to trafficking and place their lives continuously at risk.

Syria has been a transit country for Iraqi women and girls, as well as southeast Asians and east Africans who have been subjected to conditions of forced prostitution in Europe, Saudi Arabia, Kuwait, United Arab Emirates, and Lebanon. Prior to recent unrest, women from Eastern Europe—particularly Ukraine—Somalia, and Morocco were recruited legally as cabaret dancers in Syria; some "entertainers" were subsequently forced into prostitution after their employers confiscated their passports and confined them to their hotels. Anecdotal evidence suggests that some economically desperate Syrian children continued to be subjected to conditions of forced labor within the country, particularly by organized street begging rings. Some Syrian women in Lebanon may be forced to engage in street prostitution and small numbers of Syrian girls are reportedly brought to Lebanon for the purpose of prostitution, including through the guise of early marriage. The number of Syrian adults who are reportedly subjected to forced labor as low-skilled workers in Qatar and Kuwait increased from previous years, likely due to efforts to escape the ongoing violence in Syria. According to regional newspapers, the UN, and civil society organizations, teenage Syrian refugees who fled to neighboring states are being forced into "pleasure marriages" (*Nikah al-Mut'ah*), a cover for legalized prostitution. The high level of violence has led Syrians and foreign migrant workers to flee the country by the hundreds of thousands, and a large number of these individuals are then vulnerable to human trafficking. An international organization observed heightened vulnerability to trafficking of Syrian refugees in the Domiz refugee camp in the Kurdistan region of Iraq, including women entering into commercially dependent relationships with Iraqi men; men entering into employment without contracts; and increased pressure on children to engage in begging.

The Government of Syria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not demonstrate evidence of increasing efforts to investigate and punish trafficking offenses, provide protective services to victims, widely inform the public about human trafficking, or provide much needed anti-trafficking training to law enforcement and social welfare officials. Furthermore, the government continued to allocate the majority of its time and resources towards continuing to violently suppress popular protest and limit freedoms of speech, assembly, and mobility, further endangering trafficking victims and other vulnerable populations that remained in the country.



Recommendations for Syria: Assist governments attempting to retrieve victims of trafficking in contacting and extracting their citizens from Syria; implement the comprehensive anti-trafficking law through increased investigations and prosecutions of trafficking offenders; provide training on human trafficking to police, immigration officials, labor, and social welfare officials, including those assigned to the anti-trafficking directorate; ensure that the anti-trafficking directorate is fully operational, continue to assign a significant number of female police officers to the directorate, and provide specific training on how to receive cases and interview potential trafficking victims with appropriate sensitivity; launch a nationwide anti-trafficking public awareness campaign, particularly highlighting the appropriate treatment of domestic workers under Syrian law; establish policies and procedures for law enforcement officials to proactively identify and interview potential trafficking victims, and transfer them to the care of relevant organizations; make efforts to stop the forcible recruitment of child soldiers and provide protection services to demobilized children; designate an official coordinating body or mechanism to facilitate anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, international organizations, and NGOs; and accede to the 2000 UN TIP Protocol.

Prosecution

The government did not make progress in addressing human trafficking through law enforcement measures during the reporting period. The increasingly violent unrest during the reporting period undercut any anti-trafficking law enforcement efforts, and inadequate law enforcement training remained a significant impediment to identifying and prosecuting trafficking crimes in Syria. In June 2011, the Syrian government issued an executive order outlining the implementation of its comprehensive anti-trafficking law, Decree No. 3, which provides a legal foundation for prosecuting trafficking offenses and protecting victims, but does not provide a clear definition of human trafficking. This law prescribes a minimum

punishment of seven years' imprisonment, a penalty that is sufficiently stringent though not commensurate with those prescribed for other serious crimes, such as rape. Activities by the Ministry of Interior's 200-person specialized anti-trafficking directorate were effectively suspended, despite its 2010 mandate to investigate cases, raise public awareness, cooperate with foreign entities, train law enforcement, and track and annually report on the government's anti-trafficking efforts. The directorate continued to lack a coordination role and provided no information on its investigations or prosecutions of suspected trafficking offenses. In previous reporting periods, there were reports of collusion between low-level police officers and traffickers, particularly regarding the trafficking of women in prostitution. During the last year, there was no evidence that the government addressed alleged complicity in trafficking-related offenses through investigations.

Protection

The government made no discernible efforts to identify and protect victims of trafficking during the reporting period. By the end of the reporting period, the Government of the Philippines reported that over 100 Filipinos were entering Syria each month, and many were trafficked to Homs and Hama, where they were then trapped by the ongoing siege. While the Philippine embassy continued its attempts from the previous reporting period to negotiate with the employers of at least 95 domestic workers for their release, there were no reports that the Government of Syria assisted the embassy in these efforts to identify and protect the workers, including possible victims of domestic servitude. As in the previous reporting period, the government did not refer any trafficking victims to NGO-operated shelters. The government also failed to institute any systematic procedures for the identification, interview, and referral of trafficking victims. As a result, victims of trafficking may have been arrested and charged with prostitution or violating immigration laws before being punished or deported. The government failed to take measures to protect children from being forcibly recruited as soldiers and human shields. The government neither encouraged victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

Prevention

During the past year, the government made no observable efforts to prevent trafficking or to raise awareness among the general public or government officials. The Syrian government's anti-trafficking unit reportedly continued to operate a 2011-instituted hotline for reporting suspected cases of human trafficking, but made no efforts to raise public awareness of the service. The government provided no information on the number of calls the hotline received. The status of the government's national plan of action against trafficking, which was drafted in early 2010, is unknown. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Syria is not a party to the 2000 UN TIP Protocol.

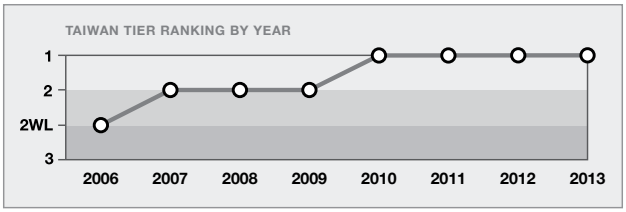
TAIWAN (Tier 1)

Taiwan is a destination and, to a much lesser extent, a source of and transit territory for men, women, and children subjected to sex trafficking and forced labor. Most trafficking victims in Taiwan are migrant workers from Vietnam, Thailand, Indonesia, mainland China, Cambodia, the Philippines, Bangladesh, and India, employed through recruitment agencies and brokers to perform low-skilled work in Taiwan's manufacturing, construction, and fishing industries, and as home caregivers and domestic workers. Many of these workers fall victim to labor trafficking by unscrupulous brokers and employers who force workers to perform work outside the scope of their contract, often under exploitative conditions. Migrant workers are reportedly charged up to the equivalent of approximately $7,700 in recruitment fees, typically in their home countries, resulting in substantial debts that may be used by brokers or employers in Taiwan as tools of coercion to obtain or retain a migrant's labor. Labor brokers in Taiwan often assist employers in forcibly deporting "problematic" foreign employees, thus allowing the broker to fill the empty quota with new foreign workers. Some employers of foreign domestic workers and home caregivers forbid their employees to leave their residences, making them unable to seek help, which could indicate that they are at risk of being subjected to forced labor. Although Taiwan is primarily a destination territory for labor trafficking victims, there are reports that Taiwan university students have fallen victim to forced labor while working in Australia.

Some women and girls from mainland China and southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking and forced labor. Women from Taiwan are recruited through classified ads for employment in Japan, Australia, the United Kingdom, and the United States; after their arrival in these countries, some are forced into prostitution.

Taiwan authorities fully comply with the minimum standards for the elimination of trafficking. During the reporting period, Taiwan authorities continued robust and transparent prosecution of trafficking offenses, including both forced labor and forced prostitution. In addition, the authorities continued strong victim protection efforts, trained law enforcement and other officials, and raised public awareness on trafficking offenses.

During the reporting year, incidents of alleged labor abuse aboard a Taiwan-flagged fishing boat in international waters off the coast of Hawaii were reported. Following a distress call from crewmembers aboard the ship, which had caught fire on the open seas, the U.S. Coast Guard taxied 28 emaciated Indonesian, Chinese, and Burmese crewmembers to shore where they were interviewed and treated by authorities. During the interviews, the crewmembers claimed that they had been abused and their pay had been withheld while serving on the ship. The victims were eventually repatriated to their home countries. The alleged abuse was being investigated by Taiwan authorities as of the end of the reporting year.



Recommendations for Taiwan: Investigate and prosecute the owners of Taiwan-owned or -flagged fishing vessels who allegedly commit abuse and labor trafficking onboard long

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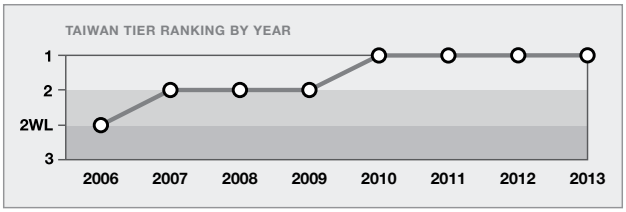
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Recommendations for Taiwan: Investigate and prosecute the owners of Taiwan-owned or -flagged fishing vessels who allegedly commit abuse and labor trafficking onboard long

haul fishing vessels; increase efforts to reduce exploitation of migrant workers by brokerage agencies and employers; sustain and improve efforts to investigate, prosecute, and convict trafficking offenders using the anti-trafficking law; ensure that convicted trafficking offenders receive sufficiently stringent sentences; continue to train law enforcement personnel, officials in the Council of Labor Affairs (CLA), labor inspectors, prosecutors, and judges on victim identification measures and the anti-trafficking law; continue to raise awareness among victims of the option to assist in prosecutions and ensure they understand the implications of their participation; increase efforts to investigate and prosecute child sex tourism offenses committed by Taiwan nationals; and continue efforts to increase public awareness of all forms of trafficking.

Prosecution

Taiwan authorities sustained their strong anti-trafficking law enforcement efforts, especially by vigorously prosecuting forced labor offenses during the reporting period. Taiwan's Human Trafficking Prevention and Control Act (HTPCA), combined with portions of the criminal code and the Labor Standards Law, prohibits forced prostitution and labor and prescribes penalties of up to seven years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, Taiwan authorities convicted 65 people for forced labor and 186 people for sex trafficking under the HTPCA, an increase from 51 labor and 113 sex trafficking convictions in 2011. Sentences imposed on trafficking offenders ranged from six months to less than seven years. Upon a formal inquiry, the authorities initiated an investigation of the owners and operators of a Taiwan-flagged vessel, the Chin Zue Yin, which was found off the coast of Hawaii, for physical abuse and salary disputes onboard. The investigation was ongoing at the end of the reporting year. Taiwan authorities continued to provide training for judges and prosecutors. Taiwan authorities, in partnership with a foreign government, conducted outreach and training events from January 2012 to February 2013 in which more than 750 law enforcement officers and government officials participated. Taiwan authorities reported one conviction and sentencing of a Taiwan official for complicity in trafficking-related offenses during the reporting period. The former director of the Taipei Economic and Cultural Office in Kansas City, who allegedly subjected two domestic workers to conditions of forced labor in the United States, received two years' suspension from official duty after pleading guilty to a trafficking-related offense and serving four months in jail in the United States before being deported.

Protection

During the reporting period, Taiwan authorities sustained their efforts to protect victims of trafficking. Authorities continued employing systematic procedures to proactively identify and assist victims of trafficking. The authorities distributed reference indicators with specific questions and a standardized evaluation form to law enforcement officials for use in interviewing potential victims of trafficking. Taiwan authorities identified and assisted 462 trafficking victims in 2012, of which 152 were victims of labor trafficking and 310 of sex trafficking, most of them Indonesian and Vietnamese; all 462 were referred to care facilities for assistance. The authorities maintained 21 shelters in Taiwan under the administration of two government agencies; three run by the National Immigration Agency (NIA) are dedicated solely to victims of trafficking, while the other 18 are run by the Council for Labor Affairs (CLA) and are made available to victims of trafficking. All 21 shelters are administered by NGO partners with government funding and subject to government regulation. The dedicated NIA trafficking shelters provided victims of trafficking—both men and women—with medical and psychological services, legal counseling, vocational training, small stipends, and repatriation assistance. Taiwan authorities also reported providing social workers and interpreters to accompany victims during court proceedings. Taiwan authorities encouraged victims to participate in investigations against their traffickers by offering temporary residency and work permits. Foreign trafficking victims who faced retribution or hardship if returned to their country of origin were legally entitled to permanent residency in Taiwan, though to date Taiwan authorities have not granted such residency to any foreign victim. Authorities reported protecting victims' safety until their return to their home countries. In order to expedite trafficking cases, the authorities ordered the judiciary and protective services to communicate and ensure that these cases did not take longer than three months to adjudicate. While the HTPCA provides that human trafficking victims can receive immunity for crimes committed as a result of being trafficked, NGOs claimed that trafficking victims were occasionally treated as criminals in such cases.

Prevention

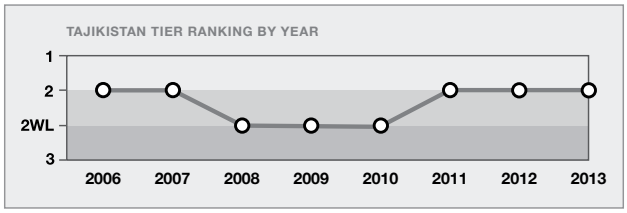
Taiwan authorities made progress in their efforts to prevent trafficking in persons during the reporting period. In October 2012, the NIA, with support from foreign and Taiwan government agencies, NGOs, and other media partners, launched MTV EXIT's film "Enslaved," which presented stories of victims of trafficking to more than 230 people at a launch event. The film was aired on MTV Taiwan and CTI TV over the following two weeks, reaching an estimated viewership of 200,000. The video is available online and in video for distribution. In November 2012, the NIA held an international trafficking seminar in Taipei that focused on the experiences of trafficking victims and NGO workers. The seminar was attended by 220 NGO workers, academics, and foreign and Taiwan officials. Throughout the year, foreign governments sought guidance from Taiwan's authorities in addressing human trafficking issues. The NIA continued to fund advertisements and public service announcements on human trafficking prevention in newspapers, magazines, and on the radio and distributed anti-trafficking posters and pocket cards, of which the latter featured information in seven different languages. The CLA continued to operate foreign-worker service stations and international airport service counters around Taiwan to assist migrant workers and educate them on their rights and the hotline number. Authorities continued to distribute handbooks detailing relevant laws and regulations pertaining to foreign workers to more than 200,000 employers and aired radio shows highlighting the rights of migrant workers. In an effort to strengthen cross-Strait cooperation, the ministry of justice invited prosecutors from mainland China to attend a seminar on trafficking case studies in May 2012. In addition, Taiwan authorities signed memoranda of understanding with the governments of Mongolia, Indonesia, and The Gambia to increase cooperation in combating human trafficking. Taiwan has laws with extraterritorial application that criminalize sexual exploitation of children by Taiwan passport holders traveling abroad. However, authorities have not prosecuted

any Taiwan passport holder for child sex tourism offenses committed abroad since 2006. The children's bureau, within the Ministry of Interior, launched a blog and several internet games, as well as posters and advertisements in popular areas, to increase awareness of and discourage participation in child sex tourism.

TAJIKISTAN (Tier 2)

Tajikistan is a source country for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. Some Tajik men and women are subjected to forced labor in agriculture and construction in Russia, the United Arab Emirates (UAE), and, to a lesser extent, in Kazakhstan, Afghanistan, and Saudi Arabia. Women and children from Tajikistan are subjected to forced prostitution primarily in the UAE and Russia, and also in Saudi Arabia, Kazakhstan, Afghanistan, and within Tajikistan. These women sometimes transit through Russia and Kyrgyzstan *en route* to their destination country. Tajikistan also has an internal trafficking problem. There are reports of Tajik children subjected to sex trafficking and forced labor, including forced begging, within Tajikistan and in Afghanistan. The forced prostitution and debt bondage of Tajik women and girls in Afghanistan sometimes occurs through forced marriages to Afghan men. Some Tajik children and possibly some adults were subjected to agricultural forced labor in Tajikistan – mainly during the fall 2012 cotton harvest – but this exploitation occurred to a lesser degree than in 2011. Seven Tajik trafficking victims were identified in Kyrgyzstan in 2012.

The Government of Tajikistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to make progress in further reducing the use of forced labor in the annual cotton harvest. However, the government continued to lack procedures to proactively identify trafficking victims among vulnerable populations and refer them to existing protective services. The lack of adequate victim protection remained a serious problem in the country.



Recommendations for Tajikistan: Continue to enforce prohibition against the forced labor of children in the annual cotton harvest by inspecting cotton fields during the harvest, in collaboration with local government officials and civil society organizations; include the monitoring of adult forced labor in the overall inspection of conditions during the cotton harvest, and expand the monitoring activities to all cotton growing districts; vigorously investigate and prosecute suspected trafficking offenses, respecting due process, especially those involving forced labor, and convict and punish trafficking offenders; develop a formal victim identification and referral mechanism; ensure that sex trafficking victims are not penalized for prostitution offenses; finalize, pass, and implement draft anti-trafficking legislation to strengthen victim protection and clarify the definition of trafficking; strengthen the capacity and awareness of Tajik embassies and consulates to proactively identify victims and refer them to protective services, including via repatriation; work with international organizations and NGOs to develop comprehensive protection and rehabilitation programs for trafficking victims, including psychological care and economic and social reintegration; impose stricter, appropriate penalties on local officials who force individuals to participate in the cotton harvest; help develop and sponsor campaigns in rural areas to raise awareness about all forms of human trafficking; provide victim identification and victim sensitivity training to border guard and law enforcement authorities; provide financial or increased in-kind assistance to existing protection services for trafficking victims, including shelters; work to guarantee the safety of witnesses and victims during the investigation and prosecution of trafficking cases; and improve the collection of anti-trafficking law enforcement data.

Prosecution

The Government of Tajikistan continued limited anti-trafficking law enforcement efforts during the reporting period. Article 130.1 of the criminal code prohibits both forced sexual exploitation and forced labor, and prescribes penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Article 167 prohibits the buying and selling of children, prescribing five to 12 years' imprisonment. The government investigated and prosecuted three trafficking cases under Article 130.1 in 2012. The government did not report any convictions of trafficking offenders under Article 130.1 in 2012, compared with six convictions reported in 2011. The government reported that it took law enforcement action against trafficking crimes under other articles in the criminal code, but did not provide specific information on such cases. The Tajik government compiled law enforcement data across a variety of agencies and may count trafficking cases multiple times. In response to forced child labor cases in the 2012 cotton harvest that were identified through monitoring by IOM, the government levied fines against farms and schools. Officials referred 11 cases to the government's Inter-Ministerial Commission for Combating Trafficking in Persons (IMCCTP) for further investigation, but the disposition of these investigations is unknown. In partnership with international organizations, the government continued to conduct an anti-trafficking course as part of the Ministry of Interior Academy's training curriculum for police officials. In 2012, approximately 80 police academy students completed the training. The Government of Tajikistan did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government continued limited efforts to identify and assist trafficking victims during the reporting period. Authorities did not have a systematic procedure for identifying and referring victims for assistance. The government did not formalize victim referral procedures through a working group established in 2010. Because Tajik law enforcement officials did not differentiate between women in prostitution and sex trafficking victims and did not attempt to identify trafficking victims among women found in prostitution, the government

likely penalized sex trafficking victims for prostitution crimes. During the reporting period, the government identified and referred eight victims to IOM in 2012, compared with six victims identified and referred in 2011. Civil society groups provided protective services to a total of 74 Tajik trafficking victims in 2012 – including 49 male labor trafficking victims – compared with 85 victims in 2011. Although the national government did not provide financial support to any NGOs or other organizations that assisted trafficking victims in 2012, the government continued to provide funding to cover utilities for two adjacent shelters in Dushanbe as well as a shelter in Khujand. Adult victims could leave the shelters voluntarily and unchaperoned. There was no information whether the government encouraged victims to participate in trafficking investigations and prosecutions.

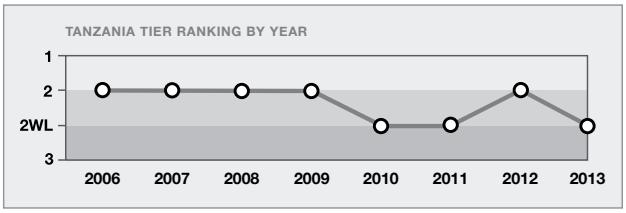
Prevention

The Government of Tajikistan continued its efforts to prevent human trafficking during the reporting period, including efforts to raise awareness about forced child labor in the cotton harvest. The IMCCTP again disseminated a directive to local officials on the effective implementation of laws prohibiting the use of forced child labor. For the third year in a row, the government certified NGO representatives to monitor the cotton harvest and appointed a Ministry of Labor official to accompany IOM representatives during the fall cotton harvest to meet local officials in cotton-growing districts to reinforce the prohibition on forced child labor. The IMCCTP continued its quarterly anti-trafficking dialogue meetings attended by representatives of government ministries, international organizations, and local NGOs. However, a lack of communication between government agencies limited their ability to collect, consolidate, and disseminate information. The IMCCTP launched a website in Tajik and Russian intended to serve as an information clearinghouse on anti-trafficking activities. Government officials participated in a program where they met weekly with dozens of youth to discuss trafficking issues and distribute pamphlets. The government has an action plan to combat human trafficking for 2011-2013. The government provided hotlines, operated by civil society groups, that assist female victims of violence, including human trafficking. The government made efforts to reduce the demand for commercial sex acts by prosecuting clients of prostitution but those efforts were mitigated by the government's punishment of women in prostitution without ensuring that they were not victims of trafficking.

TANZANIA (Tier 2 Watch List)

Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The incidence of internal trafficking is higher than that of transnational trafficking, and is usually facilitated by family members, friends, or intermediaries who offer assistance with education or finding lucrative employment in urban areas. The exploitation of young girls in domestic servitude continues to be Tanzania's largest human trafficking problem, though cases of child trafficking for commercial sexual exploitation are increasing along the Kenya-Tanzania border. Girls are exploited in sex trafficking in tourist areas within the country. Boys are subjected to forced labor, primarily on farms, but also in mines, in the informal commercial sector, in the sex trade, and possibly on small fishing boats. Smaller numbers of Tanzanian children and adults are trafficked—often by other Tanzanians—into conditions of domestic servitude, other forms of forced labor, and sex trafficking in other countries, including Mozambique, Ethiopia, South Africa, Uganda, Yemen, Oman, the United Arab Emirates, Saudi Arabia, the United Kingdom, the United States, France, and possibly other African, Middle Eastern, and European countries. Trafficking victims from other countries—typically children from Burundi and Kenya, as well as adults from Bangladesh, Nepal, Yemen, and India—are forced to work in Tanzania's agricultural, mining, and domestic service sectors; some are also subjected to sex trafficking. Citizens of neighboring countries may voluntarily migrate through Tanzania before being forced into domestic service and prostitution in South Africa, Europe, and the Middle East.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted four international labor traffickers and continued to refer identified child trafficking victims to NGOs to receive care. In one successful case, it awarded four adult victims financial compensation from fines imposed upon a convicted trafficker. However, it failed to adequately punish offenders with sentences commensurate to the seriousness of the crimes committed, and there were reports that Tanzanian diplomats failed to assist Tanzanian citizens exploited abroad. Insufficient overall efforts to protect victims limited the government's ability to pursue successful law enforcement action against traffickers, and front-line officials' inability to distinguish between trafficking and smuggling led to some victims being punished. The government did not provide services or referrals for any adult victims of trafficking. The government's anti-trafficking committee and anti-trafficking secretariat, which were established at the close of the previous reporting period, took few actions during the year to implement the national action plan; the promise of the coordinating bodies and action plan had gone unrealized. The government did not provide evidence of continued anti-trafficking training for new police officers or a coordinated public awareness campaign about the dangers of trafficking. For a fourth year, it failed to allocate funding to the victims' assistance fund established by the 2008 anti-trafficking act. The Government of Tanzania did not demonstrate evidence of overall increasing efforts to combat trafficking since the previous reporting period; therefore, Tanzania is placed on Tier 2 Watch List.



Recommendations for Tanzania: Increase efforts to enforce the 2008 Anti-Trafficking in Persons Act by prosecuting and convicting trafficking offenses, and applying stringent penalties—including jail time, as appropriate—to convicted trafficking offenders; implement the act's victim protection and prevention provisions, including by allocating resources to the victim assistance fund; establish policies and procedures for government officials to identify and interview potential trafficking victims—including adults—among vulnerable groups proactively and transfer them, as appropriate, to local

organizations providing care; begin compiling trafficking-specific law enforcement and victim protection data at the national level; provide training to judges, prosecutors, and police to clarify the difference between human trafficking and alien smuggling; allocate a budget for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan; provide additional training to law enforcement authorities on the detection and methods of investigating human trafficking crimes; and institute standard operating procedures for trafficking victim identification and victim care provision for labor officials and diplomatic personnel working at Tanzanian missions overseas.

Prosecution

The Tanzanian government made modest anti-trafficking law enforcement efforts during the reporting period. The 2008 Anti-Trafficking in Persons Act outlaws all forms of trafficking and prescribes punishments of one to 10 years' imprisonment, a fine, or both; penalties which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. However, a provision allowing offenders to pay a fine in lieu of serving prison time allows for a penalty that is not proportionate to the crime and such a fine does not provide an adequate deterrent to potential perpetrators of trafficking offenses. Authorities reported initiating investigations into four cases under the 2008 Act over the last year. Seven trafficking cases were prosecuted, including two new cases and five which continued from the previous year. Three of these prosecutions were withdrawn or dismissed due to lack of victims' testimony, and three others resulted in convictions of four individuals for international labor trafficking. However, punishments imposed on the convicted offenders were inadequate for the serious nature of the crimes committed; all four received fines without jail time. One case, in which a group of children between the ages of eight and 15 were recruited from rural regions and rescued in Zanzibar while *en route* to the Middle East by boat, remained ongoing at the close of the reporting period. Despite the government's progress in holding some traffickers accountable, law enforcement and judicial officials' lack of understanding continued to create an environment in which trafficking occurred with impunity or was classified as a minor offense. The government did not allocate funding to provide specialized anti-trafficking training to officials during the year; as a result, training that had occurred in previous years for newly-hired officers was reportedly discontinued. The government made no progress in compiling trafficking-specific law enforcement and victim protection data at the national level, instead relying upon IOM's partial data for statistics about human trafficking. The Government of Tanzania did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offences during the reporting period.

Protection

The Tanzanian government's efforts to protect victims of trafficking were limited during the year. Key victim protection provisions of the 2008 anti-trafficking act, such as the establishment of a fund to support trafficking victims, remained unimplemented. The government continued to rely on NGOs to provide care for victims and NGO-run facilities were limited to urban areas. The sole government-run children's shelter was often filled to capacity; it is unknown whether it accommodated any trafficking victims during the year. The Department of Social Welfare assisted in the family reunification of five trafficked children, though the majority of victim services were provided by NGOs. The government did not take measures to proactively identify victims among vulnerable groups, such as unaccompanied children crossing the border or individuals in prostitution. Public hospitals provided free treatment to victims from one NGO shelter, which also received modest in-kind contributions of medical supplies from the government. The government had in place a systematic referral method which specifies police, Department of Social Welfare, and NGOs be notified of all potential cases, but this often did not function effectively. During the year, observers did note an increase in registration of cases, indicating greater collaboration between law enforcement, the Department of Social Welfare, and NGO service providers. The government referred an unknown number of child victims to IOM and NGOs to receive care; it did not, however, have procedures in place for referral of adult victims, and there were no reports of adult victims receiving assistance or referral from the government during the year. NGOs reported providing services to 49 victims.

The government failed to ensure that victims were not punished for crimes committed as a result of their being trafficked; identified foreign victims were, at times, detained in prisons or deported, and victims not properly identified may have been convicted of immigration violations. Furthermore, the lack of national procedures for victim identification and law enforcement officers' failure to distinguish between smuggling and trafficking likely led to unidentified victims being treated as law violators. There are reports that some Tanzanian diplomatic missions did not provide protections to Tanzanian citizens exploited overseas. In one case, a mission failed to expeditiously process a victim's travel documents. In a separate case, an outstanding settlement from a U.S. court judgment levied against a Tanzanian diplomat who had been posted to Washington, D.C., was not paid during the reporting year. The government neither encouraged nor discouraged victims from participating in the investigation and prosecution of their traffickers, but many were reluctant to do so; three legal cases were withdrawn or dismissed due to lack of victims' testimony. In a positive development, the government for the first time awarded compensation to four victims, funded from the fine levied against one convicted trafficker. The victim assistance fund established by the Anti-Trafficking in Persons Act, however, continues to remain unfunded. The act provides foreign victims legal alternatives to their removal to countries where their safety or the safety of their families may be endangered; no victims received this immigration relief during the reporting period.

Prevention

The government made minimal efforts to prevent human trafficking during the year. The anti-trafficking committee and anti-trafficking secretariat established during the previous reporting year continued to operate, but they lacked budgets and took few actions. These bodies' presence outside any ministry's existing structure limited their ability to secure funding. In an indication of the relatively low priority placed on anti-trafficking efforts by the government, the government diverted resources designated for the committee and secretariat, such as office space, to various agencies for other purposes. The government failed to implement its national anti-trafficking action plan and, unlike previous years, did not conduct any public awareness campaigns about

the dangers of trafficking. The government included child trafficking victims in a five-year plan for vulnerable children. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not report providing specialized anti-trafficking training to Tanzanian troops prior to their deployment abroad on international peacekeeping missions.

THAILAND (Tier 2 Watch List)

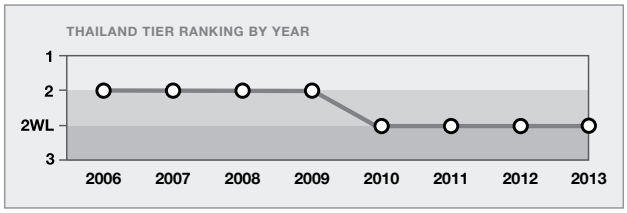
Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Victims from neighboring countries, China, Vietnam, Russia, Uzbekistan, and Fiji migrate willingly to Thailand for various reasons including to flee conditions of poverty. There are an estimated two to three million migrant workers in Thailand, the bulk of whom are from Burma. The majority of the trafficking victims identified within Thailand are migrants from Thailand's neighboring countries who are forced, coerced, or defrauded into labor or commercial sexual exploitation or children placed in the sex trade; conservative estimates put this population numbering in the tens of thousands of victims. A significant portion of labor trafficking victims within Thailand are exploited in commercial fishing, fishing-related industries, low-end garment production, factories, and domestic work, and some are forced to beg on the streets.

Research made available in 2010 indicated that 23 percent of all Cambodians deported by Thai authorities at the Poipet border were trafficking victims. A study done by the UN Inter-Agency Project on Human Trafficking (UNIAP) found that Thai authorities deport over 23,000 Cambodian trafficking victims per year. Corrupt officials on both sides of the border facilitate the smuggling of undocumented migrants between Cambodia and Thailand; many of these migrants subsequently become trafficking victims. Similarly, Lao authorities reported that groups of 50 to 100 Lao trafficking victims were among the thousands of Lao nationals deported by Thai authorities. An assessment of the cumulative risk of labor trafficking among Burmese migrant workers in the seafood industry in Samut Sakhon found that 57 percent of the 430 workers surveyed experienced conditions of forced labor. A report released by an international organization in January 2011 noted prevalent forced labor conditions, including debt bondage, among Cambodian and Burmese individuals recruited—some forcefully or through fraud—for work in the Thai fishing industry. According to the report, Burmese, Cambodian, and Thai men were trafficked onto Thai fishing boats that traveled throughout Southeast Asia and beyond, where they remained at sea for up to several years, not paid, forced to work 18 to 20 hours per day for seven days a week, and threatened and physically beaten. Similarly, an earlier UN survey found that 29 of 49 (58 percent) surveyed migrant fishermen trafficked aboard Thai fishing boats had reported witnessing a fellow fishermen killed by boat captains in instances when they were too weak or sick to work. As fishing is an unregulated industry region-wide, fishermen typically did not have written employment contracts with their employers. Men from Thailand, Burma, and Cambodia were forced to work on Thai-flagged fishing boats in Thai and international waters and were rescued from countries including Malaysia, Indonesia, Vietnam, and Timor-Leste. During the year, more than 150 Cambodian and Burmese victims were rescued from Thai fishing vessels in countries around the world, though this represented only a fraction of the total number of Southeast Asian men believed to be trafficked onto fishing boats. In early 2013, an organization that assists victims in Cambodia assessed this form of trafficking was rising. Cambodian and Burmese workers are increasingly unwilling to work in the Thai fishing industry due to dangerous work conditions and isolation, which makes them more vulnerable to exploitation; the Government of Thailand announced plans during the year to import Bangladeshi workers to fill the labor shortage this has caused. During the year, there were reports that some Rohingya asylum seekers from Burma were smuggled into Thailand *en route* to Malaysia and ultimately sold into forced labor, allegedly with the assistance of Thai civilian and military officials.

Observers noted that traffickers (including labor brokers) who bring foreign victims into Thailand generally work as individuals or in unorganized groups, while those who exploit Thai victims abroad tend to be more organized. Labor brokers, largely unregulated, serve as intermediaries between job-seekers and employers; some facilitate or engage in human trafficking. Brokers are reportedly of both Thai and foreign origin and work in networks, collaborating with employers and at times with corrupt law enforcement officials. Foreign migrants, members of ethnic minorities, and stateless persons in Thailand are at the greatest risk of being trafficked, and they experience the withholding of travel documents, migrant registration cards, and work permits, as well as withholding of wages and illegal salary deductions by employers. Migrants remain particularly vulnerable to trafficking due to their lack of legal status, low economic position, lack of education, language barriers, and failure to understand Thai law. Lack of documentation continues to expose migrants to potential exploitation; in the northern areas of Thailand, lack of citizenship makes highland women and girls particularly vulnerable to being trafficked. Some children from neighboring countries are forced by their parents or brokers to sell flowers, beg, or work in domestic service in urban areas. Children were exploited in the sex trade using false identification in karaoke or massage parlors. The majority of Thai victims identified during the year were found in sex trafficking; sex trafficking of both Thai and migrant children remains a significant concern. Women and children from Thailand, Laos, Vietnam, and Burma are subjected to sex trafficking. Thai victims are recruited for employment opportunities abroad and deceived into incurring large debts on broker and recruitment fees, sometimes using family-owned land as collateral, making them vulnerable to exploitation at their destination. Thai nationals are known to be subjected to forced labor or sex trafficking in Australia, Bahrain, Brunei, Canada, China, Germany, India, Indonesia, Israel, Japan, Kuwait, Libya, Malaysia, the Maldives, Qatar, Russia, Saudi Arabia, Singapore, South Africa, South Korea, Sri Lanka, Taiwan, Timor-Leste, the United Arab Emirates, the United Kingdom, the United States, Vietnam, and Yemen. Some Thai men who migrate for low-skilled contract work and agricultural labor are subjected to conditions of forced labor and debt bondage. Sex trafficking generally involves women and girls as victims. Sex tourism continues to be a problem in Thailand, and this demand likely fuels trafficking for commercial sexual exploitation. Thailand is a transit country for victims from North Korea, China, Vietnam, Pakistan, Bangladesh, and Burma destined for third countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in

Western Europe. There were reports that separatist groups in southern Thailand continued to recruit and use children to carry out attacks.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking. The government has not shown sufficient evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Thailand is placed on Tier 2 Watch List for a fourth consecutive year. Thailand was granted a waiver from an otherwise required downgrade to Tier 3 because the government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. The government disbursed the equivalent of approximately $3.7 million for anti-trafficking efforts in 2012 and reported investigating 305 trafficking cases, versus 83 in 2011, but initiated prosecutions in only 27 cases during the year and obtained only 10 convictions. In order to incentivize victims to testify, the government issued more temporary work permits to victims who participated in prosecutions. The government registered more than 800,000 undocumented migrants over the course of the year, but it failed to adequately regulate brokers, reduce the high costs associated with registration, or allow registered migrants to change employers. Pervasive trafficking-related corruption and weak interagency coordination continued to impede progress in combating trafficking.



Recommendations for Thailand: Significantly improve efforts to proactively identify victims of trafficking among vulnerable populations, particularly undocumented migrants and deportees; recognizing the systematic disincentives that make victims hesitant to communicate with authorities, develop and implement victim identification procedures that prioritize the rights and safety of potential victims, and provide incentives for law enforcement officials to increase the numbers of victims identified; increase efforts to prosecute and convict sex and labor trafficking offenders; consider establishing a dedicated court division, or take other measures to expedite the prosecution of trafficking cases; increase efforts, particularly through the Department of Special Investigation and the Office of National Anti-Corruption Commission, to investigate, prosecute, and convict officials engaged in trafficking-related corruption; make public Thailand's anti-trafficking action plan and data collection efforts to monitor implementation of the anti-trafficking law and the action plan; recognizing the serious nature of trafficking crimes, restrict bail to alleged trafficking offenders to prevent flight; ensure suspected perpetrators of trafficking—including those involved in practices internationally recognized as indicators of forced labor such as the confiscation of travel documents or imposition of significant debts by employers or labor brokers—are criminally investigated and convicted offenders receive stringent penalties; pursue criminal investigations of cases in which labor inspections reveal indicators of human trafficking, including debt bondage; continue and increase efforts to allow all adult trafficking victims, including sex trafficking victims, to travel, work, and reside outside shelters in accordance with provisions in Thailand's anti-trafficking law; employ a victim-centered approach to victim protection, including specialized services for child sex trafficking victims and labor trafficking victims, and increase incentives for victims to cooperate with law enforcement in the investigation and prosecution of trafficking cases; use multi-disciplinary groups including victim service organizations or social workers during victim screening interviews; provide legal alternatives to the removal of foreign trafficking victims to countries in which they would face retribution or hardship; make greater efforts to educate migrant workers on their rights, their employers' obligations to them, legal recourse available to victims of trafficking, and ways to seek remedies against traffickers; improve law enforcement cooperation with source countries in the investigation of suspected trafficking cases; conduct outreach to vulnerable groups in the appropriate languages to encourage use of the government's anti-trafficking hotline; recognizing the unique role of NGOs in uncovering the nature and scope of human trafficking in Thailand, maintain an environment conducive to robust civil society participation in all facets of understanding and combating human trafficking; improve efforts to regulate fees and brokers associated with the process of legalizing and importing migrant workers under existing bilateral agreements in order to reduce their vulnerability to human trafficking; increase anti-trafficking awareness efforts directed at employers and clients of the sex trade; make efforts to decrease the demand for exploitive labor; and accede to the 2000 UN TIP Protocol.

Prosecution

The Thai government prosecuted and convicted fewer trafficking offenders in 2012 than it did in the previous year. Thailand's 2008 anti-trafficking law criminally prohibits all forms of trafficking and prescribes penalties ranging from four to 10 years' imprisonment—penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The government reported investigating 305 trafficking-related cases in 2012, an increase from 83 in 2011; similar to previous years, it did not provide sufficient information to determine how many of these cases actually constituted trafficking. Despite the increase in potential investigations, the number of prosecutions significantly decreased from 67 in 2011 to only 27 in 2012; the government convicted 10 offenders in four trafficking-related cases, compared with 12 convicted in 2011. Sentences for convicted offenders ranged from three to 19 years' imprisonment. Four years after the enactment of the 2008 anti-trafficking law, which authorized a committee to approve the seizure of traffickers' assets, the Anti-Money Laundering Office for the first time seized assets of two convicted offenders valued to the equivalent of approximately $1.05 million. Despite the high prevalence of labor trafficking in Thailand, fewer than one quarter of investigations involved suspected cases of forced labor. Rather than confronting employers who subjected workers to forced labor and debt bondage with criminal prosecution, the government responded with worksite inspections, despite expert consensus that inspections are not effective in identifying forced labor.

Corruption remained widespread among Thai law enforcement personnel, creating an enabling environment for human trafficking to prosper. Allegations of trafficking-related corruption persisted during the year, including in cases

of sex trafficking and forced labor of migrants. There were credible reports that corrupt officials protected brothels, other commercial sex venues, and seafood and sweatshop facilities from raids and inspections, colluded with traffickers, used information from victim testimony to weaken cases, and engaged in commercial sex acts with child trafficking victims. In addition to the well known corruption of local-level police officers, there were also protective relationships between central-level specialist police officers and the trafficking hot-spot regions to which they were assigned. Thai police officers and immigration officials reportedly extorted money or sex from Burmese citizens detained in Thailand for immigration and sold Burmese migrants unable to pay labor brokers and sex traffickers. The government reported the ongoing investigation of a public official for human trafficking and the temporary transfer of a police superintendent for negligence in a human trafficking case, but it did not provide additional information about the details or the status of this case. One government official was reportedly convicted for charges related to forced labor. Media sources reported that the Thai army investigated two officers accused of smuggling Rohingya asylum seekers and suspended them pending the results of the investigation.

Throughout the year, the government provided training to thousands of police officers on trafficking victim identification and the provisions of the anti-trafficking law and specialized training for an additional 392 officers from the anti-trafficking unit. Interagency coordination was weakened by a rudimentary data collection system that made it difficult to share information across agencies. The justice system remained slow in its handling of criminal cases, including trafficking cases. Additionally, frequent personnel changes hampered the government's ability to make progress on anti-trafficking law enforcement efforts. Some suspected offenders fled the country or intimidated victims after judges decided to grant bail, further contributing to the government's already low conviction rates; in one severe case, in which a female child belonging to an ethnic minority was kidnapped, abused, and enslaved over the course of five years, a judge's misguided decision to grant bail allowed the suspected offenders to flee and escape prosecution. There were no reported developments in the Supreme Court's consideration of a 2009 conviction, upheld in 2011, of two offenders found guilty of trafficking 73 victims in a shrimp-peeling factory; both offenders remained free on bail during the reporting period.

Protection

The government's victim identification efforts remained inadequate. The government identified 594 victims during the year, an increase from the 279 victims identified by Thai authorities in 2011; 324 victims were Thai nationals and 270 were foreign migrants (primarily from Burma, Cambodia, and Laos), a decrease from 392 foreign victims identified in 2011. The Ministry of Social Development and Human Security (MSDHS) reported that it provided assistance to 271 victims at government shelters, a decrease from 392 victims assisted in 2011. In 2012, the Thai government disbursed the equivalent of approximately $3.7 million for anti-trafficking activities, including the equivalent of approximately $360,000 from its anti-trafficking fund. The Thai government continued to refer victims to one of nine regional trafficking shelters run by the MSDHS, where they reportedly received counseling, limited legal assistance, and medical care, although the shelters did not always have the human resource capacity to provide adequate assistance. Foreign adult female sex trafficking victims identified by authorities were required to stay in government shelters and typically could not opt to reside outside a shelter or leave the premises unattended before Thai authorities were prepared to repatriate them; adult male labor trafficking victims who received work permits were increasingly permitted to reside outside government shelters. The government made progress in issuing permits to allow adult victims to work temporarily in Thailand during the course of legal proceedings as mandated in the 2008 anti-trafficking law; during the year it granted six-month work permits and visas (renewable for the duration of court cases) to 107 male labor trafficking victims, an increase from 30 victims granted work permits in 2011. Adult sex trafficking victims were not yet granted eligibility for work permits, and an overall lack of incentives to remain in Thailand during lengthy court proceedings left many victims unwilling to participate in legal proceedings. The government did not have specialized service provisions for child sex trafficking victims, and the forced repatriation of those unwilling to testify against their traffickers resulted in many of them being re-trafficked. The government did not ensure that child victims' rights were protected; in a highly-publicized case of a 12-year-old Karen girl who had been enslaved in a Thai couple's home for five years, police officials allowed media outlets to publish the girl's name and take semi-nude photos of her while in police custody. A number of victims opted not to seek designation as trafficking victims due to systemic disincentives and were returned to their countries of origin. Language, bureaucratic, and immigration barriers, fear of retribution by traffickers, distrust of Thai officials, slow legal processes, and the financial needs of victims effectively prevented most victims from participating in the Thai legal process. The government did not provide legal alternatives to victims who faced retribution or hardship upon return to their home countries; foreign victims were systematically repatriated through the government-to-government process following the conclusion of legal proceedings. A 2005 cabinet resolution established that foreign trafficking victims in Thailand who are stateless residents can be given residency status on a case-by-case basis; however, the Thai government has yet to report granting residency status to a foreign trafficking victim. Service providers in Burma confirmed reports that quarterly case management meetings between the two countries accelerated the nationality verification and repatriation process for Burmese victims.

The government reported the continued use of systematic procedures to screen for victims among vulnerable populations, such as undocumented migrants in detention; however, during the year the government did not address the serious deficiencies that leave many victims unidentified and vulnerable to punishment. The government provided some financial support to NGOs to assist in victim identifications efforts, and it trained 517 police and immigration officials on interviewing techniques for victim identification, but these efforts did not yield an increase in identifications among foreign migrants. In 2012, it identified only 57 victims among the 397,167 deportees in immigration detention—a population known to be at particular risk of trafficking. As further evidence of challenges in identifying victims, among 230 Cambodian migrants deported at the Poipet-Aranyaprathet border in 2012, Thai officials identified only 27 individuals as victims or persons vulnerable to trafficking, while authorities in Cambodia identified an additional 64 victims and classified the remaining deportees as vulnerable to trafficking. Civil society observers report that during screenings in detention facilities migrants were typically interviewed in public areas without

confidentiality and that translation services were not always available, severely limiting the effectiveness of these efforts.

Many victims, particularly undocumented migrants who feared legal consequences from interacting with authorities, were hesitant to identify themselves as victims, and front-line officials were not adequately trained to identify the essential elements of trafficking. Law enforcement officers often believed physical detention or confinement was the essential element to confirm trafficking, and failed to recognize exploitive debt or manipulation of irregular migrants' fear of deportation as non-physical forms of coercion in human trafficking. Only law enforcement officials were able to make a final determination to certify an individual as a trafficking victim; social workers and civil society representatives often disagreed with law enforcement officers' decisions, particularly in cases of debt bondage.

The government reported increasing labor inspection efforts as its primary method for detecting cases of forced labor within the country, though workplace inspections were not effective in identifying labor trafficking victims. Inspections of 54,090 workplaces revealed thousands of workplace violations indicative of trafficking—such as the illegal withholding of wages for recruitment fees and passport confiscation—but only two cases of forced labor appear to have been recognized. The two cases of labor trafficking were referred to the police, but the others were adjudicated under administrative labor laws; the government systematically failed to criminally investigate for possible trafficking violations uncovered through labor inspections of worksites.

Thai law protects victims from being prosecuted for acts committed as a result of being trafficked; however, the serious flaws in the Thai government's victim identification procedures and its aggressive efforts to arrest and deport immigration violators increased victims' risk of being re-victimized and treated as criminals. Unidentified victims were likely among the 32,095 migrant workers subjected to government lawsuits for lack of proper documentation during the year. Likewise, identified victims were punished rather than protected during the year. MSDHS continued to operate a toll-free hotline that receives calls regarding trafficking cases, but low numbers of calls from non-Thai speakers suggest foreign migrants were unaware of this resource or reluctant to use it to seek assistance, and efficient translation services were not always available for those who did place calls. The government did not report efforts to improve the hotline's decentralized call system in order to ensure that localities systematically and adequately responded to calls that were diverted to them, and it did not provide information on the number of victims identified or assisted through this channel. MSDHS continued to provide training on identifying and assisting victims, conducting three such trainings for multidisciplinary groups in three regions known to have significant human trafficking problems in January and February 2013.

Prevention

Prevention activities continued in Thailand. Senior officials regularly made public statements expressing their commitment to combating trafficking, though these efforts did not always yield concrete results. The government began implementation of its 2012-2013 national action plan and produced regular reports to assess its progress, and in February 2013 the cabinet approved a resolution on a master plan on prevention and suppression of human trafficking. There are an estimated one to two million undocumented workers in Thailand. Observers remained concerned that the process to legalize migrant workers with its associated fees, as well as costs imposed by poorly regulated and unlicensed labor brokers, increased the vulnerability of migrant workers to trafficking and debt bondage. The government did not address the complex bureaucracy of the national verification system or the language barriers faced by migrants seeking verification, hindrances that led the majority of migrant workers to rely on unregulated brokers to access the program, leaving them vulnerable to exploitation and extortion by brokers.

Following an October 2012 cabinet meeting, the Ministries of Labor and Agriculture and Cooperatives forged an anti-trafficking action plan that contained plans to establish seven labor coordination centers—developed jointly by the National Fishing Association of Thailand and the Thai Department of Employment in the Ministry of Labor—to address labor shortages in the fishing industry and create a centralized hiring hall for prospective workers. Although it acknowledged the labor shortage was due in large part to some workers' unwillingness to work in the fishing industry due to exploitative conditions, the government did not make efforts to significantly improve these conditions during the year. The government announced plans during the year to import Bangladeshi workers to fill the labor shortage the exploitative conditions caused. The government characterized the labor coordination centers as an initiative to prevent human trafficking; it is unknown what impact, if any, this effort will have on human trafficking in the fishing industry if corresponding mechanisms to identify victims and prosecute suspected cases of forced labor are not implemented.

In November 2012, the Ministry of Labor issued a regulatory policy requiring provincial offices to inspect workplaces for indicators of trafficking or debt bondage including illegal withholding of wages or confiscation of passports; officials were not, however, instructed to refer a case to the police if one of these elements was discovered. There were no reports that any cases of trafficking have since been identified through this method. The government reported a series of efforts aimed at addressing child and forced labor in the fishing and seafood industries as part of the Ministries of Labor's and Agriculture's joint action plan, though it was unclear how these efforts would lead to increased criminal prosecutions of traffickers or identification of victims; there were no reported outcomes of this type during the reporting period. Weak law enforcement, inadequate human and financial resources, and fragmented coordination among regulatory agencies in the fishing industry contributed to overall impunity for exploitative labor practices in this sector. The Marine Department and the Thai Navy inspected 608 vessels during the year but did not identify any cases of trafficking; the government did not report how the tactics employed in such inspections checking on ownership and registration were designed to identify cases of trafficking.

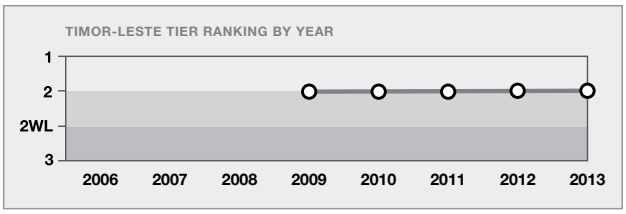
During the year, the government revoked the license of one labor recruitment agency and suspended the licenses of 43 agencies for illegal practices. No labor recruitment companies were punished for forced labor or trafficking-related allegations during the year. The government did not make efforts to decrease the demand for commercial sex acts or forced labor. Inadequate victim identification procedures may have resulted in some victims being treated as legal violators following police raids of brothels. The government did not provide Thai security

forces with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. Thailand is not a party to the 2000 UN TIP Protocol.

TIMOR-LESTE (Tier 2)

Timor-Leste is a destination country for women and girls from Indonesia, China, and the Philippines subjected to sex trafficking. In previous years, men and boys from Burma, Cambodia, and Thailand were forced to work on foreign fishing boats operating in Timorese waters where they faced conditions of confinement, no medical care, and poor food; some escaped and swam ashore to seek refuge in Timor-Leste. There was no evidence that the practice has occurred since 2010 despite increased maritime patrols. In three instances, Timorese family members may have placed children in bonded domestic and agricultural labor in order to pay off family debts. Timor-Leste may also be a source of women or girls sent to Singapore and elsewhere in Southeast Asia for domestic servitude. Some migrant women recruited for work in Dili report being locked up upon arrival, and forced by brothel "bosses" and clients to use drugs or alcohol while providing sexual services. Some women victims kept in brothels were allowed to leave the brothel only if they paid the equivalent of approximately $20 per hour. Traffickers regularly retained the passports of victims, and reportedly rotated sex trafficking victims in and out of the country every few months. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates.

The Government of Timor-Leste does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the National Police reported three investigations involving Timorese underage children in domestic services and referred the cases to the prosecutor's office. However, the anti-trafficking legislation submitted to the Council of Ministers in early 2012 remained under review and government-allocated funding to an NGO shelter to assist trafficking victims was not expended because the government did not identify victims who needed the services. Victim identification remains weak in Timor-Leste, but law enforcement officials received limited training to address this gap.



Recommendations for Timor-Leste: Enact comprehensive anti-trafficking legislation; develop a national plan of action; continue efforts to investigate, prosecute, convict, and punish trafficking offenders; conduct additional training for judicial officials on investigation and prosecution methods, including how to integrate procedures for proper victim care throughout the duration of court proceedings; continue to implement procedures to proactively identify victims of trafficking among vulnerable populations, such as individuals in prostitution and workers on fishing vessels; develop and formally establish policies which clarify perceived inconsistencies in the country's code of criminal procedure, thereby granting police the unambiguous authority to initiate investigations of crimes without the condition of having a victim self-identify; increase training for front-line law enforcement officers, especially in the vulnerable persons units and immigration police, on proper victim identification procedures and referral mechanisms, including recognition of trafficking victims who may possess their travel documents or may have entered the country legally; and develop and conduct public anti-trafficking information and education campaigns.

Prosecution

The Government of Timor-Leste demonstrated limited law enforcement efforts to combat trafficking during the reporting period. Comprehensive anti-trafficking legislation that had been submitted to the Council of Ministers in early 2012 remained under review at the close of this reporting period. Timor-Leste's penal code prohibits and punishes the crime of trafficking through Articles 163, 164, and 165; Articles 162 and 166 prohibit slavery and the sale of persons. These articles prescribe sufficiently stringent penalties ranging from eight to 25 years' imprisonment—penalties commensurate with those prescribed for other serious crimes, such as rape. During this reporting period, the government prosecuted only one alleged trafficker in a case involving seven alleged Indonesian victims. The Dili District Court acquitted the defendant, citing insufficient evidence. There were no trafficking convictions, compared to three from the previous reporting year. The National Police Vulnerable Persons Unit reported three investigations involving underage Timorese children in alleged domestic servitude; these cases have been referred to the Office of the Prosecutor General, where they remained at the end of this reporting period. Government officials, particularly law enforcement officers, received specialized training on investigating and prosecuting trafficking cases. In 2012, 236 government officials and civil society members attended IOM's training events on the standard operating procedures for handling trafficking cases and victim identification techniques. In July 2012, 15 members of the government's office of the Ombudsman for Human Rights and Justice attended a UNDP three-day "train-the-trainer" course on combating human trafficking. The Government of Timor-Leste did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government demonstrated limited efforts to protect trafficking victims during the year. The aforementioned children found by the police in domestic service were returned home and did not receive government protection since they were not determined to be victims of trafficking until several months after their discovery. The government maintained a protocol of referring foreign victims to an international organization for care, though no such victims were identified during the year. The government did not operate any separate dedicated shelters for trafficking victims or provide victims with any protective services. During the year, the Ministry of Social Solidarity provided the equivalent of approximately $15,000 to support a local NGO shelter for trafficking victims, though none were assisted because no victims were identified who needed such services. Police continued to interpret an article in the Code of Criminal Procedure as granting investigative authority only to public prosecutors, which

led to a general policy of only investigating cases in which persons identified themselves as victims. Additionally, the police often consider possession of a passport by a foreigner as an indication that he or she is not a victim of trafficking and further investigation of such cases was rare in the absence of self-identification. The government provides a temporary legal alternative to the removal of victims to countries where they may face retribution or hardship, allowing them to stay in Timor-Leste for two years. The government did not provide temporary or extended work visas to any trafficking victims during this reporting period because the government did not identify victims needing this assistance.

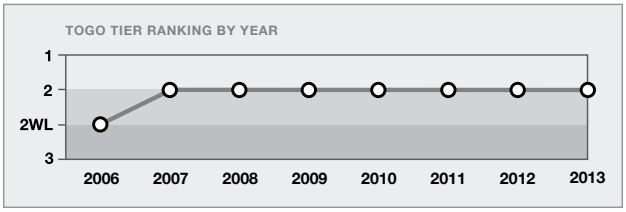
Prevention

The Government of Timor-Leste made limited efforts to prevent incidents of trafficking during the reporting period. It increased patrols of its territorial waters to combat criminality, including forced labor on fishing vessels. These efforts did not, however, result in the identification of any trafficking cases during the year. During the two-day international conference hosted by the Timorese government, entitled "International Conference to Counter Trafficking in Women: Lessons for Timor Leste" in December 2012, President Taur Matan Ruak and Foreign Minister Jose Luis Guterres emphasized the need for comprehensive anti-trafficking efforts and promised to enact the anti-trafficking legislation and implement a national plan of action. A wide array of domestic and international participants shared information on trafficking-related issues and developed recommendations for future action. The government partially funded the UNDP "train-the-trainer" course and fully funded subsequent trainings for local officials. An NGO, in cooperation with the government, conducted over 1,000 pre-departure briefings for Timorese workers leaving to work abroad in government-sponsored programs, informing them of their labor rights and providing a point of contact if in trouble. The government's inter-ministerial trafficking working group did not meet during 2012 and a draft national plan of action is on hold until parliament approves the pending legislation. Observers report that police raids on brothels in Dili have led to a decreased demand for commercial sex acts; however, due to a lack of proactive victim identification procedures, these anti-prostitution efforts may have led to some trafficking victims being punished for immigration violations.

TOGO (Tier 2)

Togo is a source and transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of Togolese victims are exploited within the country; forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries. Children from rural areas are brought to the capital Lome and forced to work as domestic servants, roadside vendors, and porters, or are exploited in prostitution. Near the Togo-Burkina Faso border, Togolese boys are forced into begging by corrupt religious teachers, known as *marabouts*. Togolese girls and, to a lesser extent, boys are transported to Benin, Gabon, Nigeria, Ghana, Cote d'Ivoire, and the Democratic Republic of the Congo and forced to work in agriculture. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Traffickers exploit Togolese men for forced labor in agriculture and Togolese women as domestic servants in Nigeria. Togolese women are fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subsequently subjected to domestic servitude or forced prostitution. In 2012, the United States government identified four Togolese children victimized in domestic servitude by a fellow Togolese national within the United States; the defendant was convicted in March 2013.

The Government of Togo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2012, the government convicted at least nine trafficking offenders, identified a significant number of potential child trafficking victims, and continued to operate two shelters. However, it neither made progress in enacting draft legislation to prohibit the trafficking of adults, nor in identifying adult trafficking victims. Furthermore, it made no efforts to accurately track prosecution or protection data and disseminate it among government ministries.



Recommendations for Togo: Increase efforts to prosecute and punish trafficking offenders, including by using existing statutes to prosecute trafficking crimes committed against adults; complete and enact the draft law prohibiting the forced labor and forced prostitution of adults; develop a formal system to identify trafficking victims proactively and train law enforcement, immigration, and social welfare officials to identify such victims, especially among vulnerable populations; begin tracking the number of trafficking victims referred to NGOs or returned to their families; develop a system among law enforcement and judicial officials to track suspected human trafficking cases and prosecution data; ensure sufficient funds are allocated to operate the Tokoin and Oasis centers; and increase efforts to raise public awareness about the dangers of human trafficking.

Prosecution

The Government of Togo increased its law enforcement efforts against child trafficking during the year, but failed to make commensurate efforts to address the trafficking of adults. Togolese law does not prohibit all forms of trafficking—it does not criminalize the sex trafficking of adults — and laws against forced labor are inadequate with regard to definitions and prescribed penalties. The 2007 child code prohibits all forms of child trafficking and prescribes penalties of two to five years' imprisonment. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The 2005 Law Related to Child Smuggling prescribes prison sentences of three months to 10 years for abducting, transporting, or receiving children for the purposes of exploitation. Article 4 of the 2006 labor code prohibits forced and compulsory labor, though its prescribed penalties of three to six months' imprisonment are not sufficiently stringent, and its definition of forced or compulsory labor includes some exceptions. Despite six years

of this Report recommending the enactment of legislation that criminalizes the trafficking of adults, the government has failed to do so; it did not take action during the reporting period to enact its draft legislation, which has remained pending since 2009.

The government reported its arrest of 290 suspected traffickers in 2012, a significant increase from the 23 arrested in 2011. This dramatic increase is likely due to the increased training of law enforcement officials in the previous reporting period, as well as training and raising the awareness of relevant transportation workers who, as a result, are better equipped to identify and report child trafficking. In Lome, the government prosecuted nine cases involving child trafficking and convicted nine trafficking offenders, with sentences ranging from one to 13 months' imprisonment; it did not provide comprehensive data for law enforcement efforts made in the rest of the country. It did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

During the past year, the government sustained efforts to provide modest protection to child trafficking victims, but showed no discernible efforts to protect adult victims. It did not put in place measures to identify trafficking victims among individuals in prostitution; however, it continued efforts to identify child victims of forced labor through increased education among immigration and law enforcement officials in border areas. As a result of these training efforts, during the reporting period, the government identified 717 potential victims of child trafficking; the majority of these children were intercepted and rescued prior to reaching their destinations, where they would likely face exploitation, typically as farms laborers or domestic servants. The government failed to identify any adult victims of trafficking. In Lome, the Ministry of Social Affairs (MSA) social workers continued to run a toll-free 24-hour helpline, Allo 10-11, which received an unknown number of calls regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT), Togo's national anti-trafficking committee comprised of government officials and NGOs, continued to operate jointly with the police an *ad hoc* referral system to respond to hotlines tips and transfer rescued victims to appropriate shelters using a government-run mobile response unit. The MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while the Oasis Center provided shelter, legal, medical, and social services to child victims up to age 14. Officials also referred victims to several NGO-run shelters. The government did not report the number of trafficking victims cared for by these shelters during the reporting period. The government, in collaboration with a local NGO, developed a set of standard operating procedures for all shelters to ensure the safety and security of child victims. CNARSEVT managed the return of an unknown number of Togolese trafficking victims from abroad and reported their referral to shelters for assistance; it does not, however, have procedures in place to facilitate the return and reintegration of Togolese nationals in a systematic fashion. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country of origin. Although there were no reports of child victims being penalized for unlawful acts committed as a direct result of being trafficked, the government does not consider adults as trafficking victims and, therefore, some adult victims may remain unidentified in the law enforcement system.

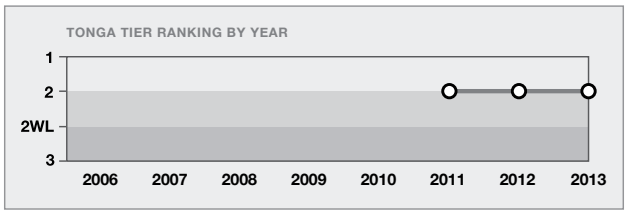
Prevention

The government sustained modest efforts to prevent trafficking during the year. In 2012, CNARSEVT received a budget allocation equivalent to approximately $60,500—a decrease from last year's budget of $101,000—which it used to fund administrative costs and victim protection efforts. The MSA continued to meet directly with village and regional committees, border guards, and inspectors across the country to raise trafficking awareness. The government also used radio broadcasts to educate the population on the issue of child trafficking in Togo. In November 2012, it hosted a three day convention run by the International Bureau of Children's Rights, which addressed law enforcement coordination on cases involving children, including trafficking cases. This training was attended by representatives from 24 countries across Africa, the Middle East, and Haiti. During the reporting period, the government collaborated with the ILO to develop a "Child Labor Monitoring System" (CLM), funded by a foreign donor, that trained regional teams comprised of labor inspectors, social workers, and education inspectors to monitor for vulnerable children and report any infractions of workplace regulations to the appropriate authorities. The implementation of the CLM resulted in the identification of 734 vulnerable children in 2012, some of whom were identified as trafficking victims. Despite a growing awareness of child sexual exploitation in Togo, the government did not take discernible measures to decrease the demand for commercial sex acts. However, the government acknowledged that child sex tourism is a problem in Togo and commissioned a study in 2012 on how to best combat it; the study had not been released at the close of the reporting period. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions.

TONGA (Tier 2)

Tonga is a destination country for women subjected to sex trafficking and is, to a lesser extent, a source country for women and children subjected to domestic sex trafficking and forced labor. East Asian women, especially those from China, are prostituted in clandestine establishments operating as legitimate businesses; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution.

The Government of Tonga does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government acknowledged human trafficking as an issue of concern and funded two organizations that provide victim services, but could not report any anti-trafficking law enforcement actions or efforts to identify and protect victims of trafficking. The government showed no progress in developing a national coordinating body on human trafficking issues, nor did it develop or conduct anti-trafficking education campaigns.



Recommendations for Tonga: Adopt proactive procedures to identify victims of trafficking among vulnerable groups; increase training for law enforcement officials on human trafficking and how to identify and assist trafficking victims; show more vigorous efforts to investigate, prosecute, and punish trafficking offenders; develop strategies to penetrate insular communities with suspected ties to trafficking; enact a law or establish a policy that provides explicit protections for victims of trafficking, such as restitution, benefits, and immigration relief; develop and conduct anti-trafficking information and education campaigns; publicly recognize, investigate, prosecute, and punish incidences of child sex trafficking; develop a national action plan for countering trafficking in persons; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Tonga made negligible progress in its law enforcement efforts to address human trafficking. Tonga prohibits all forms of human trafficking through its Revised Transnational Crimes Act of 2007, which defines human trafficking as including forced labor and forced prostitution. This law prescribes up to 25 years' imprisonment for these offenses, which is sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Since the first trafficking case in April 2011, the government has not identified any victims of trafficking or investigated any trafficking cases. The government did not report funding any training for law enforcement during the reporting period. Corruption is a known problem in Tonga. The government, however, did not report any investigations, prosecutions, convictions, or punishments of officials for complicity in human trafficking during the reporting period, and there were no known allegations that officials had been complicit in such practices.

Protection

The Government of Tonga made limited progress in identifying trafficking victims or ensuring their access to protective services during the year. The government did not develop or employ systematic procedures for the identification of trafficking victims among at-risk groups such as undocumented migrants or women in prostitution, and no victims were identified during the reporting period. It continued to refer victims of general crimes to NGO providers of victim services and would have followed the same procedure if potential trafficked victims were identified. The government provided a total equivalent to approximately $42,600 in funding from its national budget to two local NGOs during the reporting period for operations related to assisting women and children victims of crime.

Under the government's Immigration Act, the principal immigration officer holds broad discretionary authority in granting human trafficking victims permits to stay in the country for any length of time necessary for the protection of victims. Trafficking victims could be granted asylum in Tonga if they fear retribution or hardship in their country of origin, though no trafficking victim has ever requested asylum. While victims have the ability to file civil charges for compensation against their traffickers, there were no such cases in which this occurred.

Prevention

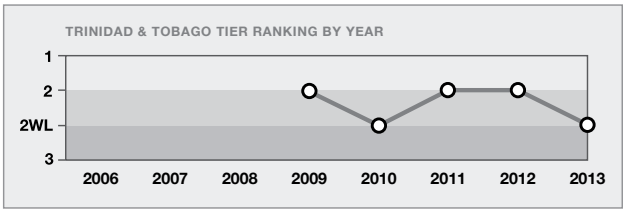
The Government of Tonga made limited efforts to prevent human trafficking during the reporting period. The government conducted routine law enforcement trainings that included elements of trafficking, and leveraged national media attention through the country's first trafficking case in 2011 to send a strong anti-trafficking message. The government did not take action to reduce the demand for commercial sex acts or forced labor during the reporting period. Tonga is not a party to the 2000 UN TIP Protocol.

TRINIDAD AND TOBAGO (Tier 2 Watch List)

Trinidad and Tobago is a destination and transit country for adults and children subjected to sex trafficking and adults subjected to forced labor. In previous years, Trinbagonian victims have been subjected to sex trafficking in the United States and the United Kingdom. Women and girls from South America and the Dominican Republic are subjected to sex trafficking in Trinbagonian brothels and clubs. Economic migrants from the Caribbean region and from Asia, including India and China, are vulnerable to forced labor. Some companies operating in Trinidad and Tobago reportedly hold the passports of foreign employees, a common indicator of human trafficking, until departure. There also have been anecdotal reports of migrants in forced domestic service. Country experts reported an increasing number of Nigerians working in security, who may be trafficking victims. Experts also report Trinbagonian children were vulnerable to forced labor, including forced scavenging of trash. As a hub for regional travel, Trinidad and Tobago is a potential transit point for trafficking victims traveling to Caribbean and South American destinations. An island-nation outside the hurricane belt, Trinidad and Tobago experiences a steady flow of vessels transiting its territorial waters, some of which may be engaged in illicit activities, including forced labor in the global fishing industry.

The Government of Trinidad and Tobago does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore Trinidad and Tobago is placed on Tier 2 Watch List. During the reporting period, the government made progress by proclaiming its anti-trafficking law and establishing a counter-trafficking unit. These efforts, however, were overshadowed by the government's failure to properly screen and protect hundreds of potential trafficking victims, including the almost 200 victims in a significant forced labor case involving five fishing vessels stranded off the country's coast for the majority of the reporting period. In addition, after the proclamation of the anti-trafficking law and the establishment of the counter-

trafficking unit, authorities conducted a March 2013 raid that resulted in the arrest of approximately 75 foreign women. Despite having the infrastructure in place to screen the women, law enforcement charged the women with solicitation and did not screen them for trafficking indicators or refer them for care and assistance. Furthermore, experts reported that trafficking-related complicity of public officials significantly hampered the government's ability to effectively address the trafficking problem in Trinidad and Tobago.



Recommendations for Trinidad and Tobago: Fully implement the 2011 Trafficking in Persons Act to vigorously investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including any officials who are complicit in human trafficking; empower the anti-trafficking unit to be a central actor in both the investigation of trafficking crimes and the identification of victims; develop stand-alone procedures to guide all front-line officials in the identification and referral of potential victims of forced labor and sex trafficking; ensure implementation of these procedures to proactively identify trafficking victims among vulnerable groups, such as foreign women in prostitution, migrant workers, and homeless children in the country; ensure that suspected victims are taken to a safe location while conducting trafficking investigations and victim identification interviews, as victims of human trafficking often feel threatened and are reluctant to disclose details of their exploitation in a detention setting or post-raid environment; implement a national public awareness campaign in multiple languages that addresses all forms of trafficking, including the prostitution of Trinbagonian children and forced labor as well as the demand for commercial sex and forced labor.

Prosecution

The Government of Trinidad and Tobago demonstrated few tangible results in its law enforcement response to human trafficking in the country during the majority of the reporting period. Enacted in 2011, but officially "proclaimed" in January 2013, Trinidad and Tobago's Trafficking in Persons Act gives law enforcement the authority to hold offenders accountable for trafficking offenses, but authorities did not use the act to its full effect during the reporting period, nor did they use other trafficking-related laws to prosecute trafficking offenders. The government conducted some investigations into potential trafficking cases, but more rigorous investigations did not initiate until the end of the reporting period. The Act prohibits both sex trafficking and forced labor and contains extensive victim protections. The Act prescribes penalties of 15 years to life imprisonment with fines. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In August, the government passed the Children Act (2012), which prescribes penalties of 10 years' to life imprisonment for subjecting a child to prostitution. Pursuant to its anti-trafficking law, the government established an anti-trafficking unit within the Ministry of National Security to handle trafficking cases. The government reported ongoing sex trafficking investigations, but did not initiate prosecution until after the reporting period. During the year, several country sources alleged that police officers facilitated trafficking in the country. In one specific case, involving five Colombian women in prostitution, local sources alleged that police officers directly interfered in the case by not turning over the women to immigration authorities once they were in police custody. In addition, the government did not make full use of its anti-trafficking law during its March 2013 raid that resulted in the arrest of approximately 75 women, mostly from the Dominican Republic, on charges of soliciting. Instead of proactively referring them for assistance and screening the women for trafficking indicators, and involving the anti-trafficking unit, country sources report that police detained the women until they appeared in court. Subsequently, officials released most of the women on bail and did not provide them with assistance and screen them for trafficking indicators. Country sources also report that many off-duty police officers provide security for sex trade establishments, which experts note could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade.

Protection

The government took inadequate steps to proactively identify and protect trafficking victims during the majority of the reporting period. As a result, few victims were able to benefit from the extensive victim provisions codified in the country's anti-trafficking law. The government's trafficking law explicitly protects victims from punishment for crimes committed as a direct result of a trafficking situation, but police failed to proactively screen women detained in association with raids on brothels or clubs, instead charging the women with prostitution and other related offenses even in the face of trafficking indicators. For instance, authorities did not conduct victim identification interviews for any of the 75 women arrested during the March 2013 raid, but instead detained the women and charged them with solicitation. The government's lack of proactive identification efforts likely resulted in the deportation, criminalization, and re-trafficking of victims throughout the year.

In another significant case, the government provided only limited screening and protection to approximately 200 mostly Indonesian forced labor victims on five fishing vessels, who were discovered by authorities off the coast of Trinidad. Although the government conducted some limited screening of these fishermen in November 2012, officials did not identify any of these men as potential trafficking victims, despite claims from the men that they were beaten by their supervisors. The government reported that it initially transferred the men to a hotel for several days, but then returned the men to the boats.

In February and March 2012, the government identified three sex trafficking victims; it referred one of these victims for care and assistance to a local NGO. In March 2013, the government identified three additional sex trafficking victims and referred all three victims to a local NGO for care and assistance. Country experts reported that the officials lacked adequate stand-alone formalized procedures to guide them in the identification of suspected trafficking victims. The government did not identify any Trinbagonian children as trafficking victims during the reporting period. The government's trafficking law provides temporary legal alternatives to removal for foreign trafficking victims. While the government reported that it did not deport

any of the six trafficking victims it identified during the reporting period, it did not formally issue any temporary residency permits during the year.

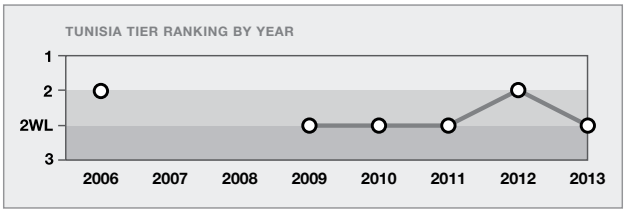
Prevention

The government made limited progress in prevention in 2012. The government provided in-kind contributions for a number of anti-trafficking trainings conducted by international organizations throughout the year. During the year, the government's ministerial-level national task force made progress in establishing a counter-trafficking unit and carried out bureaucratic processes required in order to proclaim the anti-trafficking law, but did not carry out the mandate of the law to develop a national plan of action on trafficking. The Ministry of National Security and a partner NGO maintained a social media webpage on their joint counter-trafficking initiative. Operators trained in trafficking awareness ran NGO hotlines for child abuse and domestic violence. The 2011 law mandates that one of the functions of the ministerial task force is to monitor and evaluate the government's anti-trafficking efforts, although no such reporting was evident as of April 2013. The government did not undertake measures to reduce the demand for commercial sex acts, such as an awareness campaign targeted at clients of the sex trade. Authorities did not consider child sex tourism to be a problem in Trinidad and Tobago and no such cases were identified, investigated, or prosecuted during the reporting period.

TUNISIA (Tier 2 Watch List)

Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, migrants who fled unrest in neighboring countries to Tunisia continue to be vulnerable to trafficking in Tunisia, including some unaccompanied minors identified in Camp Shousha at the Libyan border, according to UNHCR. According to international organizations, there was an increased presence of street children in Tunisia, and more rural children are working to support their families; these children are vulnerable to forced labor and sex trafficking. Tunisian women are recruited for work in Lebanon's entertainment industry through *artiste* visas and are forced into prostitution after arrival. Similarly, Tunisian women are found working in Jordanian nightclubs, where some are forced into prostitution. Reporting from previous years indicated that some Tunisian girls are employed in domestic work in Tunis and other governorates; some are reportedly held under conditions of forced labor.

The Government of Tunisia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Overall, the government did not demonstrate evidence of increasing efforts to address human trafficking since the previous reporting period; therefore, Tunisia is placed on Tier 2 Watch List. Prior commitments to enact draft anti-trafficking legislation were not fulfilled, and the government did not develop or implement procedures to identify proactively trafficking victims among vulnerable groups. Although the government assisted an unidentified number of trafficking victims in its shelters for vulnerable groups during the reporting period, the government continued to maintain, as it has done in previous reporting periods, that trafficking in persons is not a widespread problem in Tunisia. In one instance, 85 women returning to Tunisia from forced prostitution in Lebanon were initially arrested and tried for prostitution offenses with no efforts by law enforcement officials to proactively identify them as victims of trafficking; however, 71 of the women were later identified by a judge as trafficking victims and were provided protection services. The government views human trafficking through a migration lens and does not differentiate migrant smuggling from human trafficking.



Recommendations for Tunisia: Urgently pass and enact the draft comprehensive anti-trafficking legislation that prohibits and adequately punishes all forms of human trafficking consistent with the 2000 UN TIP Protocol; use existing criminal statutes on forced labor and forced prostitution to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; urgently develop and implement formal procedures for government officials' proactive identification of victims of human trafficking (distinct from smuggling) among vulnerable groups, such as street children, undocumented migrants, girls in domestic service, and persons in prostitution; institute a formal victim referral mechanism to identify victims among undocumented migrants and offer them access to protection services; undertake a baseline assessment to better understand the scope and magnitude of the human trafficking problem in Tunisia; and continue implementing awareness campaigns about trafficking in persons and anti-trafficking trainings for all government officials.

Prosecution

The government made no discernible law enforcement effort to address human trafficking during the reporting period. The government did not enact its draft law addressing human trafficking. In various, disparate statutes, Tunisia's penal code prohibits some forms of human trafficking but prescribes penalties that are not sufficiently stringent or commensurate with penalties prescribed for other serious crimes, such as rape. For example, the penal code prescribes only one to two years' imprisonment for forced child begging. The penal code prescribes five years' imprisonment for forced prostitution of women and children and 10 years' imprisonment for capturing, detaining, or sequestering a person for forced labor, whereas the penalties prescribed for rape range from 5 years' imprisonment to the death penalty. During the reporting period, the government reported investigating two sex trafficking cases but did not report prosecuting or convicting any defendants or prosecuting any government employees for alleged complicity in trafficking-related offenses. In August 2012, the Ministry of Justice established a three-person anti-trafficking office, which is responsible for transmitting the draft anti-trafficking legislation to the two inter-ministerial anti-trafficking committees and collaborating on anti-trafficking efforts with the committees and international organizations. The government did not conduct anti-trafficking trainings for officials; however, it participated in a trafficking awareness

training conducted by an international organization for police and border security officials, as well as for law enforcement and military officials responsible for security at refugee camps. However, the government's continued official public insistence that human trafficking is not a significant problem in the country has created a disincentive for police and court officials to address trafficking cases.

Protection

The Government of Tunisia made limited efforts to protect victims of trafficking over the last year. Despite this Report's past recommendations, the government did not develop or employ procedures to guide officials in proactively identifying trafficking victims among vulnerable groups and referring them to available services, nor did it have policies to protect victims from punishment as a direct result of being trafficked. In August 2012, authorities arrested 85 Tunisian women on prostitution charges upon their return from being forced to work in Lebanon's sex trade. While the presiding judge dropped the charges for 71 of the women and ordered that they receive psychological counseling and social services after they testified they were in forced prostitution in Lebanon, an international organization reported that the rest of the women remained under arrest for illegal prostitution. An international organization identified seven Nigerian trafficking victims who had been in domestic servitude in Libya on a ship stopped and boarded by the Tunisian Coast Guard; however, the government did not provide the victims with protection or services, and the international organization repatriated them to Nigeria two weeks later. The government, in conjunction with international organizations, continued to offer temporary shelter and health, counseling, and educational services to Libyans, Syrians, and other third-country nationals fleeing political instability; however, the government did not make efforts to identify trafficking victims among this vulnerable group. The government reported that its 380 labor inspectors received training to identify abusive child labor and indicators of human trafficking, though the government failed to identify proactively any trafficking victims during the reporting period.

The government operated several shelters for marginalized and vulnerable groups, including unwed mothers, at-risk youth, and substance abusers, but there were no centers specifically for trafficking victims. International organizations reported that the Ministry of Social Services accepted referrals of foreign trafficking victims in its shelters and provided them with other social services before assisting with the repatriation process. The government did not have any policies in place to encourage trafficking victims to participate in the prosecution of trafficking offenders, nor did it offer foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution.

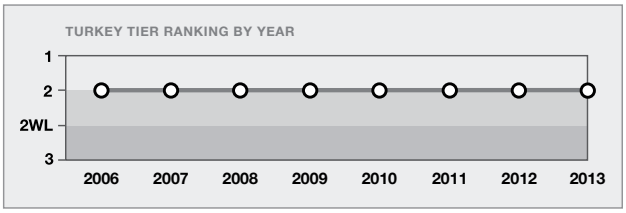
Prevention

The government continued to make modest efforts to raise awareness about trafficking and to train government officials during the reporting period. The Tunisian Ministries of Social Affairs, Education, and Employment and Vocational Training maintained an anti-trafficking public awareness campaign aimed at teenagers and young adults traveling abroad , but the government's insistence that human trafficking is not a widespread domestic phenomenon undermined overall awareness efforts. The government continued to conduct background checks of all recruitment agencies operating in Tunisia; agencies were required to sign contracts with the Ministry of Employment before recruiting workers to work in Gulf countries. The two inter-ministerial anti-trafficking committees, composed of representatives of the Ministries of Justice, Interior, Foreign Affairs, Social Affairs, Health, Finance, and Women's Affairs as well as members of civil society, met a total of nine times in this reporting period. The government did not report any awareness campaigns to reduce the demand for commercial sex acts.

TURKEY (Tier 2)

Turkey is a source, destination, and transit country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims identified in Turkey are from Azerbaijan, Kyrgyzstan, Turkmenistan, Uzbekistan, Tajikistan, Kazakhstan, Georgia, Bangladesh, Belarus, Moldova, Russia, and Ukraine. Foreign women are offered cleaning and childcare jobs in Turkey and, upon arrival, traffickers confiscate their passports and force them into prostitution in hotels, discos, and homes. Turkish women are also subjected to sex trafficking within the country. Traffickers increasingly use psychological coercion, threats, and debt bondage to compel victims into forced labor or sex trafficking. Lack of protection by authorities and allegations of police violence against transgender persons in prostitution leave them vulnerable to sex trafficking. Ethnic Roma children may be subjected to forced begging on the street. Displaced Syrian nationals may be vulnerable to trafficking around refugee camps and in cities in Turkey.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant improvements in its efforts to convict and sentence trafficking offenders under Turkey's anti-trafficking laws. Courts also reduced the rate of acquittals for trafficking defendants; however, many traffickers were ultimately convicted of lesser crimes with more lenient sentences. While the government identified several hundred trafficking victims, the protection it offered victims declined, in part because shelters were closed due to a lack of funding.



Recommendations for Turkey: Ratify comprehensive anti-trafficking legislation; establish a comprehensive, victim-centered framework for assistance to trafficking victims with stable funding and institutionalized partnerships with NGOs; increase incentives for victims to voluntarily assist in the investigation and prosecution of traffickers, including the use of victim advocates; ensure victims are provided adequate time to recover before having to decide whether to assist law enforcement; vigorously investigate and prosecute trafficking offenders, including complicit officials; increase the focus on training law enforcement to recognize signs of psychological coercion, document control, threats, and other non-physical methods of control employed by traffickers; increase

identification efforts and implement specialized care for child and male victims of labor trafficking.

Prosecution

The government made progress in convicting and sentencing more traffickers during the reporting period, but new prosecutions declined sharply. Article 80 of Turkey's penal code prohibits both sex trafficking and forced labor, and prescribes penalties of eight to 12 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Ministry of Justice reported new investigations of 505 trafficking suspects during the period of January through September 2012, compared with 598 investigations during the same period in 2011. The government prosecuted 226 defendants under Article 80 in the first three quarters of 2012, compared with 409 during this period in 2011. Courts convicted 47 trafficking offenders under Article 80 and sentenced them to prison terms ranging from seven to 21 years, a significant increase compared with 16 offenders sentenced to up to eight years' imprisonment during the prior year. Sixteen offenders originally charged under Article 80 were convicted under Article 227 for "mediating for prostitution" or Article 109 for "forced imprisonment," charges that impose more lenient sentences that do not adequately deter traffickers. Eighty-four defendants charged under Article 80 were acquitted, a decrease in the rate of acquittals compared with the previous two years. The government did not disaggregate its anti-trafficking law enforcement data to demonstrate efforts against both sex trafficking and forced labor.

In 2012, authorities arrested and prosecuted a military officer, a police sergeant, and a police officer, all allegedly complicit in human trafficking. Turkish National Police and the Jandarma paramilitary police led multiple trafficking trainings for officers during the year. Law enforcement and social workers participated in additional trainings led and funded by NGOs and international organizations.

Protection

The government's efforts to protect trafficking victims resulted in hundreds of victims identified; however shelter and services for trafficking victims remained inadequate. The government identified 515 trafficking victims in 2012. The government provided the equivalent of approximately $570,000 to fund NGOs but did not have a stable funding mechanism to support shelter and services to trafficking victims. Two of the three NGO-run shelters for trafficking victims closed during the reporting period as a result of insufficient funding, disrupting care and services for victims. NGOs served a total of 22 women in shelter care, a decrease from 39 served in 2011. One male victim was provided with specialized care. Experts noted the government was likely under-identifying male victims of labor trafficking. IOM assisted 18 trafficking victims with repatriation from Turkey to their countries of origin during the reporting period, of whom five were referred by law enforcement. Victims can access free health care and psychological services through the Ministry of Health. Foreign victims identified by Turkish authorities were able to apply for humanitarian visas valid for up to six months, and may obtain permission to work, with the option to extend their visas for an additional six months; however, only one victim remained in the country on this visa during the year. Observers reported that the separate process required for humanitarian visa holders to apply for a work permit, which entails finding a business sponsor that is required to prove that no Turkish national is available for the job, is a substantial barrier to trafficking victims actually being authorized to work legally in the local economy. The government maintained that it encouraged victims to participate in criminal proceedings against their traffickers; however, observers report that courts did not allow victims to be accompanied by advocates and consequently victims faced intimidation by defendants. At the end of the reporting period, the Turkish Parliament passed Law No. 6458 on Foreigners and International Protection, which in Article 48 provides a 30-day residency permit for potential trafficking victims to allow time in which they may recover and decide whether to cooperate with law enforcement. A six-month residency permit, renewable up to three years, will also now be available to victims depending on the security, health, and particular situation of each victim. The 2013 law also establishes a new Department for the Protection of Victims of Human Trafficking.

Authorities and experts note that police and Jandarma officers are often unfamiliar with trafficking indicators and how to engage the national referral mechanism. The government distributed a trafficking identification form for law enforcement to use during operations and offered extensive training on identification procedures. However, inconsistent application of procedures for identifying trafficking victims continued to disrupt protection and services to victims of trafficking, particularly to victims of forced labor. NGOs reported turnover of police due to personnel rotations weakened the referral system between authorities and service providers who had built trust through working on cases together. Traffickers increasing use of non-physical forms of control such as psychological coercion, debt bondage, and threats against victims and their families compounded victim identification problems; law enforcement lacked training on how to identify these non-physical forms of control. There were no reports of victims being detained or fined for acts committed as a direct result of their trafficking, though weak victim protection mechanisms left potential victims at risk of deportation. The government periodically screened Turkish women engaged in regulated prostitution to determine whether they were trafficking victims.

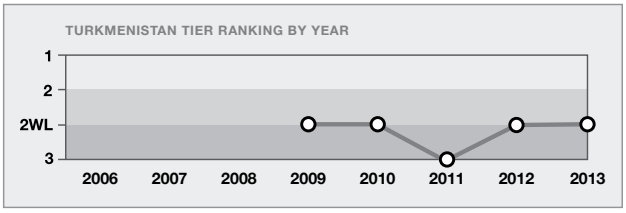
Prevention

The government maintained modest prevention efforts during the year. The government provided the equivalent of approximately $150,000 to fund the 157 helpline for trafficking victims and continued to publicize the number on television, the internet, and posters in airports. With international funding, the government implemented software to collect data on potential and identified victims of trafficking as well as on perpetrators. Prostitution by women who are Turkish citizens is legal under restricted conditions and regulated by the government. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor, nor did it demonstrate efforts to prevent child sex tourism by Turkish nationals traveling abroad. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

TURKMENISTAN (Tier 2 Watch List)

Turkmenistan is a source, and to a much lesser extent, destination, country for men, women, and children subjected to forced labor and sex trafficking. Men and women from Turkmenistan are subjected to forced labor after migrating abroad in search of employment, including in textile sweatshops, construction sites, and domestic service. Some women and girls from Turkmenistan are subjected to sex trafficking abroad. Turkey remains the most frequent destination for identified Turkmen victims, followed by Russia, the United Arab Emirates and, to a lesser extent, the United Kingdom, Kazakhstan, and Cyprus. An international organization estimates that between 10 and 25 trafficking victims return to Turkmenistan each month. Those who work in the domestic construction industry are vulnerable to forced labor and some regional governors forced public sector employees to pick cotton during the annual cotton harvest. In recent years, trafficking victims were identified in Turkmenistan from Uzbekistan, Ukraine, and Azerbaijan.

The Government of Turkmenistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to convict trafficking offenders under its anti-trafficking statute and trained police, judges, and migration officials. The government, however, did not demonstrate overall increasing efforts to identify and protect victims, and its officials penalized some trafficking victims for acts committed as a result of being trafficked. The government also did not raise awareness of human trafficking or develop a national action plan. Therefore, Turkmenistan is placed on Tier 2 Watch List.



Recommendations for Turkmenistan: Develop systematic procedures to identify victims and refer them to protection services; train border guards, police, and other relevant government officials to use these victim referral procedures; establish safeguards and training procedures to ensure victims are not punished for unlawful acts committed as a direct result of being trafficked, such as migration violations and prostitution; continue to use Article 129 to investigate and prosecute suspected trafficking offenses, respecting due process, and convict and punish trafficking offenders; continue to provide training for relevant government authorities on the proper application of Article 129; improve implementation of the protection provisions in the 2007 Law on Combating Trafficking in Persons; provide financial or in-kind assistance to anti-trafficking organizations providing assistance to victims; develop a national action plan for countering trafficking in persons; provide free medical services in state clinics for trafficking victims; conduct a trafficking awareness campaign to inform the general public about the dangers of trafficking; and develop formal relationships with civil society groups to coordinate national anti-trafficking efforts.

Prosecution

The Government of Turkmenistan demonstrated some progress in anti-trafficking law enforcement efforts during the reporting period. The government prohibits all forms of trafficking in persons through Article 129 of its criminal code, which was adopted in May 2010 and came into effect in July 2010. It prescribes penalties ranging from four to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, this law releases the trafficking offender from criminal penalty if he or she voluntarily frees the victim, unless certain aggravating circumstances are present. Turkmenistan's 2007 anti-trafficking law describes anti-trafficking responsibilities of government agencies, measures to protect trafficking victims, as well as prevention strategies. The government did not provide anti-trafficking law enforcement data for inclusion in this report; however, an international organization reported the government investigated and prosecuted seven trafficking cases in 2012 under Article 129, all of which resulted in convictions. At least five of these cases involved the forced prostitution of Turkmen women in Turkey. In 2011, Turkmen courts convicted an unknown number of trafficking offenders in three confirmed and one unconfirmed cases, all involving sex trafficking. The Turkmen government certified 50 law enforcement officers as anti-trafficking trainers upon their successful completion of trainings in July and August 2012, which were organized by an international organization and funded by a foreign government. The certified judges and migration officers subsequently conducted three training seminars for 100 police officers, judges, and migration officers. The Government of Turkmenistan did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Turkmenistan demonstrated limited efforts to protect or assist victims during the reporting period. The government did not provide services to victims of trafficking, nor did it fund international organizations or NGOs to provide such services. In 2012, 232 victims were assisted by organizations that did not receive government funding, compared with at least 50 victims assisted by such organizations in 2011. Approximately 180 of these 232 victims were subjected to labor trafficking.

While the government employed no formal victim identification procedures and did not provide victim identification, referral, or sensitivity training to border guards or police, officials at the Ashgabat international airport informally referred some returning Turkmen victims to an international organization. Authorities punished trafficking victims for crimes committed as a result of being trafficked; reports continued that the State Migration Service fined trafficking victims upon return to Turkmenistan for visa violations. As a policy, Turkmen citizens deported from other countries—potentially including trafficking victims—are prohibited from leaving Turkmenistan for a period of up to five years. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution, and consequently sex trafficking victims may have been penalized for prostitution offenses. The government did not routinely encourage victims to assist in investigating and prosecuting potential trafficking cases. According to an international organization,

two trafficking victims provided information to the police, who in turn provided protection for the victims during court proceedings.

Prevention

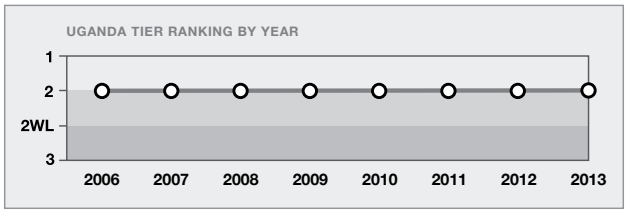
The Government of Turkmenistan demonstrated limited efforts to prevent human trafficking during the reporting period. State Border Service and Ministry of Interior officers reported conducting outreach activities to raise awareness of human trafficking in schools. There continued to be no governmental coordinating body for anti-trafficking efforts or a national anti-trafficking plan. Transparency in anti-trafficking efforts was poor, as the government did not report publicly on its anti-trafficking policies or activities. The stateless population in Turkmenistan, comprised of former Soviet citizens, is vulnerable to trafficking. The State Migration Service, jointly with UNHCR, continued to register people over the age of 18 who are considered at risk of statelessness. The government's efforts to reduce the demand for commercial sex acts, such as prosecuting clients of prostitution, were mitigated by the government's punishing of women in prostitution without ensuring that they were not victims of trafficking.

UGANDA (Tier 2)

Uganda is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as seven are exploited in forced labor within the country. Forced child labor occurs in agriculture, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, bars, restaurants, and the domestic service sector; girls and boys are also exploited in prostitution. Ugandan children are taken to other East African countries for similar purposes and are forced to engage in criminal activities. Women and children from Uganda's remote and underdeveloped Karamoja region are particularly vulnerable to domestic servitude, commercial sexual exploitation, and forced begging. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and prostitution in Uganda. Children in Rwanda-based refugee camps are trafficked to Uganda at the hands of other refugees or Rwandan and Ugandan "sugar daddies" for use in the sex trade. During the year, potential trafficking victims from India and Pakistan were also identified in Uganda. Prisoners in pre-trial detention engage in forced labor alongside convicts. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters. While there have been no LRA attacks in Uganda since that time, Ugandan children previously abducted remain unaccounted for, and some may remain captive with LRA elements currently located in the DRC, Central African Republic, and South Sudan.

Licensed Kampala-based security companies and employment agencies continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East. Some workers recruited by these companies reported conditions indicative of forced labor while working overseas, including passport withholding, nonpayment of wages, and lack of food. In addition, Ugandan women are exploited into forced prostitution in Malaysia after being recruited for work as hair dressers, nannies, and hotel staff. Some of these women transit through India, China, and Thailand—where they may also be subjected to forced prostitution—*en route* to Malaysia; Ugandan traffickers use voodoo rituals to coerce women into these trafficking schemes. Uganda's INTERPOL office reported that Ugandan women are trafficked to India, Afghanistan, Indonesia, and the United Arab Emirates. During the reporting period, Ugandan trafficking victims were identified in the United Kingdom, Greece, Poland, Iraq, Egypt, Qatar, South Sudan, Kenya, China, South Korea, Thailand, Malaysia, and the United States; in one case, four Ugandan men were taken to China, where they were forced into prostitution. A Ugandan was arrested in Spain in 2012 for allegedly trafficking Nigerian women into forced prostitution.

The Ugandan government does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Following creation of its counter-trafficking in persons office (CTIP) and anti-trafficking taskforce in early 2012, the government began drafting a national action plan and launched a nationwide awareness campaign. In addition, the government prosecuted an increased number of trafficking offenders during the year; however, for the third consecutive year, the government failed to convict a forced labor or sex trafficking offender under Uganda's 2009 Prevention of Trafficking in Persons (PTIP) Act. The government also significantly increased the number of trafficking victims identified; however, it did not devote sufficient resources or attention to victims of internal trafficking crimes, which constitute a significant portion of Ugandan victims. In addition, although the government provided modest assistance to a small number of internal trafficking victims and partnered with international organizations in the repatriation of Ugandan victims exploited in foreign countries, overall protection services offered to victims of trafficking remained modest. The government increased its screening of Ugandans traveling abroad for employment, began a quarterly review of all licensed labor recruitment agencies, and closed four unlicensed agencies. Although the Ugandan government increased efforts to improve its oversight of officially licensed agencies, this work continued to be hampered by a lack of financial and human resources.



Recommendations for Uganda: Continue to implement comprehensive anti-trafficking legislation and build the capacity of the CTIP office and other governmental and non-governmental stakeholders; increase efforts to prosecute, convict, and punish trafficking offenders; institute a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; investigate and punish labor recruiters and criminal entities responsible for knowingly sending Ugandans into forced labor or prostitution abroad; ensure use of a definition of trafficking in persons consistent with the 2009 PTIP Act and 2000 UN TIP Protocol when implementing the act, identifying victims, and combating trafficking generally; finalize regulations to fully implement the protection and prevention provisions of the 2009 PTIP Act; expand the anti-

trafficking public awareness campaign with a particular focus on forced labor; establish policies and procedures for government officials to identify and interview potential trafficking victims proactively and transfer them to the care of local organizations when appropriate; train Ugandan officials serving in overseas postings in victim identification techniques; increase the number of staff and funding dedicated to the anti-trafficking efforts within the External Employment Unit (EEU), the Ministry of Gender, Labor, and Social Development (MGLSD), and the Ministry of Internal Affairs (MIA); and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Uganda increased its overall anti-trafficking law enforcement efforts from four prosecutions in 2011 to 28 prosecutions in 2012; however, Ugandan courts failed to move pending cases through the judicial process, and the government's last reported conviction of a forced labor or sex trafficking offender was in 2009. An additional 58 offenders remained under investigation. Four cases against trafficking defendants were either dismissed or withdrawn; however, the government did not provide extensive details about these cases. The 2009 PTIP Act prohibits all forms of trafficking, prescribing punishments of 15 years to life imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The EEU proposed amendments to the existing regulations governing the recruitment of Ugandan workers for overseas employment and proposed changes to increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters; the amendments awaited review by the minister at the close of the reporting period.

The government investigated several cases involving the trafficking of Ugandan women to China and Malaysia and cooperated with Egyptian, Saudi Arabian, Malaysian, and South Sudanese authorities to investigate trafficking offenses in 2012. Although the government investigated internal trafficking cases and provided assistance to internal trafficking victims, its overall efforts were insufficient to address internal trafficking crimes and identify Ugandan victims exploited within the country. The government trained 655 police and immigration officials in 2011 but only trained 64 immigration and law enforcement officials in 2012. Furthermore, it did not develop or institutionalize trainings for its law enforcement officials on the 2009 PTIP Act. The frequent transfer of officials previously trained to combat trafficking continued to inhibit progress in addressing the crime through law enforcement efforts. The Ministry of Foreign Affairs (MFA) did not provide training on victim identification to its consular staff; however, the MIA continued to train immigration officials in victim identification. In addition, the national taskforce conducted training for its members. Also, in May and August 2012, the government partnered with NGOs to organize trainings for 40 magistrates and 22 law enforcement officials, respectively, to familiarize them with their roles and responsibilities under the 2009 PTIP Act. There were no allegations of complicity of government officials during the reporting period.

Protection

The government made increased efforts to protect trafficking victims in 2012, including by identifying 417 trafficking victims. Although the government provided modest assistance to 57 internal trafficking victims and cooperated with other organizations that provided victim assistance within Uganda during the year, it failed to provide protection services or support to victims repatriated following their trafficking abroad. In addition, the government did not complete the implementing regulations for the 2009 PTIP Act, allocate funding for the implementation of its victim protection provisions, or develop procedures for the systematic identification of victims among high-risk groups.

The Ugandan military continued its efforts to rescue and encourage the defection of Ugandan, Central African, Congolese, and South Sudanese non-combatants kidnapped by the LRA and forced to work as porters or sex slaves. In 2012, the Ugandan military assisted in the rescue of at least 42 individuals, including 10 children associated with the LRA, and coordinated with NGO and UN personnel to facilitate the transfer of individuals abducted by the LRA back to their countries of origin. During a May 2012 operation in the Central African Republic, the Ugandan military captured senior LRA commander Caeser Acellam, accused of recruiting and using children as soldiers and sex slaves, and it identified a 12-year-old trafficking victim and referred her to an international organization for protection. During the year, the Ugandan military hired two civilian female social workers to support women and children rescued from the LRA before their transfer to NGO and UN partners. Following the lapse of the Amnesty Act in May 2012, the Ugandan government's amnesty commission continued efforts to provide rehabilitation support to Ugandan returnees.

During the year, the government cooperated with Swazi authorities in the repatriation of five potential trafficking victims intercepted *en route* to South Africa, and Ugandan embassy officials in South Sudan worked with IOM to support the return of five Ugandan children. The Ugandan government identified 14 Ugandans trafficked abroad. In addition, during the year IOM coordinated the return of nine Ugandans from Malaysia, six from China, three from Iraq, and two from Thailand. Although the government provided travel documents to these victims, it did not fund return travel or provide medical care, shelter, counseling, or other assistance to these or other repatriated trafficking victims. The Ugandan Honorary Consul in Malaysia, in particular, investigated tips and identified nine victims, offering them shelter and assistance at the consulate and partnered with the IOM in their repatriation. In November and December 2012, a delegation of members of the parliament's equal opportunities committee visited China, Hong Kong, India, and the UAE as part of a fact-finding mission to establish mechanisms to improve the process of identifying and repatriating trafficking victims.

In Kampala, during a joint operation, the Ugandan police and the Kampala city council identified and transferred 57 street children to an under-resourced MGLSD juvenile detention center that provided food, medical treatment, counseling, basic education, and family-tracing services. Although children are permitted to spend up to three months at the center, the government transferred these children to the care of IOM, which subsequently provided them with shelter, food, and medical treatment. Though such children are routinely reunited with their families, the Ugandan government has not established appropriate systems to ensure that the children do not reappear on the streets. A Ugandan NGO provided counseling and vocational training to 140 children removed by the Ugandan police from domestic servitude and prostitution.

Although Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residency and work permits, no foreign victims received such permits during the year. Nonetheless, the government encouraged trafficking victims to supply victim statements in order to facilitate the prosecution of their exploiters.

Prevention

The Ugandan government made continued efforts to prevent human trafficking during the year. In February 2013, following the death of the previous anti-trafficking coordinator, the MIA appointed an assistant police commissioner to coordinate government anti-trafficking efforts and oversee the work of the CTIP office. During the year, the government tripled the staffing of the CTIP office, although its budget remained flat. Although the office and its national taskforce, both established in early 2012, began to draft a national action plan, initial efforts to prevent trafficking were slowed by the death of the coordinator. During the reporting period, the Ugandan police's special investigation unit introduced additional screening for those attempting to emigrate for work abroad. Immigration officials are now required to scrutinize travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries, with suspect cases subject to additional interview. As a result, the MIA and its immigration department intercepted several hundred potential trafficking cases at border crossings and the international airport in Entebbe. Law enforcement officials also seized 900 passports from unlicensed labor recruitment firms and foreign embassies.

The government made efforts to raise awareness on the dangers of trafficking and how to report cases by arranging five radio and television shows during the year. For example, in April 2012, the former anti-trafficking coordinator and a female member of parliament conducted a television show in Luganda, the most widely spoken language in Uganda and the language used in central Uganda, including Kampala, which specifically targeted Uganda's business community. In July 2012, the anti-trafficking coordinator hosted a panel discussion on Urban TV, which broadcasts in English and targets youth in urban areas, to discuss the consequences of trafficking. As a result of these programs, media coverage of trafficking issues increased, and the Ugandan police noted an increase in reports of potential trafficking cases, leading to the initiation of several investigations.

In 2012, the MGLSD's EEU increased its monitoring and oversight of recruitment agencies from semiannual to quarterly visits. During the visits, the EEU interviewed staff and reviewed financial documents to ensure compliance with Ugandan law. The EEU also drafted specific guidelines recruitment agencies must follow and developed an orientation session for Ugandans departing for work abroad. The Ugandan police closed four unlicensed recruiting firms during the reporting period. Although the government investigated trafficking cases in Dubai, Abu Dhabi, and Kuwait and closed down four unlicensed recruitment agencies suspected of facilitating human trafficking, it did not pursue criminal prosecution of these or other agencies for their role in fraudulent recruitment of Ugandans for overseas employment. In November, the MGLSD and a local Ugandan NGO organized a workshop for 24 licensed recruitment agencies to raise awareness of the 2009 PTIP act and to increase cooperation between employment firms, the MGLSD, the MIA, and NGOs.

The number of plaintiffs in a lawsuit against the attorney general, the inspector general of police (IGP), the director of public prosecution (DPP), and a labor recruitment agency for allegedly trafficking 155 Ugandan women to Iraq, originally filed in March 2011, has increased to 19, and a hearing of the case is expected in early May 2013. The complaint alleges that the IGP knew the women would be exploited and failed to carry out his constitutional duty to protect them, and that the DPP subsequently failed to prosecute the recruitment agency. In February 2011, a member of parliament filed a petition on behalf of 16 women repatriated from Iraq attempting to task parliament's gender and social development committee with investigating the work of recruitment agencies; during the year, parliament heard testimony from the firm's manager, and the inquiry remains ongoing.

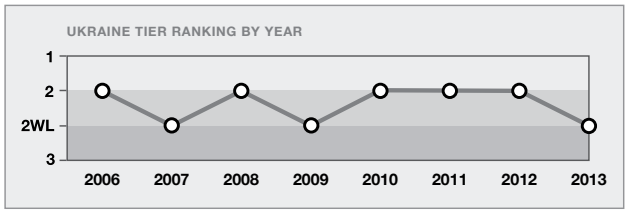
In 2012, the MGLSD's orphans and vulnerable children unit worked with civil society organizations to identify more than 8,500 children engaged in illegal child labor, such as petty trade, agriculture, and stone quarrying. The rescued children received Ugandan government-supported vocational training, health care, and psycho-social support. However, in 2012, the government failed to conduct child labor inspections or prosecute those in violation of child labor laws. During the year, the government arrested two foreign nationals for the alleged sexual abuse of Ugandan children, and both cases remained pending prosecution at the end of the reporting period. The government failed to significantly reduce the demand for commercial sex acts within the country and transnationally. Uganda is not a party to the 2000 UN TIP Protocol.

UKRAINE (Tier 2 Watch List)

Ukraine is a source, transit, and, increasingly, destination country for men, women, and children subjected to forced labor and sex trafficking. Ukrainian victims are subjected to trafficking in Ukraine as well as in Russia, Poland, Iraq, Spain, Turkey, Cyprus, Republic of Seychelles, Portugal, the Czech Republic, Israel, Italy, United Arab Emirates, Montenegro, the United Kingdom, Kazakhstan, and Tunisia. Foreign nationals, including from Moldova, Uzbekistan, Pakistan, Cameroon, and Azerbaijan, are subjected to forced labor in Ukraine. Ukrainians most at risk of trafficking are from rural areas with limited access to employment opportunities and are often targeted by Ukrainian recruiters using fraud, coercion, and debt bondage. Victims of labor trafficking are exploited in construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and forced begging. Children in orphanages and crisis centers continue to be particularly vulnerable to trafficking within Ukraine.

The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these steps, the government did not demonstrate evidence of overall increasing efforts to address human trafficking – particularly in terms of devoting resources to investigating trafficking crimes and protecting trafficking victims; therefore, Ukraine is placed on Tier 2 Watch List. During the reporting period, the government issued several decrees and regulations in an effort to fully implement the comprehensive anti-trafficking law passed in 2011. Ukrainian courts sentenced more trafficking offenders

to prison than in the previous reporting period. However, the national referral mechanism (NRM) did not function effectively in many regions, resulting in very few identified victims being granted official victim status by the government. As a result of dismantling the specialized anti-trafficking police unit in 2011, the number of trafficking investigations, prosecutions, and convictions decreased in 2012 and the government did not proactively identify and refer victims to services. Moreover, the government did not allocate funds to anti-trafficking efforts in 2012.



Recommendations for Ukraine: Expand the NRM to all regions of the country and ensure effective implementation through systemic training of government officials and front-line responders on their respective roles and responsibilities to protect and assist victims of trafficking; ensure government officials are aware of the rights of victims under the anti-trafficking law and are prepared to provide assistance according to their respective responsibilities; dedicate more law enforcement resources to investigating human trafficking; ensure that victims of trafficking who come forward to obtain official status are not subjected to repeated interviews with multiple officials; harmonize migration and employment legislation to ensure foreign and stateless victims of trafficking are able to obtain temporary residency status and seek employment as permitted under the anti-trafficking law, and clarify procedures for doing so; formalize agreements with and fund NGOs providing case management services to victims of trafficking; ensure the full range of protective measures allowed under the witness protection law are consistently applied in practice for victims of trafficking; sufficiently fund full implementation of the national action plan; strengthen the NRM by building the capacity of officials to identify child trafficking victims and institute screening for trafficking in crisis centers and orphanages through child-friendly practices; and collect disaggregated data based on sex or labor trafficking.

Prosecution

The Government of Ukraine significantly reduced its anti-trafficking law enforcement efforts in 2012. Article 149 of the criminal code prohibits all forms of trafficking and prescribes penalties from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Interior reported 162 criminal investigations into trafficking offenses in 2012, a significant decrease compared to 197 in 2011 and 257 in 2010. The government prosecuted 122 trafficking cases under article 149 in 2012, compared with 135 in 2011 and 111 in 2010. The government convicted 115 trafficking offenders in 2012, a decrease from 158 in 2011 and 120 in 2010. Of the 115 convicted trafficking offenders, 65 were sentenced to imprisonment terms ranging from less than one year, to between 10 and 15 years. Forty-two defendants were given suspended sentences and the assets of 32 defendants were confiscated. The government did not identify which law enforcement efforts involved sex trafficking and which involved labor trafficking.

In its reorganization of the Ministry of Interior in 2011, the anti-trafficking police unit was subordinated to the General Crimes Department. Following this change, many detectives trained in specialized anti-trafficking investigation techniques left the unit; the majority of detectives in the regions were new and had little experience with trafficking crimes, and a reduced percentage of time was spent on investigating trafficking offenses. The number of detectives assigned to trafficking crimes at the ministry's headquarters was cut to 16 in 2012, from approximately 70 detectives in 2010. The number of detectives in the regions was cut on average by 50 percent. IOM trained 108 law enforcement officers from 27 regions' anti-trafficking units. NGOs reported that judges have not received adequate training and some did not appear to know how to properly adjudicate child trafficking cases. Ukrainian officials did not recognize some 16- and 17-year-old victims of commercial sexual exploitation as children and charged them as offenders.

During the reporting period, authorities uncovered a scheme in which Ukrainian women were transported to Germany and subjected to sex trafficking, facilitated by the use of fraudulent Ukrainian documents and Schengen visas from contacts at the Polish Consulate in Lutsk. As a result of this Ukrainian police investigation, the Polish government fired officials from the consulate. Different groups of Moldovan and Uzbek victims of trafficking were subjected to forced labor in agriculture in Ukraine. In both cases, the authorities opened criminal cases; however, the prosecutors charged defendants in the case of the Moldovans under a statute that punishes severe violations of labor law rather than under anti-trafficking statutes, which carry more stringent penalties.

The Government of Ukraine did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period, despite reports of widespread corruption in the government. For example, a Pakistani recruiter and Ukrainian factory owner were charged with trafficking in 2011—the Pakistani recruiter was sentenced to five years' imprisonment, while the Ukrainian factory owner with close relations with local authorities was found guilty of violating a lesser labor law and was simply fined. Upon appeal on behalf of the victims, the court vacated the verdict and sent the case of the Ukrainian factory owner back for a new trial, which is still pending.

Protection

The government did not expand its victim protection efforts during the reporting period, identified fewer trafficking victims, and officials were not trained on their responsibilities under the NRM. The government reported that 187 victims of trafficking were identified in 2012, a significant decrease compared to 294 in 2011 and 277 in 2010. Forty-seven of the victims identified in 2012 were men and 16 victims were children. Only 16 of the 187 victims identified by law enforcement in Ukraine were granted formal victim status by the government under the new procedures affording them the right to access legal, medical, and social assistance. In 2012, IOM reported assisting 139 Ukrainian, 46 Moldovan, and 10 Uzbekistani victims of trafficking in Ukraine, of whom 56 percent were men. Eighty percent of victims identified by IOM had been subjected to forced labor. The government did not fund any anti-trafficking

protection activities in 2012. Planned funding for 2013 to 2015 includes the equivalent of approximately $120,000 annually from the central state budget to combat trafficking in persons. International donors continued to provide the majority of funding for anti-trafficking activities and assistance to victims. Government centers for socio-psychological assistance and centers for mothers and children accommodated 23 victims of trafficking during the reporting period. Government social workers responsible for assessing trafficking victims' needs and drafting rehabilitation plans had large caseloads and faced high turnover rates. For the first time, the government issued regulations with criteria by which identified victims of trafficking could be granted official status, receive financial assistance, and be provided with comprehensive assistance. In practice, however, government officials were unaware of the new regulations and their respective responsibilities to serve victims of trafficking who attempted to obtain assistance. None of the 16 officially recognized victims received the one-time payment of the equivalent of approximately $135 afforded to them under a resolution adopted in 2012.

Under the anti-trafficking law, implementation of the NRM is the responsibility of local administrations. As a result, different regions have designated different local departments as coordinators responsible for identifying and assisting victims of trafficking. This created significant confusion among NGOs that previously functioned to serve victims of trafficking in coordination with prior, informal points of contact in the government, and procedures for granting official status to victims of trafficking did not work in some regions. The Ministry of Social Policy listed local administration points of contact on its website in an effort to address this problem. NGOs reported that local officials designated to grant formal victim status did not yet have the necessary assessment and interviewing skills or experience to carry out this duty effectively. NGOs reported concerns that victims who came forward to obtain official status as a victim of trafficking were subjected to multiple interviews and asked insensitive and invasive questions. Provisions in the NRM related to child victims of trafficking and how to provide services to this vulnerable group were unclear. Proactive victim status determination for victims who were not participating in active criminal proceedings was limited. NGOs reported that police, NGOs, and victims lacked trust in the abilities of government social service workers to properly determine and grant formal victim status, which prevented victims from obtaining services. There were no reports of victims being detained or punished for unlawful acts committed as a direct result of their being subjected to human trafficking in 2012. While the anti-trafficking law affords victims of trafficking the right to remain in the country, in practice, no such victims obtained temporary residence status; the migration service did not recognize trafficking victim status as a basis for protected status under the foreigner's law. As a result, victims officially recognized by the government remained without legal status in the country and in fear of deportation. Even though the anti-trafficking law affords victims two years of access to services, this was available in theory only, as foreign victims could not obtain legal status to remain in Ukraine. The government acknowledged this issue required a change in legislation. Four foreign victims with official victim status from the government were not issued temporary residency status or granted permission to seek legal employment. A range of protective measures are available under Ukrainian witness protection law. In practice, however, these measures were rarely applied by prosecutors and victims of trafficking serving as witnesses were often not treated in a victim-sensitive manner.

Prevention

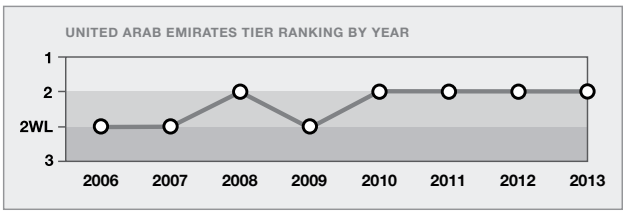
The Government of Ukraine continued limited trafficking prevention activities in 2012. The government, in cooperation with OSCE, conducted an anti-trafficking information campaign to raise awareness about all forms of trafficking reaching approximately 2.3 million people. The national action plan for 2012-2015, formally adopted by the government during the last reporting period, was not supported by any budget allocations at the national and local levels to ensure full implementation. The Ministry of Social Policy continued in its role as national anti-trafficking coordinator and an interagency council of ministries and NGOs was established. The government, in continued cooperation with IOM, conducted four counter-trafficking pre-deployment trainings for Ukrainian troops assigned to multinational missions. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts and forced labor. The government did not report any efforts to reduce participation in international child sex tourism by Ukrainian nationals.

UNITED ARAB EMIRATES (Tier 2)

The United Arab Emirates (UAE) is a destination and transit country for men and women predominantly from South and Southeast Asia who are subjected to forced labor and forced prostitution. Migrant workers, who comprise more than 90 percent of the UAE's private sector workforce, are recruited primarily from India, Pakistan, Bangladesh, Nepal, Sri Lanka, Indonesia, Ethiopia, Eritrea, China, Thailand, Republic of Korea, Afghanistan, Iran, and the Philippines; some of these workers face conditions of forced labor in the UAE. Women from some of these countries travel willingly to the UAE to work as domestic servants, secretaries, beauticians, and hotel cleaners, but some are subsequently subjected to conditions indicative of forced labor, including unlawful withholding of passports, restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. Restrictive sponsorship laws for foreign domestic workers give employers power to control domestic workers' movements, threaten them with abuse of legal processes, and make them vulnerable to exploitation. Men from India, Sri Lanka, Bangladesh, Pakistan, and Nepal are recruited to work in the UAE in the construction sector; some are subjected to conditions of forced labor, including debt bondage as they struggle to pay off recruitment fees. In some cases, employers have declared bankruptcy and fled the country, effectively abandoning their employees in conditions vulnerable to further exploitation. Some women from Eastern Europe, Central Asia, Southeast Asia, East Asia, East Africa, Iraq, Iran, and Morocco are subjected to forced prostitution in the UAE.

The Government of the United Arab Emirates does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to prosecute and punish sex trafficking offenders, though its efforts to prosecute forced labor offenders were unclear. For the first time, the Ministry of Labor reported statistics on the number of cases of labor complaints it referred for prosecution; however, the statistics

were not sufficiently detailed to ascertain whether these cases involved forced labor offenses. The government provided avenues for migrant workers' complaints through hotlines and mobile units; however, there were no shelters or other types of government services for male trafficking victims. During the reporting period, the government continued to implement victim identification procedures and refer sex trafficking victims to protection services, including government-funded shelters for trafficking victims. The government also continued to implement anti-trafficking awareness campaigns. Nonetheless, labor trafficking victims, especially male victims, remained largely unprotected; while the government made significant efforts in sex trafficking victim identification, it did not make equivalent efforts in identifying victims of forced labor among vulnerable populations. As a result, victims may have been punished for immigration and other violations.



Recommendations for the United Arab Emirates: Significantly increase efforts to investigate, prosecute, and punish labor trafficking offenses, and convict and punish trafficking offenders, including recruitment agents and employers who subject workers to forced labor; enact and implement the draft law addressing the protection of domestic workers' rights; increase victim identification efforts for workers subjected to forced labor, including those apprehended for violations of immigration laws and domestic workers who have fled their employers; provide protection services to all victims of trafficking, including by extending protection to victims of forced labor and male victims on par with victims of forced prostitution; ensure that forced labor trafficking victims are not incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked, and treat male and female victims equally; enforce the prohibitions on withholding workers' passports; reform the sponsorship system so it does not provide excessive power to sponsors or employers in granting and sustaining the legal status of workers; and disaggregate data on labor trafficking offenses from among data on general labor complaints the government receives, including those referred for prosecution.

Prosecution

The government sustained law enforcement efforts against sex trafficking during the reporting period, though it was unclear if it took measures to punish forced labor offenders. Though the Ministry of Labor reported statistics on cases of labor complaints it referred for prosecution, it was unclear whether the government investigated or prosecuted labor trafficking offenses. The UAE prohibits all forms of trafficking under federal law Number 51 of 2006, which prescribes penalties ranging from one year to life in prison as well as fines and deportation. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, the government referred 47 cases involving 149 alleged sex trafficking offenders for prosecution and convicted 91 sex trafficking offenders under the anti-trafficking law, with sentences ranging from one year to life imprisonment. This is an increase from the 37 suspects prosecuted and 19 traffickers convicted in 2011. Despite continuing reports of forced labor in the construction sector and domestic service, the government did not provide sufficient evidence that it adequately prosecuted or convicted any forced labor offenders in 2012. The government did not proactively enforce a prohibition on the widespread withholding of workers' passports, which greatly contributes to forced labor. The government continued to respond to and investigate workers' complaints of unpaid wages through a dispute resolution process and the Wages Protection System (WPS), which has reportedly deterred some employers from withholding workers' wages, though this response was largely limited to administrative remedies, including fines or mediation to recover the wages. Seldom did the government criminally investigate or punish an employer for labor abuses, which could serve as a greater deterrent to these practices.

The government continued to train judicial, law enforcement, and labor officials on human trafficking issues. The Ministry of Interior (MOI) conducted 31 anti-trafficking training courses for over 1,000 police officials in 2012, while 68 officials also participated in multiple international anti-trafficking training courses. In addition, Dubai police held six training courses for its human trafficking unit in identifying victims of trafficking in accordance with international standards, which was attended by immigration officers and the Public Prosecutor's Office; the majority of courses focused on increasing awareness about labor restrictions and UAE labor laws. The inter-ministerial National Committee to Combat Human Trafficking (NCCHT) continued to use a central database for law enforcement officers working on trafficking cases. The government did not report efforts to investigate or prosecute public officials for alleged complicity in trafficking-related offenses; however, there was no evidence that public officials were complicit in trafficking-related offenses. The government reported actively cooperating with other countries and international agencies on international trafficking investigations during the year. In early 2013, the UAE extradited a suspected trafficker to his home country for prosecution.

Protection

The government sustained progress in providing protective services to sex trafficking victims, although it did not demonstrate that it made efforts to improve care for victims of forced labor other than providing avenues to report abuses and dispute-resolution options. Accordingly, the government's protection efforts failed to sufficiently address the needs of the largest group of trafficking victims within the country. The government continued to fund shelters for female and child victims of sex trafficking and abuse in Abu Dhabi, Dubai, Ras al Khaimah, and Sharjah; however, it did not provide shelter services for male victims of trafficking. Shelter facilities provided medical, psychological, legal, educational, and vocational assistance. These shelters assisted 68 female trafficking victims during the reporting period. In 2012, the government reportedly identified and referred 57 sex trafficking victims, including four underage victims, to care facilities. Authorities reported that government officials including the police, as well as houses of worship, community centers, source country embassies, hospitals, and NGO-operated hotlines referred victims to the government's shelters. Moreover, shelter personnel reported government officials improved their efforts to proactively identify female trafficking victims during the reporting period. Once identified, victims reportedly

were not punished for unlawful acts committed as a direct result of being trafficked, such as prostitution offenses. The MOI distributed a guidebook outlining standard operating procedures for law enforcement personnel to identify victims of both sex and labor trafficking. Despite having standard operating procedures in place, some unidentified victims of sex trafficking may have been penalized through incarceration, fines, or deportation for unlawful acts committed as a direct result of being trafficked. To attempt to remedy this problem, the government reportedly used a referral process to improve the identification of trafficking victims in detention or prison and referred them to a local shelter; NGOs reported the referral system worked well in practice for sex trafficking victims. Authorities, however, failed to identify any male trafficking victims. The MOI continued its implementation of a system to place suspected trafficking victims in a transitional social support center instead of a detention center until victim identification was completed. In an effort to avoid inflicting additional psychological trauma or making victims feel as if they were being detained, identified sex trafficking victims were assigned female and male police officers dressed in plain clothes and familiar with human trafficking cases when escorted to shelter services. In January 2013, the cabinet approved draft amendments to the 2006 anti-trafficking law, which would provide greater protection for trafficking victims. The amendments remained under review by the Federal National Council and were not enacted at the end of the reporting period. The amendments would provide security protection to victims and witnesses, as well as lawyers and psychotherapy for victims; specify investigation procedures for law enforcement agencies and prosecutors; and protect the privacy and identity of trafficking victims by making legal proceedings confidential and penalizing those who publicize victims' names or pictures.

While law enforcement officials were trained on victim identification, the government failed to identify potential cases of forced labor; instead, authorities recognized potential forced labor cases as labor violations particularly if potential victims were over the age of 18 and had entered the country voluntarily. As a result, victims of forced labor may have been punished for unlawful acts committed as a direct result of being trafficked, such as immigration violations. While the government exempted victims of trafficking who had a pending or ongoing court case against an employer for labor abuses from paying fines accrued for overstaying their visas, the government did not offer victims of labor trafficking—estimated to be the most prevalent form of trafficking in the UAE—shelter, counseling, or immigration relief. The government implemented a short-term amnesty program in December 2012, which allowed workers who overstayed their visas to renew their documents or return to their home countries without penalty; the government issued 61,800 exit permits, and 39,000 of those with exit permits departed the UAE as of February 2013. Domestic workers who fled from their employers often accessed limited assistance at their embassies and consulates, though UAE authorities generally presumed them to be violators of the law, raising concerns that victim identification procedures were not utilized in these cases, unlike in cases of suspected sex trafficking. The government did not actively encourage victims of labor trafficking to participate in investigations or prosecutions, and it typically initiated investigations of forced labor offenses committed against these victims only at victims' requests. The government encouraged identified victims of sex trafficking, however, to assist in the investigation and prosecution of traffickers by providing victims with shelter, psycho-social services, vocational training, and employment. The government did not provide long-term legal alternatives to the removal of foreign trafficking victims to countries where they faced retribution or hardship. Victims had the option of obtaining work visas and remaining in the UAE by using the shelters' employment placement programs or completing voluntary vocational education programs.

Prevention

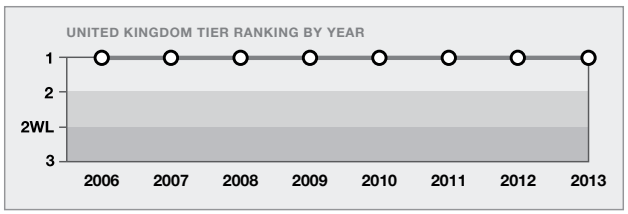
The government continued to make anti-trafficking prevention efforts a priority during the reporting period. The government and Dubai police conducted anti-trafficking information and education campaigns within the UAE and with source country embassies and consulates and expanded an awareness-raising advertisement campaign in international airports throughout the country. The federal news agency also raised the issue of human trafficking by frequently reporting on trafficking cases in the nation's top media outlets. The Ministry of Labor (MOL) educated supervisors, inspectors, and other government officials on forced labor indicators and held 180 seminars for foreign workers on labor rights and methods through which to address labor grievances; the ministry also ran a hotline for workers to report labor violations and operated a mobile unit through which officials inspected labor camps and work sites to address labor violations. The NCCHT advertised its anti-trafficking hotline in media outlets in 2012 and made an agreement with local newspapers to advertise trafficking awareness campaigns in 2013; the government promoted transparency in its anti-trafficking efforts by publishing its fifth annual public report on its anti-trafficking measures. Government authorities produced and translated into source country languages pamphlets on workers' rights and resources for assistance for distribution to migrant workers. A draft law protecting the rights of domestic workers, which the cabinet of ministers approved in January 2012, continued to await presidential approval and subsequent implementation at the end of the reporting period. Additionally, the government continued to regulate recruitment agencies, and the government reported that it did not approve any applications for new recruitment agencies during this reporting period; MOL inspectors made 1,070 follow-up visits to recruitment agencies in this reporting period. In 2012, the cabinet made amendments to the 2010 Cabinet Decision Number 27, which listed various administrative fines for employers violating the labor law, including employers who force workers to pay for recruitment fees without legal documentation. The government sustained its WPS electronic salary-monitoring system intended to ensure workers receive their salaries, with approximately 3.5 million workers and 234,459 companies enrolled at the end of 2012. MOL inspectors forwarded cases of 405 companies involved in violating the labor law for public prosecution. In September 2012, the government sentenced a businessman to pay the equivalent of approximately $1 million in fines for paying his workers' salaries nine months late. Under the auspices of the Abu Dhabi Dialogue, which it chairs, the UAE government remained in negotiation with some labor source countries on the implementation of a system to verify contracts to protect workers from contract substitution and other fraudulent activities. In September 2012, various government departments adopted stricter visa rules, which followed the arrests of foreigners on tourist, visit, and conference visas who allegedly engaged in crimes including human trafficking. The government, however, did not take measures to reduce the demand for commercial sex acts in the

UAE or to investigate or prosecute acts of child sex tourism by UAE nationals abroad.

UNITED KINGDOM (Tier 1)

The United Kingdom (UK) is a source, transit, and destination country for men, women, and children who are subjected to sex trafficking and forced labor, including domestic servitude. Most foreign trafficking victims come from Africa, Asia, and Eastern Europe. According to 2012 government data, the top five countries of origin for trafficking victims are Nigeria, Vietnam, Albania, Romania, and China. During the year, stakeholders reported an increase in forced labor victims from Eastern Europe as well as an increase in identified Latvian sex trafficking victims. UK men continue to be subjected to forced labor within the UK and in other countries in Europe. UK children are subjected to sex trafficking within the country; one NGO reported an increase in internal sex trafficking of children in 2012. Authorities reported that victims continued to be forced into criminal behavior. Unaccompanied migrant children in the UK continued to represent a group vulnerable to trafficking. Migrant workers in the UK are subjected to forced labor in agriculture, construction, food processing, domestic service, nail salons, and food services. Domestic workers, including those in diplomatic households, are particularly vulnerable to trafficking and abuse. Children and men, mostly from Vietnam and China, continue to be compelled to work on cannabis farms.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the national government reported increased detection and prosecution of forced labor and sex trafficking offenders, and courts handed down significant penalties in some cases. In 2012, the government, in partnership with NGOs and other stakeholders, continued to review and assess its overall approach to combat trafficking. The national government improved its identification of trafficking victims in the country and increased the number of trafficking victims who received access to care. It implemented prevention programs in relevant source countries and continued to implement its 2011 anti-trafficking strategy. However, challenges remain: victim protection experts and international observers urged the UK government to implement additional victim-centered policies, such as a system of guardianship for child trafficking victims, in order to improve its anti-trafficking results. Some stakeholders continued to report that the UK government's victim identification and referral system fails to help many victims of trafficking. Country experts reported trafficking victims' penalization as offenders or their inadvertent deportation during the year. Local officials and international experts continued to report inadequate protections for child trafficking victims. Expert reports concluded that there was a need for a tailored anti-trafficking law to facilitate more effective prosecution of this crime.



Recommendations for the United Kingdom: Ensure that law enforcement priorities to combat organized crime are effectively balanced with a victim-centered response to protect trafficking victims; ensure that a greater number of victims of trafficking are identified and provided access to necessary services, including potential victims who are incarcerated or charged with immigration violations; consider introducing a "pre-reasonable grounds" decision period in which potential victims can access services before having to engage with police and immigration officers; ensure potential trafficking victims are provided with information about their rights in a language they can understand; ensure that appropriate government officials interview all incoming domestic workers in private so they are familiar with their rights and protections in the UK; develop secure accommodations for child trafficking victims and establish a system of guardianship for unaccompanied foreign children; allow trafficking victims the right to seek employment while cooperating in the prosecution of their traffickers; provide training and technical assistance to authorities in UK overseas territories to improve anti-trafficking law enforcement and victim protection results; and ensure assessments of UK anti-trafficking efforts are transparent and allow for NGO feedback to facilitate self-critical, comprehensive recommendations in each region.

Prosecution

The Government of the United Kingdom increased its prosecution of sex and labor trafficking offenders in 2012. During the reporting period, it convicted trafficking offenders under Section 71 of the 2009 Coroners and Justice Act, marking its first successful conviction under this act. The UK prohibits all forms of trafficking through Section 71 of the 2009 Coroners and Justice Act (slavery, servitude, and forced or compulsory labor), the 2003 Sexual Offenses Act, and the 2004 Asylum and Immigration Act, which prescribe penalties of a maximum of 10, 14, and 14 years' imprisonment, respectively. The acts' prescribed penalties for sex trafficking are commensurate with those prescribed by other laws, for other serious crimes, such as rape. The 2009 Coroners and Justice Act explicitly criminalizes slavery without a precondition of smuggling into the UK. Human trafficking offenses in England, Wales, and Northern Ireland are governed by the 2003 Sexual Offenses Act, the 2004 Asylum and Immigration Act, and the 2009 Coroners and Justice Act. Human trafficking offenses in Scotland are governed by the Criminal Justice (Scotland) Act of 2003, the equivalent of the UK's Sexual Offenses Act. The provisions of the UK's Asylum and Immigration Act 2004 extend to Scotland, and the Criminal Justice and Licensing (Scotland) Act of 2010 made it a statutory offence to hold anyone in slavery or servitude or require a person to perform forced or compulsory labor. The UK Home Office continued to lead the anti-trafficking response in England and Wales, while the Northern Ireland Department of Justice sustained the lead in Northern Ireland and the Scottish police's dedicated anti-trafficking team took the lead in Scotland. During the reporting period, the UK introduced new legislation in England and Wales to comply with the EU Directive on Trafficking. The 2012 Protection of Freedoms Act would extend jurisdiction to include UK nationals committing trafficking offenses abroad by broadening the definition of labor trafficking.

During the reporting period, the government successfully convicted trafficking offenders under Section 71 of the Coroners and Justice Act, the first convictions under its 2009 anti-slavery law. The case involved four family members in

Bedfordshire who recruited homeless men from soup kitchens and job centers, promising cash payments, food, and shelter but instead forcing them to work without payment through physical and verbal abuse. One defendant was sentenced to 11 years' imprisonment, another received four years' imprisonment, and the remaining defendants face a retrial in 2013.

In 2012, UK authorities reported prosecuting at least 148 sex and labor trafficking offenders with a conviction rate of 70 percent. Of that number, authorities initiated 69 prosecutions for sex trafficking and 29 for labor trafficking or other exploitative purposes in 2012. This compares with 106 prosecutions for sex trafficking offenders and 30 for labor or other exploitive purposes in 2011. During the year, the government reported it filed four prosecutions under the Coroners and Justice Act 2009, compared with 11 in 2011. The majority of prosecutions and convictions for trafficking offenders continued to take place in England. The government reported that trafficking offenders were also charged and prosecuted under other trafficking-related laws during the year.

The government did not provide comprehensive prosecution, conviction, and sentencing data for trafficking offenders in 2012; however, it did provide data for certain specific cases that demonstrate the government's vigorous prosecution, conviction, and sentencing of a significant number of trafficking offenders during the reporting period. On February 22, 2013, a court in Portsmouth convicted a trafficking offender and sentenced him to six years and three months' imprisonment for subjecting four Polish men to labor trafficking. The offender kept all of the workers' wages and kept them in small, crowded flats. On October 29, 2012, a convicted sex trafficking offender was sentenced to 20 years' imprisonment for sex trafficking of at least 25 Nigerian girls; the court found he used witchcraft rituals to ensure the victims' obedience. On April 27, 2012, another court sentenced a couple—one person to 13 and a half years' and the other to two and a half years' imprisonment—for subjecting women from Latvia and Lithuania to forced prostitution in massage parlors. On May 8, 2012, courts convicted nine British trafficking offenders—sentencing them to a total of 77 years' imprisonment—for sex trafficking of young girls, grooming for prostitution some as young as 13 years of age. In March 2013, another trafficking offender was convicted and sentenced to the maximum 14 years' imprisonment for sex trafficking of two Nigerian girls.

In its September 2012 report on the UK, the Council of Europe's GRETA noted, "the co-existence of several partially overlapping offenses relating to human trafficking undermines legal clarity and can be problematic in practice when it comes to prosecution and conviction." During the year, the government published a report on the results of its internal review of human trafficking legislation in the UK, in response to stakeholders' call for a tailored, comprehensive human trafficking law to address the various disparate offenses on trafficking throughout the UK. The government concluded that new legislation was not necessary, but did acknowledge the UK's "unduly lenient sentence regime" and the need for legislative changes that would allow the court of appeals to hear all cases in which a prosecutor wished to appeal a convicted trafficker's overly lenient sentence.

On November 12, 2012, the European Court of Human Rights cited the UK government for violating Article 4 (Prohibition of Slavery and Forced Labor) in a domestic servitude case. The court cited concern over the UK's lack of explicit legislation criminalizing the specific offense of domestic servitude. In its judgment, the Court found "the investigation into the applicant's complaints of domestic servitude was ineffective due to the absence of specific legislation criminalizing such treatment."

Protection

In 2012 the UK government identified and referred to care an increased number of trafficking victims via its National Referral Mechanism (NRM). The NRM involves two findings: first a preliminary finding of "reasonable grounds" that an individual is a trafficking victim, and then a final determination of "positive grounds" for that conclusion, which triggers longer-term victim protection. The government reported that it proactively identified 1,186 potential trafficking victims from July through December 2012. Approximately 224 of these referrals involved labor trafficking or domestic servitude victims. This figure represents a 25 percent increase compared with overall NRM referrals in 2011. The government reported a preliminary figure of 415 trafficking victims who received a "positive grounds" decision in 2012, with significant number of outstanding decisions involving non-EU victims. Anti-trafficking experts, while commending the government for establishing an identification and referral system for victims, observed that implementation of the NRM remains problematic and that, for a variety of reasons, many other victims were not referred through the NRM. In some cases, victims may not be properly recognized; others do not see the benefits of referral or are fearful of the consequences of being brought to the attention of authorities due to immigration status or fear of law enforcement agencies. During the reporting period, the Border Agency reported it updated guidelines for front-line responders to assist officials in the identification of trafficking victims, and it introduced an e-learning package as a training tool.

In another notable development, Scottish police announced a new policy in March 2013 mandating that future sex or labor trafficking victims be recognized first and foremost as victims and not penalized for crimes committed under coercion. However, problems persist. Anti-trafficking experts continued to report that border officials prioritized immigration control over the recognition of trafficking victims. The 2012 GRETA report for the UK called on the government not to punish potential victims of trafficking for immigration-related offenses while their identification procedure is ongoing. Furthermore, the GRETA report reinforced ongoing concerns that a number of potential victims continue to be detained in immigration detention centers, police cells, or prisons in the UK and were unable to access assistance. Some NGOs reported potential trafficking victims were interviewed by immigration authorities in detention facilities and may serve their recovery and reflection period in custody.

Despite the existence of guidance for prosecutors instructing them not to prosecute trafficking victims for crimes committed as a direct result of their being trafficked, stakeholders continued to report and document the punishment of trafficking victims. In August 2012 the University of Cambridge published a report on the criminalization of migrant women in the UK, noting that only 25 percent of victims of trafficking in the study were referred through the NRM. The study further noted that even in cases where the NRM referral resulted in a "positive grounds" conclusion, the victims spent an average of four months in custody. The government amended the regulations

for domestic workers in April 2012: the regulations for the "domestic worker in a private household" category now state that domestic workers must have worked for their employer for at least one year outside of the UK before applying for an UK work visa; they are not allowed to change employers while in the UK; and they can stay for a maximum of six months after which time they must return home. Permission to stay in the UK for longer than six months cannot be granted. An NGO noted serious concerns that this policy increased domestic workers' dependency on one employer, and facilitated domestic servitude. The UK Border Agency reported it provided incoming domestic workers with a letter in multiple languages informing them of their rights and where to get help if needed. NGOs, however, noted that domestic workers subsequently identified as trafficking victims reported never receiving such a letter and that their employers often accompanied them to the visa interview.

The government continued to provide the equivalent of approximately $3.1 million to a central government contractor to coordinate provision of care for victims in England and Wales in 2012; this contractor reported it supported 378 victims between July 2011 and July 2012. The 2012 GRETA report on the UK praised the government for maintaining government funding levels for the support of trafficking victims despite difficult economic circumstances. Civil society organizations continued to express concerns that the UK's support model was inadequate to meet the comprehensive needs of trafficking victims, citing a lack of uniform standards of care for victims, and that some shelters housed men and women in mixed accommodations, which was inappropriate for some trafficking victims. NGOs also reported that the NRM's time-bound program only allows victims to receive support for 45 days, which they argue is insufficient time to allow for trafficking victims' adequate recovery. During the year, Scottish authorities provided funding to two NGOs for comprehensive services to trafficking victims identified in Scotland. The Northern Ireland department of justice continued to provide funding to two NGOs to provide assistance to victims in 2012.

The government continued to work in partnership with NGOs and other stakeholders to increase protection for child trafficking victims. The government reported a total of 372 potential child trafficking victims referred to the NRM in 2012. During the year, the joint agency team of police and border officials working on children's safety issues, known as the Paladin team, continued to advise on child protection matters at London's airports and investigated potential child trafficking cases in 2012. The Paladin team also trained airline staff during the year to recognize indicators of child trafficking.

The 2012 GRETA report reinforced ongoing international and local experts' concerns about an inadequate level of protection for child trafficking victims in the UK, noting that rescued children placed in the care of local authorities continued to go missing. NGOs reported the NRM had no child-specific mechanism and a lack of specialized facilitates for trafficked children, and the piecemeal nature of care resulted in children lost, dropped out of the system, or returned to their traffickers. Stakeholders reported the NRM's reliance on a centralized authority for victim identification resulted in marginalization of frontline responders' opinions on whether a child or individual had been trafficked. Local stakeholders and international experts continued to urge for a system of guardianship for child trafficking victims to avoid re-trafficking and further exploitation. One NGO argued against the need for a child-specific NRM, and urged for more effective implementation of existing laws and policies.

The government encouraged victims to assist in trafficking investigations and prosecutions by offering renewable one-year residence permits to foreign victims who cooperate with law enforcement or have personal circumstances warranting it. The government reported it issued between January 1 and June 30, 2012, 128 one-year residency permits, humanitarian protection, or discretionary leave to individuals referred through the NRM who required immigration status to stay in the UK. The UK government continued to provide foreign victims with legal alternatives to removal to countries where they face hardship or retribution through asylum procedures.

Prevention

The government continued to initiate, support, and implement a wide range of anti-trafficking prevention programs in the UK during the reporting period. In January 2013, the government supported a new anti-trafficking campaign launched by an NGO to raise public awareness of signs of human trafficking and forced labor and to encourage citizens to report any potential cases they witnessed; the Police Service in Northern Ireland also supported the campaign and provided funding to help front-line police officers identify victims of trafficking. Furthermore, the Northern Ireland police created a database to serve as a knowledge-sharing forum on trafficking for its officers. During the year, the government partnered with the airline industry and launched an e-learning package to train airline staff on human trafficking and ways to report indicators of the crime. In September 2012 Parliament's Joint Committee on Human Rights launched an inquiry into the human rights of unaccompanied migrant children in the UK, who are vulnerable to trafficking. On December 20, 2012, a cross-party group of members of Parliament and Lords held the first human trafficking parliamentary debate to highlight their concerns about the government's response to trafficking. Some anti-trafficking experts in the UK continued to criticize the government's 2011 anti-trafficking strategy for its emphasis on border control. The United Kingdom Human Trafficking Center (UKHTC), under the direction of the Serious Organized Crime Agency, continued to serve as a multi-agency, centralized point for the development of expertise among governmental, inter-governmental, and nongovernmental stakeholders involved in anti-trafficking; however NGOs note the government has yet to appoint a single point of contact or national coordinator with whom to communicate. In August 2012 the UKHTC produced an assessment of trafficking in the UK. During the year, the government established a 15-member inter-departmental ministerial group on human trafficking to act in the role of national rapporteur; the group published its first report in October 2012. NGOs reported that the group's decisions were not transparent and that a 15-member group was inappropriate for this role. The government did not report providing anti-trafficking training to UK troops prior to their deployment abroad as part of international peacekeeping missions in 2012.

In 2012, the government continued to investigate and implement trafficking prevention programs in partnership with NGOs in source countries. Following a reported increase in trafficking from the Czech Republic, UKHTC staff engaged with police, officials, and British embassy staff in 2012 to raise awareness and encourage a multi-faceted approach to prevent

trafficking; authorities referred 18 potential trafficking victims from the Czech Republic in 2012.

Finally, in advance of the Olympic Games the government set up the London 2012 Network, comprising anti-trafficking NGOs, law enforcement, UKHTC, and the Mayor of London's office to raise awareness of human trafficking and to prevent it before and during the Olympics. The government reported there was no increase in trafficking during the Olympics, and the organizers of the Rio Olympics are studying the model.

Overseas Territories of the United Kingdom

Turks and Caicos

Turks and Caicos Islands (TCI) are a destination country for men, women, and children subjected to sex trafficking and forced labor. The large population of migrants from Haiti, the Dominican Republic, and Jamaica continue to be vulnerable to sex trafficking and forced labor, and the estimated 2,000 stateless children and adolescents in TCI are especially at risk, according to local experts. Local stakeholders including law enforcement officials reported specific knowledge of sex trafficking occurring in bars and brothels and noted that trafficking-related complicity by some local government officials was a problem. During the reporting period, anti-trafficking legislation that included measures to improve identification of and assistance for trafficking victims remained in draft form. The absence of specific legislation prohibiting trafficking as defined by the 2000 UN TIP Protocol, the absence of trafficking victim identification and protection procedures and policies, and little public awareness of human trafficking continued to hinder TCI authorities' ability to address trafficking.

Bermuda

Bermuda is a limited destination country for women subjected to domestic servitude. Stakeholders report that foreign migrant workers are vulnerable to conditions of forced labor. In a previous year, a Bermudan woman was subjected to sex trafficking in the United States. During the year, Bermudan authorities took some important positive steps to address domestic servitude involving victims from the Philippines and Ecuador. In one case, arbitration resulted in compensation for one victim who received back wages from her employers, though authorities did not prosecute or convict any trafficking offenders in 2012.

During the year, local stakeholders called on the government to introduce legislation to improve protections for, and prevent trafficking of, migrant workers in Bermuda, including domestic and hospitality workers. Stakeholders reported three cases of abuse of domestic workers from Latin America and Asia, including workers barred from leaving the home, forbidden from interacting with others, and receiving only a small portion of their promised wages. None of the cases resulted in an official complaint to Bermudan authorities. In previous years, there were some reported cases of employers confiscating passports and threatening migrant workers with having to repay the entire cost or the return portion of their airline tickets. Bermudan authorities and NGOs continued to report that victims rarely lodge formal complaints out of fear of retaliation. Migrant workers are employed in Bermuda under a strict system of government work permits obtained by employers on behalf of foreign workers. The Bermuda Industrial Union in 2009 began offering union protection to some migrant workers, and in 2012 several NGOs offered meetings for migrant workers to help explain their rights and legal protections.

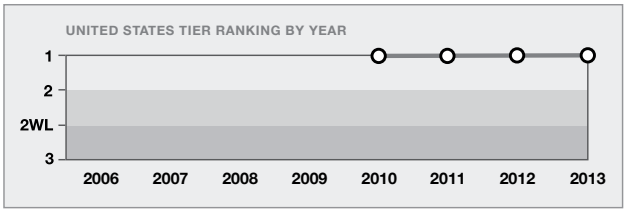
There were reports that some children in the British overseas territories of Anguilla and Montserrat were in commercial sexual exploitation.

UNITED STATES OF AMERICA (Tier 1)

The United States is a source, transit, and destination country for men, women, and children—both U.S. citizens and foreign nationals—subjected to forced labor, debt bondage, involuntary servitude, and sex trafficking. Trafficking can occur in many licit and illicit industries or markets, including in brothels, massage parlors, street prostitution, hotel services, hospitality, agriculture, manufacturing, janitorial services, construction, health and elder care, and domestic service. Individuals who entered the United States without legal status have been identified as trafficking victims, as have participants in visa programs for temporary workers who filled labor needs in many of the industries described above. There continue to be allegations of visa holders employed as domestic workers being subjected to forced labor by personnel of foreign diplomatic missions and international organizations posted to the United States. Abuse of third-country nationals providing services for overseas U.S. government contracts has also been noted by NGOs and government officials. NGOs reported that Native American girls had been trafficked for the purposes of prostitution, pornography, and strip clubs in the United States and Mexico. The top countries of origin identified for foreign victims of human trafficking in fiscal year (FY) 2012 were Mexico, Thailand, the Philippines, Honduras, Indonesia, and Guatemala. During this reporting period, a policy change at the Department of Justice (DOJ) allowed federal funding for victim services to support U.S. citizen victims of human trafficking as well as foreign national victims.

The U.S. government fully complies with the minimum standards for the elimination of trafficking. Federal law enforcement prosecuted more cases than in the previous reporting period, obtained convictions of sex and labor trafficking offenders, and strengthened training of government officials at the federal and state levels. Likewise, there were reports of increased prosecutions at the state level following the enactment of state anti-trafficking laws, which each of the 50 states has now adopted. The federal government continued to provide multi-faceted support for comprehensive victim services, including increased access to legal services. Greater numbers of trafficking victims and their immediate family members obtained immigration relief through T nonimmigrant status (referred to as a T visa), which can lead to lawful permanent residence and an opportunity to apply for citizenship after five years as a lawful permanent resident. Although the comprehensive nature of services was recognized by nongovernmental legal service providers, NGOs noted the critical need for an increase in the overall funding for comprehensive services. Some trafficking victims were reportedly detained and prosecuted during the reporting period. Federal procurement policies were modified to better address the risk of trafficking in persons occurring in the performance of government contracts, and the federal

government began efforts to collect data on state and local human trafficking cases.



Recommendations for the United States: Increase funding for relevant agencies to provide victim services both domestically and internationally, including legal services and long-term holistic care; improve methods of data collection and coordinate this effort across agencies; require foreign labor contractors and recruiters to disclose the terms and conditions of work to workers in a language they understand; pursue civil or criminal prosecutions or other sanctions against noncompliant employers and labor contractors, including barring noncompliant employers and labor contractors from U.S. programs; increase screening to better identify trafficked persons, including adults and children arrested or detained for criminal offenses frequently associated with human trafficking, youth served through the child welfare system, and runaway and homeless youth being served through programs funded by the Department of Health and Human Services (HHS); examine the impact of trafficking on American Indian and Alaskan Native communities, and develop strategies to train and ensure coordination with tribal justice systems and provide services to victims; provide trafficking victims with services and access to emergency, transitional, and long-term housing, regardless of gender, immigration status, or type of trafficking experienced; sustain support for victim family reunification efforts; ensure that prosecutors and law enforcement allow appropriate access to counsel for trafficking victims during investigatory interviews and that federal law enforcement officials apply in a timely and appropriate manner for Continued Presence, a temporary form of immigration relief provided to individuals identified by law enforcement as victims of human trafficking; ensure implementation of procedures for and appropriate training of consular officers to reduce vulnerabilities in the T visa (for family members of trafficking victims) and U visa programs; increase the role of survivors of human trafficking in informing policy, training, public awareness, outreach efforts, and victim care; increase training on indicators of human trafficking and the victim-centered approach for law enforcement, judges, public defenders, and others involved in the immigration, family court, and criminal justice systems; and incorporate human trafficking information in training and technical assistance projects for federal grantees working with crime victims, runaway and homeless youth, and immigrants.

Prosecution

The U.S. government demonstrated progress in federal anti-trafficking law enforcement efforts throughout the reporting period. U.S. law prohibits peonage, involuntary servitude, forced labor, and sex trafficking, as well as confiscation or destruction of documents such as passports in connection with trafficking. The Trafficking Victims Protection Act of 2000 (TVPA) and subsequent reauthorizations, including in March 2013, have refined the law governing the U.S. government's response to trafficking. In addition to criminalizing these acts, U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement. Sex trafficking prosecutions involving children do not require a demonstration of the use of force, fraud, or coercion. During the reporting period, a criminal prohibition of fraud in foreign labor contracting was statutorily expanded to reach work performed outside the United States on a U.S. government contract or on U.S. property or military installations. Penalties prescribed under these statutes are sufficiently stringent and commensurate with penalties prescribed under U.S. law for other serious offenses; ranging from five to 20 years' imprisonment for peonage, involuntary servitude, forced labor, and domestic servitude or up to life imprisonment with aggravating factors; penalties for sex trafficking range up to life imprisonment with mandatory minimum sentences of 10 years' imprisonment for sex trafficking of children and 15 years' imprisonment for sex trafficking by force, fraud, or coercion, or sex trafficking of children under age 14.

Federal trafficking offenses are investigated by agencies such as the Federal Bureau of Investigation (FBI) and U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), as well as the Department of State (DOS) Diplomatic Security Service (DSS) Human Trafficking Unit and field elements overseas. Federal human trafficking cases are prosecuted by DOJ's 93 U.S. Attorney's Offices (USAO) around the country, as well as by two specialized units—the Civil Rights Division's Human Trafficking Prosecution Unit (HTPU), which oversees prosecutions involving labor trafficking and sex trafficking of adults, and the Criminal Division's Child Exploitation and Obscenity Section (CEOS), which specializes in prosecuting child sex trafficking and child sex tourism.

The federal government reports its law enforcement data by fiscal year, which runs from October 1 through September 30. During FY 2012, 26 DOJ-led taskforces reported over 753 investigations involving 736 suspects in human trafficking-related cases, a decrease from 29 taskforces and over 900 investigations involving 1,350 suspects in FY 2011. ICE HSI reported investigating 894 cases possibly involving human trafficking, an increase from 722 cases investigated in FY 2011. The FBI reported 306 pending human trafficking investigations with suspected adult and foreign child victims, a decrease from 337 in FY 2011, and 440 investigations initiated involving the sex trafficking of children, an increase from 352 in FY 2011. DSS had 95 cases open worldwide during FY 2012 that had a nexus to human trafficking. The Department of Defense (DOD) reported five investigations that included human trafficking crimes involving military personnel.

DOJ prosecutes human trafficking cases through its USAOs and the two specialized units that serve as DOJ's nationwide subject-matter experts and partner with USAOs around the country. Taken together, USAOs, HTPU, and CEOS initiated a total of 128 federal human trafficking prosecutions in FY 2012, charging 200 defendants. Of these, 162 defendants engaged predominately in sex trafficking and 38 engaged predominately in labor trafficking, although several defendants engaged in both. In FY 2012, DOJ's Civil Rights Division, in coordination with USAOs, initiated 55 prosecutions involving forced labor and sex trafficking of adults by force, fraud, or coercion. Of these, 34 were predominantly sex trafficking and 21 were predominantly labor trafficking; several cases involved both. In FY 2012, CEOS, in coordination with USAOs, initiated 18

prosecutions involving the sex trafficking of children and child sex tourism.

During FY 2012, DOJ convicted a total of 138 traffickers in cases involving forced labor, sex trafficking of adults, and sex trafficking of children, compared to 151 such convictions obtained in 2011. Of these, 105 were predominantly sex trafficking and 33 were predominantly labor trafficking, although some cases involved both. The average prison sentence imposed for federal trafficking crimes during FY 2012 was nine years, and terms imposed ranged from probation to life imprisonment. During the reporting period, federal prosecutors secured life sentences against both sex and labor traffickers in four cases, including a sentence of life plus 20 years, the longest sentence ever imposed in a labor trafficking case.

Notable prosecutions involved defendants who used violence and torture to hold U.S. citizen girls and women—including a pregnant woman—in prostitution in Tennessee; defendants who held four eastern European women in forced labor in massage parlors and forced prostitution in Illinois; a defendant who held four West African children in forced labor as domestic servants in Michigan; defendants who held Ukrainian men and women in forced labor on cleaning crews in Pennsylvania; and defendants who, in a 193-count indictment, are alleged to have held victims with serious mental disabilities in forced labor and forced prostitution in Florida and Pennsylvania.

All states and all but one territory have enacted modern anti-trafficking criminal statutes in recent years. All 50 states prohibit the prostitution of children under state and local laws that predate the TVPA; however, the application of these laws continues to result in some trafficked children being treated as criminal offenders. By the close of the reporting period, some states had passed additional protections such as asset-forfeiture provisions, access to civil remedies, and training for law enforcement; 14 states had enacted "safe harbor" laws to ensure that children are treated as victims and provided services rather than being prosecuted for prostitution; and eight states had enacted laws to allow trafficking victims to petition the court to vacate prostitution-related criminal convictions that result from trafficking. While these laws reflect an increased effort by state legislatures, observers report that state anti-trafficking laws generally lack uniformity and consistency across jurisdictions.

While media reports indicate an increase in state prosecutions, comprehensive data is not currently collected on state prosecutions and convictions; during the reporting period, the FBI began developing software to capture all human trafficking case data to ensure uniform reporting at federal and state levels. Reports indicated at least several dozen prosecutions at the state level involving forced prostitution of children and adults, including lesbian, gay, bisexual, and transgender youth, exploitation of individuals with mental illness for forced labor, and involuntary domestic servitude of both children and adults. During the reporting period, state prosecutors secured a range of sentences for sex and labor traffickers, including at least one life sentence for a sex trafficker. NGOs have expressed concern that state activities have focused almost exclusively on sex trafficking, with a heavy emphasis on child prostitution cases rather than addressing all forms of trafficking and all vulnerable populations.

During the reporting period, DOJ, in cooperation with the Department of Homeland Security (DHS) and the Department of Labor (DOL), continued to support six Anti-Trafficking Coordination Teams (ACTeams) in pilot districts around the country to streamline coordination among federal prosecutors and agents and enhance federal interagency investigations and prosecutions. DOJ continued to fund anti-trafficking taskforces nationwide, comprising federal, state, and local law enforcement investigators and prosecutors, labor enforcement officials, and victim service providers, but by the end of FY 2012, the number of these taskforces funded by DOJ's Bureau of Justice Assistance (BJA) had been reduced to 16 from 26, as funding for several taskforces expired. Thirteen of the 16 taskforces were Enhanced Collaborative Model Task Forces, which aim to improve the cooperation of law enforcement agencies and victim service organizations. USAOs were required to establish or participate in a human trafficking taskforce, and at least 85 of the 93 offices had done so by the end of FY 2012. The FBI's Violent Crimes Against Children Task Forces, which focus in part on the sex trafficking of children, increased from 26 in FY 2011 to 29 at the beginning of FY 2012 and expanded to 66 by December 2012. DOJ and DHS continued a bilateral initiative with Mexico to investigate and prosecute human trafficking networks operating across the U.S.-Mexico border, as well as to assist victims of these networks and recover victims' children from the control of traffickers.

There were at least two instances of complicity of government officials in human trafficking cases during the reporting period. A local police officer was convicted of obstruction of a sex trafficking investigation in Pennsylvania and sentenced to 38 months in prison. Three police officers in Guam were charged with conspiracy and other related offenses in a local prosecution that arose out of a federal sex trafficking investigation.

The U.S. government increased its anti-trafficking law enforcement training efforts during the reporting period. DHS collaborated with DOJ, FBI, and DOL to create an advanced training program for its ACTeams; DOJ's BJA collaborated with law enforcement, judicial, and legal educators to deliver trainings to state judges and prosecutors; the FBI provided training on both child forensic interviewing and child sex trafficking to 200 agents, taskforce officers, and federal, state, and local prosecutors; DOD continued to mandate online training for its personnel; DHS produced two "roll-call" videos for state and local law enforcement to explain how immigration relief for victims of human trafficking can be beneficial to investigations; and, through a partnership with DHS and the Department of Transportation (DOT), the national passenger rail system announced that all its employees, including police officers, will be trained on trafficking indicators and referral mechanisms.

Protection

The federal government enhanced its protection measures by continuing efforts to increase victim identification and provide services to identified victims by increasing the scope and availability of services, including access to legal services, and by developing its first-ever federal strategic action plan to strengthen services for trafficking victims in the United States under the direction of DOJ, HHS, and DHS. The government has formal procedures to guide officials in victim identification and referral to service providers, funds several federal tip lines

including an NGO-operated national hotline and referral service, and funds NGOs that provide trafficking-specific victim services. The government also supports foreign national and U.S. citizen victims during trafficking investigations and prosecutions by funding victim services providers and increasing the number of victim assistance coordinators in field offices to assist victims.

Federally-funded victim assistance included case management and referrals, medical care, dental care, mental health treatment, sustenance and shelter, translation and interpretation services, substance abuse treatment, immigration and legal assistance, employment and training services, transportation assistance, and other essential services. Federal funding for victim assistance generally remained static during the reporting period; funding is provided by HHS's Office of Refugee Resettlement on a per capita basis for foreign national victims and by DOJ's Office of Victims of Crime (OVC) through grants under four different program areas. Many of OVC's grantees are funded to support services for all victims of human trafficking that may be identified within a specific geographic area.

HHS issues a certification letter that enables a foreign national victim to receive federal and state benefits and services to the same extent as a refugee when Continued Presence is granted or when a victim of a severe form of trafficking has made a bona fide application for T nonimmigrant status. In FY 2012, HHS issued 366 such certifications to foreign national adults and 103 eligibility letters to foreign national children, compared to 463 adults and 101 children in FY 2011. During FY 2012, HHS supported 118 NGO service providers across the country that provided trafficking victim assistance to 252 potential foreign national victims and 224 certified foreign national victims. Combined with 172 family members who also received assistance, this represents a five percent increase compared with the total number served in FY 2011.

HHS awarded $4.8 million in FY 2012 to three NGOs for the provision of case-management services to foreign national victims through a nationwide network of NGO sub-recipients. Under the HHS victim assistance program, there is a maximum reimbursement amount allowed per month for each victim for the 12 months during which that victim can be assisted, with some exceptions allowed. NGOs reported instances in which they reached these funding limits, were unable to provide services to victims waiting for their traffickers' cases to come to trial, and had to supplement government funds with private donations.

Unaccompanied alien children (UACs) who come to the attention of federal authorities are placed in the care and custody of HHS, which screens such children for trafficking victimization in the United States or abroad and, when appropriate, makes a determination of eligibility for benefits and services. During FY 2012, more than 13,625 UACs were referred to HHS for care and custody. Of those identified as victims of trafficking, 40 were placed in the Unaccompanied Refugee Minors Program, which establishes legal responsibility under state law for such children to ensure that they receive the full range of assistance, care, and services available to foster children in the state. ICE HSI victim assistance specialists coordinated with ICE Enforcement and Removal Operations' juvenile coordinators to ensure that UACs identified by ICE agents during a trafficking investigation were placed with HHS. Customs and Border Protection (CBP) screens UACs encountered at the border or at, and between, ports of entry for potential indicators of human trafficking.

OVC continued to administer grant funding and oversee special initiatives, including comprehensive services. From July 1, 2011 to June 30, 2012, OVC grantees reported more than 1,300 open client cases, including 775 new victims enrolled in the program as well as existing clients from previous report periods who required ongoing services. During FY 2012, DOJ competitively awarded new funding to 14 victim service organizations across the United States totaling approximately $5.7 million, a decrease from $6.7 million granted in FY 2011. OVC grant programs provided funding to victim service organizations providing trauma-informed, culturally-competent services to victims of sex trafficking and labor trafficking. In FY 2012, DOJ made four grant awards specifically for the provision of legal services for victims of human trafficking.

Federal funding streams and grants for victim services remained inadequately structured for providing comprehensive care options for all types of trafficking victims, resulting in disparate treatment of victims, including turning some away. Some foreign national victims were assisted with funding from both DOJ and HHS. Record-keeping systems used by DOJ and HHS do not allow for cross-referencing to determine which victims were served by both agencies. NGOs reported the need for increased funding for victim services, including legal services and housing for survivors, family reunification programs, and training for the legal community about civil legal remedies. HHS changed its policy to allow for the provision of legal representation with funds allocated for victim services, but the overall funds in this allocation did not increase and several NGOs reported the funds were insufficient.

The TVPA authorizes DHS to provide two principal types of immigration relief to foreign trafficking victims: Continued Presence, which is sponsored by federal law enforcement, and T nonimmigrant status, which is requested directly by the victim. In the case of T nonimmigrant status, trafficking victims are generally required to cooperate with reasonable requests from law enforcement in an investigation or prosecution related to their victimization, but a trauma exception exists that permits certain victims to be eligible for T nonimmigrant status without meeting the law enforcement requirement if they are unable to cooperate due to physical or psychological trauma. Victims under the age of 18 are not required to assist law enforcement. A victim may also explain his or her reasons for not cooperating with requests if the victim found the request to be unreasonable. Victims may also include certain family members in their application for T nonimmigrant status; recipients and their derivative family members are authorized to work and are eligible for federal public benefits and services. During this reporting period, the types of family members eligible for T nonimmigrant status were expanded to include certain extended family members of the principal who face a present danger of retaliation. After three years, or upon the completion of the investigation or prosecution, victims with T nonimmigrant status are eligible to apply for permanent resident status and may be eligible for citizenship.

In FY 2012, Continued Presence was issued to 199 trafficking victims, who may be potential witnesses, a decrease from 283 in FY 2011. T nonimmigrant status was granted to 674 victims and 758 immediate family members of victims, representing an increase from 557 and 722, respectively, from the previous

period. NGOs reported that lengthy wait times for the issuance of Continued Presence impaired their ability to protect victims.

Another immigration benefit available to victims of trafficking is the self-petitioning U nonimmigrant status (referred to as the U visa) for victims of certain qualifying crimes who cooperate with law enforcement. During the reporting period, the qualifying crimes were expanded by statute to include fraud in foreign labor contracting. The number of petitions for U nonimmigrant status granted where human trafficking is the qualifying crime is currently not available.

In 2012, the DOS Return, Reintegration, and Family Reunification program for Victims of Trafficking reunited 209 family members with trafficked persons in the United States and provided two victims with return assistance. The DOS Bureau of Population, Refugees, and Migration provided $285,000 in 2013 to continue this program.

The federal government continued to provide victim-protection training to federal, state, and local law enforcement as well as to NGO service providers and the general public. DHS conducted training focused on victim identification and established referral mechanisms for new asylum officers; trained federal, state, and local law enforcement on Continued Presence, T visas, and U visas; and required ICE's Enforcement and Removal Operations to screen for human trafficking indicators among the detainee population. DOL developed guidance to enhance efforts to provide employment and training services to trafficking victims; and the Department of Education built a more comprehensive program to educate school districts about human trafficking and commercial sexual exploitation of children, and awarded funding for the development of an anti-trafficking guide for schools. NGOs reported that additional training is still needed, especially in law enforcement field offices, to ensure that officers understand how to identify victims and the nuanced aspects of victimization, including psychological coercion and the "traumatic bonding" that occurs between victims of trafficking and their abusers.

NGOs noted that inconsistent screening by law enforcement and other government officials of vulnerable populations often resulted in failure to identify trafficked persons. Existing services for victims are often disproportionately available to female and child survivors of sex trafficking. Shelter and housing for all trafficking victims, especially male and labor trafficking victims, were insufficient. NGOs reported that additional training and official guidance for employees at public benefits offices and child welfare agencies were needed to ensure that critical services were readily available to victims of trafficking. NGOs indicated that immigrant communities are hesitant to contact police or to report crimes because of state immigration laws and programs that forward arrestees' immigration status to federal officials, further isolating victims of trafficking from those who could help them obtain services.

While federal, state, and local grant programs exist for vulnerable children and at-risk youth, including the homeless, NGOs reported that identified child trafficking victims, especially boys and transgender youth, face difficulties obtaining needed services. In particular, NGOs stated that child victims are in need of emergency, transitional, and long-term housing services, as well as age- and culturally-appropriate shelter. HHS increased efforts during the reporting period to train service providers for runaway and homeless youth; however, NGOs reported that formal guidance is needed for child welfare agencies on the prevention of and response to child trafficking. DOJ's OVC continued to support a demonstration project that provided comprehensive services to U.S. citizen child victims of both sex and labor trafficking.

Some trafficking victims, including children, were reportedly detained and prosecuted during the reporting period. In 2011, the most recent year for which data are available, 190 males and 581 females under 18 years of age were reported to the FBI by state and local authorities as having been arrested for prostitution and commercialized vice, compared to 149 males and 677 females in 2010. NGOs noted that victim-centered anti-trafficking policies for both children and adults adopted at federal agency headquarters in Washington were not always reflected in implementation and practice, especially in field offices; areas of particular concern included interview techniques that did not take into account the effects of trauma, the application of incorrect standards for victim identification, and a hesitancy to grant Continued Presence or refer victims for services without higher-level or prosecutorial direction. During the reporting period, ICE expanded its forensic interviewing and victim assistance programs and also deployed a nationwide automated system to screen for indicators of human trafficking among the detainee population.

Prevention

The U.S. government made significant progress on efforts to prevent trafficking. President Obama directed the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF), an interagency coordinating body, to strengthen its work and expand partnerships with civil society and signed an Executive Order mandating anti-trafficking prohibitions for all federal contractors and subcontractors, compliance measures for large overseas contracts and subcontracts, and additional tools for federal agencies to foster compliance. The U.S. government annually reports on its activities to combat human trafficking in a report compiled and published by DOJ, and the PITF compiles and makes public annually a compilation of agency accomplishments in combating human trafficking.

There were reports of abuses, including allegations of human trafficking, of workers in the United States on work-based or other nonimmigrant visas. Some reported that recruiters charged fees related to workers obtaining their visas and also that workers fear seeking assistance because of blacklisting and other retaliation methods, including inciting fear of deportation. U.S. Citizenship and Immigration Services rules for both the H-2A and H-2B programs prohibit employers, recruiters, and other persons from either directly or indirectly charging foreign workers job placement, recruitment, or other fees related to employment. DOL rules for H-2A and H-2B programs prohibit employers and agents from seeking or receiving payments of any kind (including recruitment fees) in connection with obtaining the labor certification. DOL published a final rule under the H-2B program that included anti-retaliation and recruitment transparency provisions, as well as provisions requiring employers to pay any fees related to workers obtaining their visas. As a result of a lawsuit by a group of employers and their representatives, however, that DOL rule has been preliminarily enjoined by a federal court, and DOL is continuing to enforce H-2 worker protections under prior rules.

NGOs noted vulnerabilities in the J-1 Summer Work Travel Program that can potentially facilitate human trafficking, including reports of fraudulent job offers, inappropriate employment, job cancellations on arrival, and housing and transportation problems. DOS took action in 2012 to address weaknesses in this cultural exchange program, including publishing an Interim Final Rule to implement safeguards that expand the list of ineligible positions, enhance oversight and vetting of sponsors and third parties, and better define cultural activities. During the reporting period, DOS conducted more than 800 site visits, required comprehensive orientation materials for participants, made available a 24-hour toll free helpline, and led interagency efforts to prevent criminal abuse or misuse of the program.

The government continued prevention efforts within its A-3 and G-5 visa categories, which allow persons to enter the United States as domestic workers employed by foreign diplomatic or consular personnel or by foreign employees of international organizations. DOS sustained its work to help protect these workers by separately briefing the deputy chiefs of mission of foreign embassies in Washington, D.C., on the requirements relevant to mission personnel employing such domestic workers. It also held its first ever separate meeting for domestic workers employed by foreign diplomats in Washington, D.C., to apprise them of their rights and responsibilities and to provide them with information to report abuse or exploitation. During the reporting period, there were allegations of various forms of abuse and exploitation of these foreign domestic workers; some resulted in civil lawsuits against and criminal investigations of foreign mission personnel. DOS procedures, which were implemented during the reporting period, provided for non-issuance of A-3 and G-5 visas when individuals abroad requested them to work for foreign mission personnel in the United States against whom serious allegations of abuse had been lodged. A-3 and G-5 visa holders who filed civil lawsuits against their former employers were eligible for temporary immigration relief and work authorization under U.S. law. A civil lawsuit against a former U.S. Foreign Service Officer and her spouse for activities in a previous reporting period prompted DOS to revise its guidance concerning the employment of domestic workers while overseas.

The government continued measures to inform and educate the public, including potential victims, about the causes and consequences of human trafficking. HHS funded 11 projects to conduct outreach, public awareness, and identification efforts. HHS continued to fund an NGO to operate a national human trafficking hotline that received over 21,000 phone calls in FY 2012. DOS, through U.S. embassies and consulates worldwide, distributed a "Know Your Rights" pamphlet and provided verbal briefings for approved student or work-based visa applicants. NGOs urged the expansion of this type of prevention effort. DHS continued international and domestic awareness campaigns, including through multi-lingual radio announcements, newspaper advertisements, online resources, victim assistance materials, and indicator cards for law enforcement and first responders. DOT and DHS's CBP partnered to offer training to U.S. commercial airlines on human trafficking and methods to alert federal law enforcement. The Department of Education provided technical assistance and access to resources on human trafficking and the commercial sexual exploitation of children to the education community, funded the development of a prevention toolkit for schools, and convened a briefing session to educate federal and non-federal partners on these efforts. The FBI coordinated community awareness events, including a nationwide public service announcement. The U.S. Agency for International Development (USAID) launched a Campus Challenge that engaged over 2,300 students and scholars representing more than 100 countries, including the United States, in a global online community and supported a contest for the best use of technology to prevent trafficking and assist trafficking victims. The Equal Employment Opportunity Commission (EEOC) conducted almost 200 outreach events including media interviews, oral presentations, stakeholder input meetings, and training sessions.

The government also conducted a number of internally-focused awareness activities for its own personnel. For example, DOS approved the creation of an online awareness training available to all employees, reinforced its policy prohibiting the procurement of commercial sex by employees, and issued a second procurement bulletin dealing specifically with the recruitment of third-country nationals abroad. DHS and DOS offered an online, interactive training for the entire federal acquisitions workforce on combating human trafficking, including reducing the demand for commercial sex. DHS has trained its entire contracting workforce. USAID conducted agency-wide training to implement its Code of Conduct and prohibitions on USAID employees, contractors, sub-contractors, grantees, and sub-grantees from engaging in behaviors that facilitate or support trafficking; released a field guide to educate USAID field personnel and implementing partners on the issue; adopted a standard operating procedure to prevent and respond to trafficking abuses by contractors, sub-contractors, assistance recipients, and sub-recipients; and released a procurement executive bulletin to all USAID contracting personnel with guidance on compliance with federal trafficking statues.

DOL carries out civil law worksite enforcement, and its field investigators are often the first government authorities to detect exploitative labor practices. DOL's Wage and Hour Division (WHD) targets industries employing vulnerable workers, such as the agriculture, garment, janitorial, restaurant, and hospitality industries. DOL trained WHD investigators on human trafficking and began modifying that training for other enforcement agency staff. NGOs urged DOL to develop a consistent protocol so that WHD can certify for T nonimmigrant status. EEOC, which investigates discrimination charges against employers, litigated three cases involving human trafficking issues in FY 2012, on behalf of Thai agricultural workers in Washington and Hawaii, Indians employed at a large fabrication company in Mississippi, and persons with intellectual disabilities working at a turkey processing plant in Iowa. In the Iowa case, EEOC obtained the largest jury verdict in agency history, and the victims are expected to recover a total of approximately $3 million. EEOC also developed training for EEOC attorneys and investigators on victim identification, immigration issues, and remedies and conducted off-site intake and counseling sessions.

U.S. laws provide extraterritorial jurisdiction over child sex tourism offenses perpetrated overseas by U.S. citizens. DHS, working with federal prosecutors at DOJ, made 27 criminal arrests resulting in 33 indictments and 22 convictions in child sex tourism cases in FY 2012. In 2012, FBI Violent Crimes Against Children Task Forces made seven criminal arrests resulting in two indictments and two convictions. The U.S. government undertook efforts to reduce the demand for

commercial sex and forced labor in the reporting period. DOD implemented new measures to strengthen compliance with its zero tolerance policy, including a compliance checklist to be used in overseas contracting and took disciplinary actions against 12 service members for violating DOD's prohibition relating to the procurement of commercial sex. DOL released updates to three reports on child and forced labor, including proposed revisions to the list of products produced, mined, or manufactured with forced or indentured child labor, which requires any contractor to the federal government that supplies products on the list to certify they have made a "good faith effort" to determine that the products supplied were not made under conditions involving forced or indentured child labor. DOL also published a free online resource that provides guidance and shares case studies of effective business practices for reducing child labor and forced labor in global supply chains.

The Department of the Interior's (DOI) Bureau of Indian Affairs provides services directly or through contracts, grants, or compacts to 564 federally recognized tribes with a service population of about 1.9 million American Indian and Alaskan Natives, known to include populations vulnerable to human trafficking. BJA awarded a grant to develop and pilot training to build awareness of the existence of human trafficking in Indian Country, provide law enforcement and community stakeholders with tools to identify and assist victims, and hold perpetrators accountable. DHS conducted targeted outreach and training to tribal and territorial law enforcement agencies to raise awareness and to cultivate partnerships. In response to law enforcement concerns about possible human trafficking on the Fort Berthold Reservation in western North Dakota, the USAO in North Dakota, the FBI, and multiple tribal organizations created a Human Trafficking Working Group to address the abuse of women and children through prostitution on reservations, which resulted in the conviction of a North Dakota man for sex trafficking and other crimes. NGOs noted the need for funding for relevant services for American Indian women and increased training for service providers.

U.S. Insular Areas

The U.S. insular areas consist of American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands (USVI). Federal authority over these areas resides with DOI. While the U.S. government has compacts of free association with Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands, they are independent of the United States and thus are discussed and ranked in separate narratives.

The territory of American Samoa is believed to be a transit and destination location for human trafficking. In FY 2012, there were no known human trafficking cases. The legislature in American Samoa introduced a bill to amend the existing anti-trafficking law on March 6, 2013, which would criminalize human trafficking as a felony offense.

CNMI is a destination and transit location for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, DOI's Office of Insular Affairs' Federal Ombudsman's Office reopened an investigation of a case of fraud in foreign labor contracting from 2009 and identified 10 more human trafficking cases; the victims have filed applications for T nonimmigrant status. Federal authorities charged two men with conspiracy to commit sex trafficking and financially benefitting from a sex trafficking venture involving Chinese women; both defendants pleaded guilty and sentencing was pending at the close of the reporting period.

The territory of Guam is a source and transit location for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, a defendant was sentenced in federal court to life imprisonment on 20 counts, including sex trafficking by force, fraud, or coercion and sex trafficking of a minor for recruiting and defrauding nine Chuukese women and one girl and forcing them to engage in commercial sex acts. Since 1950, a dual judicial structure has existed in Guam, with an independent local judicial system taking responsibility for cases arising under Guam's criminal statutes. As a result of the federal sex trafficking investigation, three Guam police officers were charged by local authorities for their involvement in the scheme, and one officer pleaded guilty to felonious restraint and official misconduct.

The Commonwealth of Puerto Rico is a source, transit, and destination location for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, the USAO indicted a Puerto Rican woman on prostitution and sex trafficking charges for recruiting, enticing, and harboring a 14-year-old female to engage in commercial sex acts. While three sections of Puerto Rico's penal code address human trafficking and slavery, it has not been updated to reflect modern anti-trafficking laws.

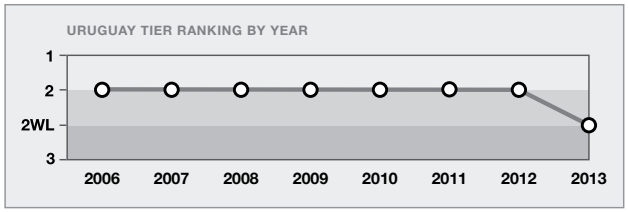
USVI is a transit location for human trafficking. The Virgin Islands Code prohibits trafficking in persons, but prosecutors report that traffickers are prosecuted under other offenses such as false imprisonment and sexual assault rather than the "trafficking of persons" offense. An anti-trafficking bill has been drafted and includes criminal offenses for labor and sex trafficking, victim services, restitution, and asset forfeiture. In March 2013, with DOJ support, the USVI Attorney General held a series of training workshops on human trafficking.

URUGUAY (Tier 2 Watch List)

Uruguay is a source country for women and children subjected to sex trafficking and to a lesser extent a destination country for men, women, and children exploited in forced labor. Most victims are women and girls exploited in sex trafficking, including as "bar girls," within the country, particularly in urban and tourist areas. Lured by fraudulent employment offers, some Uruguayan women are forced into prostitution in Spain, Italy, and Argentina. Foreign workers in domestic service and in agriculture are vulnerable to forced labor. Authorities continued to report that some cases of human trafficking were linked to local and international crime rings that smuggle narcotics and other contraband.

The Government of Uruguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite providing an increase in resources for the national women's institute's office for gender-based violence and sex trafficking and investigating several potential sex and labor trafficking cases, authorities convicted no trafficking offenders during the year. In addition, officials lacked formal procedures for identifying trafficking victims and specialized services were inadequate and almost

exclusively targeted sex trafficking victims. Therefore, Uruguay is placed on Tier 2 Watch List.



Recommendations for Uruguay: Intensify efforts to investigate and prosecute all forms of trafficking and convict and sentence trafficking offenders; fund specialized services for trafficking victims, particularly outside the capital; increase training for law enforcement officials, labor inspectors, prosecutors, judges, and social workers on how to identify and assist victims of sex and labor trafficking; establish a formal mechanism to identify trafficking victims among vulnerable populations, including people in prostitution and migrant workers; implement a data collection system to maintain official statistics on trafficking cases; consider passing and enacting a comprehensive trafficking law that prohibits all forms of trafficking; enhance law enforcement and victim service coordination at the local level; and incorporate measures against forced labor into guidelines governing the employment of foreign workers in Uruguay.

Prosecution

The Government of Uruguay made progress by investigating and prosecuting several trafficking cases during the year. However, data collection on law enforcement efforts was weak, and there were no public reports of convictions for trafficking offenders. Article 78 of the immigration law, enacted in 2008, prohibits all transnational forms of trafficking, prescribing penalties of four to 16 years' imprisonment; these penalties are increased if the victim is a child or if the trafficker uses violence, intimidation, or deceit, and are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The government has never achieved a conviction under this law. For forced labor offenses occurring within Uruguay's borders, authorities can use penal code articles prescribing sentences ranging from two to 12 years' imprisonment for reducing a person to slavery or for imprisonment for the purposes of profiting from the coercive use of the victim's services, but the government did not report doing so during the year. Prosecutors have relied on sexual exploitation or pimping statutes to prosecute domestic sex trafficking cases; these statutes prescribe lesser sentences, some of which can be commuted to community service or fines. Until July 2012, two judges in the specialized court on organized crime in Montevideo had jurisdiction over all trafficking cases in Uruguay, as well as other cases involving sexual exploitation and organized crime. This court lacked sufficient human and material resources to handle these cases. Rather than increasing resources for this court, new legislation enacted in 2012 limited the court's jurisdiction to crimes performed by an organized criminal group of three or more individuals, shifting responsibility for all other trafficking cases to local courts with limited knowledge of human trafficking. There was no specialized law enforcement unit dealing with human trafficking crimes, and local police lacked adequate training on how to identify human trafficking cases.

There was no systematic data collection on trafficking offenses. According to press reports and authorities, Uruguayan officials investigated at least three possible sex trafficking and two possible labor trafficking cases in 2012; authorities also identified 40 cases of children in prostitution during the year, but it was unclear how many of these cases were investigated or prosecuted. Press reports and officials indicated that the government initiated prosecutions of at least 10 trafficking offenders during the reporting period. There were no reported convictions during the year; during the previous reporting period, the Government of Uruguay convicted one sex trafficking offender under statutes prohibiting the exploitation of a minor. The government did not report the investigation or prosecution of any government employee for alleged trafficking-related offenses. Most specialized training for Uruguayan officials was provided by international organizations with foreign government funding. Authorities also partnered with other governments on human trafficking investigations during the year.

Protection

The Uruguayan government continued to provide some services to female trafficking victims, including food, shelter, and legal and psychological services, but specialized services remained inadequate, particularly for minor sex trafficking victims. The government did not maintain formal, written procedures for identifying trafficking victims among vulnerable populations, such as adults in prostitution or undocumented migrants. There were no comprehensive statistics on trafficking victims identified or assisted. Authorities reported assisting civil society organizations receiving international funding to provide psychological care and other services to 13 child sex trafficking victims, one Ecuadorian girl exploited in forced labor, and 45 women in sex trafficking in 2012. When international donor funding for these services ended, officials took over support of the psychological assistance program but did not provide funding to the NGO that had previously provided these services. During the year authorities increased funding and staffing for the national women's institute unit focused on sex trafficking and domestic violence, which was composed of seven staff members. There were no specialized shelters for trafficking victims in the country. Uruguayan authorities referred child victims of trafficking to shelters for at-risk youth operated by the National Institute for Children and Adolescent Affairs (INAU); however, these shelters were not always prepared to provide specialized services needed for trafficking victims, authorities did not report how many child trafficking victims received services in these shelters during the year, and in one case, three child sex trafficking victims were recruited from an INAU shelter. INAU reported training 240 social workers on commercial sexual exploitation of children in 2012. The government operated shelters accessible to adult female victims of abuse, including trafficking victims, and sought to provide them with legal, medical, and psychological care, though authorities did not report how many adult trafficking victims received services at these shelters. Victim care services were uneven outside the capital. There were no specialized services for male trafficking victims. The government encouraged, but did not require, victims to assist in the investigation and prosecution of trafficking offenders. During the year, there were no reports of identified trafficking victims being jailed, deported, or otherwise penalized for acts committed as a direct result of their being subjected to human trafficking. While the government did not offer trafficking-specific legal alternatives to victims' removal to countries where they faced retribution or

hardship, authorities did offer general asylum and residential work permits to foreign trafficking victims during the year.

Prevention

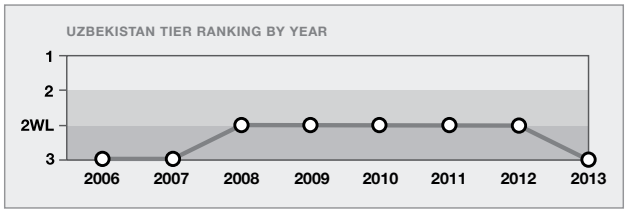
The Uruguayan government maintained prevention efforts during the year, and most activities were focused on sex trafficking. The national women's institute continued to chair an interagency committee that coordinated government anti-trafficking efforts; it met on a monthly basis in 2012. This committee focused almost exclusively on sex trafficking of adult women, while a separate interagency committee met more frequently and focused on commercial sexual exploitation of children. The government continued awareness campaigns at border crossings and the airport. Addressing the demand for commercial sex acts and forced labor, authorities prosecuted some citizens for paying children for commercial sexual acts and enforced labor laws in cases involving Bolivian domestic workers working irregularly in Montevideo. There were no reports of Uruguayan citizens engaged in child sex tourism. Authorities provided anti-trafficking training to Uruguayan troops prior to their deployment on international peacekeeping missions during the year.

UZBEKISTAN (Tier 3*)

Uzbekistan is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Internal labor trafficking remains prevalent during the annual cotton harvest, in which children and adults are victims of government-organized forced labor. There were reports that working conditions in some fields during the cotton harvest included verbal and physical abuse and lack of freedom of movement. According to a variety of sources, the Government of Uzbekistan enforced a decree resulting in a sweeping reduction of the number of children under 15 years of age in the 2012 cotton harvest, but the government continued to subject older children and adult laborers to forced labor in that harvest. Some reports contend that the numbers of older children and adults subjected to forced labor in the harvest were higher than in previous years in several of Uzbekistan's regions. Some activists allege that children were forced to weed cotton fields in the spring of 2012. One activist reported at least one case of a mental hospital subjecting its patients to domestic servitude. In addition, there are recent reports that teachers, students (including children), employees in private businesses, and others have been forced by the government to work in construction, agriculture, and in cleaning parks.

Some Uzbekistani men and women are subjected to forced labor in Kazakhstan, Russia, and—to a much lesser extent—Ukraine in domestic service, agriculture, and the construction and oil industries. Uzbekistani women and children are subjected to sex trafficking, often through fraudulent offers of employment, in the United Arab Emirates, Bahrain, India, Georgia, Kazakhstan, Russia, Turkey, Thailand, Lebanon, Ukraine, Greece, Pakistan, Malaysia, the Republic of Korea, Japan, China, Indonesia, Kyrgyzstan, and within Uzbekistan. Small numbers of Tajikistani and Kyrgyzstani victims have been identified in Uzbekistan. NGO and government officials continued to express concern that Uzbekistani women and girls raised in orphanages were particularly vulnerable to human trafficking. In 2012, civil society groups reported a growth in the number of Uzbekistani transnational labor trafficking victims, including an increasing number of women.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking and has been placed on Tier 2 Watch List for the last six consecutive years. In the 2011 and 2012 TIP Reports, Uzbekistan was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The Trafficking Victims Protection Act (TVPA) authorizes a maximum of two consecutive waivers; a waiver is no longer available to Uzbekistan, which is therefore deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. The Government of Uzbekistan remains one of only a handful of governments around the world that subjects its citizens to forced labor through implementation of state policy. According to a variety of sources, including UNICEF, the government vigorously implemented for the first time a decree banning the use of labor by school children up to 15 years of age in the annual cotton harvest; however, the government continued to force older children and adults to harvest cotton. As in previous years, the government set a quota for national cotton production and paid farmers artificially low prices for the cotton produced, making it almost impossible for farmers to pay wages that would attract a voluntary workforce. Provincial mayors and governors were held personally responsible for ensuring the quota was met; they, in turn, passed along this pressure to local officials, who organized and forced Uzbekistani citizens to pick cotton. The government continued to refuse to allow the ILO to monitor the cotton harvest and denied the existence in Uzbekistan of forced labor of children or adults in the cotton sector. There were reports of government-organized forced labor in other sectors, as well. The government identified an increased number of sex trafficking and transnational labor trafficking victims in 2012, compared with 2011.



Recommendations for Uzbekistan: Take substantive action to end the use of forced child and adult labor during the annual cotton harvest; allow international experts, such as the ILO, to conduct an independent assessment of the use of forced labor during the annual cotton harvest; reissue and enforce the prime minister's decree to ban child labor in the cotton harvest for 2013, and extend the decree to ban the mobilization of all children and adults in the cotton sector; advertise this decree widely, including in local papers; investigate and prosecute government officials suspected of being complicit in human trafficking, and convict and punish complicit officials; in order to better identify trafficking victims, train border guards and police officials to understand that some trafficking victims without documents may claim to cross the border individually, rather than with a group, to avoid the higher penalties of illegal border crossing with a group; work to ensure unidentified victims are not punished for acts committed as a result of being trafficked; develop formal procedures to identify trafficking victims and refer

them to protection services; continue to provide in-kind support to anti-trafficking NGOs to assist and shelter victims; continue efforts to investigate and prosecute suspected trafficking offenses and convict and punish trafficking offenders; encourage long-term victim rehabilitation by reserving state employment positions for qualified rescued trafficking victims where practicable; and include in the anti-trafficking interagency commission a government official who works on cotton harvest and agricultural issues, as well as a registered NGO that works on labor rights issues in the cotton sector.

Prosecution

The Government of Uzbekistan demonstrated mixed law enforcement efforts; although there were efforts to combat sex and transnational labor trafficking, there were no efforts to address forced labor in the country's own cotton harvest. Article 135 of the criminal code prohibits both forced prostitution and forced labor and prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Uzbekistani law enforcement data are opaque and unable to be verified. In 2012, law enforcement agencies reported conducting 1,013 trafficking investigations, compared with 951 investigations in 2011. Authorities reported prosecuting 531 trafficking cases in 2012, compared with 444 in 2011, and reported that 626 people were convicted on trafficking-related offences in 2012, compared with 636 in 2011. The government reported that 357 convicted offenders were sentenced to time in prison and 34 traffickers were sentenced to correctional labor, compared with 434 convicted offenders sentenced to time in prison in 2011. The government reported that it held four seminars, two roundtables, two conferences and 16 trainings for national and local law enforcement personnel in 2012. The government reportedly shared data with several foreign law enforcement agencies to assist in criminal cases against suspected traffickers.

Government officials' widespread complicity in human trafficking in the cotton harvest persisted. Authorities applied varying amounts of pressure on government institutions, universities, and businesses to organize high school and university students, teachers, medical workers, government personnel, military personnel, private sector employees, and local residents to pick cotton in the 2012 cotton harvest. There were several reports of children and adults subjected to physical abuse and threatened with retaliation—such as expulsion from school, loss of student housing, termination of employment, or denial of critical social benefits—if they refused to pick cotton, and authorities threatened some families who protested with police visits. The government exerted pressure on private companies to mobilize their employees for the harvest and threatened private sector workers with "taxes" and fines to compel their service. Furthermore, some who were unable to meet their quotas or who left the cotton fields without permission were reportedly physically abused by police or school officials, or financially penalized. Sources, including UNICEF, noted the government decree banning the labor of young children in the cotton harvest was effective; however, there were isolated instances of local government officials closing rural schools and forcing children to go to the fields to pick cotton. School administrators and local officials closed schools for those aged 15 to 17 to subject those children to forced labor. The government did not investigate, prosecute, or convict government officials complicit in the use of forced labor during the 2012 cotton harvest.

There were also reports of government officials' complicity in other forms of trafficking. Border guards and low-level police officers were allegedly involved in falsifying or selling travel documents or exit visas, and there have been allegations of individual police officers accepting bribes from traffickers. In at least one highly publicized case, allegations by an Uzbekistani citizen that several law enforcement and local officials were involved in facilitating the labor trafficking of her two brothers in 2011 to Kazakhstan resulted in what appeared to be an effort to silence her. In 2012, she was convicted of extortion and sentenced to seven years' imprisonment. She was released under the government's annual amnesty after serving seven months of her sentence. The government reported it convicted and sentenced eight officials in 2012, including a former head of the Fergana regional foreign labor bureau, to five and a half years' imprisonment for complicity in sex or transnational labor trafficking, but the government did not provide further case details confirming these were trafficking offenses.

Protection

The Government of Uzbekistan demonstrated mixed efforts to identify, assist, and protect victims of trafficking—including efforts to assist victims of sex and international labor trafficking—though it demonstrated no efforts to assist victims of forced labor in the cotton harvest. The government does not have a systematic process to proactively identify victims and refer those victims to protective services. The government reported it recognized 1,647 people as trafficking victims in 2012, compared with 1,635 in 2011. Of these 1,647 victims, 114 were exploited within the country, while the remaining victims were Uzbekistani citizens subjected to human trafficking in other countries. Civil society groups identified over 1,200 trafficking victims in 2012. Police, consular officials, and border guards referred potential female trafficking victims returning from abroad to an NGO for services; the NGO noted improvements in the referral system in 2012. Government-provided protection services were contingent on victims assisting in investigations. The Ministry of Labor operated and funded a shelter for trafficking victims, the majority of whom were adult males, but did not provide data on how many victims it assisted in 2012. The shelter provided medical, psychological, legal, and other services as well as vocational training and, when necessary, continued to assist victims once they left the shelter. Adult victims were required to inform shelter staff to temporarily leave the premises. The government continued to provide shelter and office space to two NGO-run shelters. Trafficking victims were eligible for medical assistance from the government; in 2012, 872 trafficking victims received medical examinations and follow up care, if needed. Uzbekistani diplomatic missions abroad helped repatriate 80 victims: 22 from the UAE, 17 each from Russia and Kazakhstan, 14 from Ukraine, seven from Turkey, six from Thailand, four from Pakistan, and two each from India and China. An NGO also reported the Uzbekistani embassy in Indonesia provided temporary shelter to Uzbekistani trafficking victims prior to their repatriation. NGOs reported victims who cooperate with law enforcement receive some informal protection during the trial process.

Some unidentified trafficking victims were penalized for acts committed as a result of being trafficked; internal sex trafficking victims were charged with administrative prostitution offenses,

which are penalized by a fine and up to 15 days' imprisonment, and transnational sex and labor trafficking victims who had illegally crossed the Uzbekistani border faced a criminal penalty of a substantial fine and imprisonment. Only formally recognized victims were exempt from prosecution for acts committed as a result of being trafficked.

Prevention

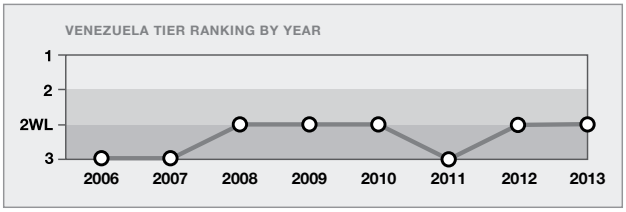
The government continued public awareness efforts on transnational sex and labor trafficking. The government vigorously implemented a decree banning the use of labor by school children up to 15 years of age in the cotton harvest; however, the government did not invite any international organizations to independently assess the use of forced adult and forced child labor during the 2012 cotton harvest and continued to deny the existence of those crimes. It again welcomed UNICEF's observations of labor practices during the harvest. UNICEF consistently maintained that its observations cannot substitute a potential assessment mission by the ILO. There were reports that at least two human rights activists who independently monitored the cotton harvest were harassed, arrested, physically abused, and detained by government officials.

An interagency commission chaired by the prosecutor general coordinated government efforts against sex trafficking and transnational labor trafficking. The government had a national anti-trafficking action plan. State media continued to broadcast programs on transnational sex and labor trafficking. The government reported that through its local neighborhood committees, it held over 72,000 events dedicated to raising awareness of human trafficking in 2012, reaching over 2.5 million Uzbekistani citizens. The government continued to provide venues for NGO training programs and awareness-raising activities as well as free billboard advertising space. Ostensibly in an effort to combat human trafficking, the government required male relatives of women aged 18 to 35 to submit a statement if they were departing the country pledging the women would not engage in illegal behavior, including prostitution, while abroad. The government reported conducting a vigorous campaign to reduce the demand for commercial sex acts; however, media reports and local activists have accused some police of facilitating prostitution.

VENEZUELA (Tier 2 Watch List)

Venezuela is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Venezuelan women and girls are found in conditions of sex trafficking within the country, lured from poor interior regions to urban and tourist centers, such as Caracas, Maracaibo, and Margarita Island. Victims are often recruited through false job offers. In the past, Venezuelan officials reported identifying trafficking victims from Colombia, Peru, Haiti, China, and South Africa in Venezuela. Some Venezuelan children are forced to work as street beggars or as domestic servants, and Ecuadorian children, often from indigenous communities, are subjected to forced labor, particularly in Caracas. Some Venezuelan women are transported from coastal areas by small boats to Caribbean islands, particularly Aruba, Curacao, and Trinidad and Tobago, where they are subjected to forced prostitution. Organized crime is widely believed to be involved in facilitating sex trafficking in Venezuela. There were reports that Cuban citizens, particularly doctors, working in Venezuela on government social programs in exchange for the Venezuelan government's provision of resources, including oil, to the Cuban government, experience forced labor. Indicators of forced labor include chronic underpayment of wages, mandatory long hours, and threats of retaliatory actions to the citizens and their families if they leave the program.

The Government of Venezuela does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year the government strengthened its anti-trafficking legal framework, increased investigation of forced labor crimes, and continued to train government officials. However, the government did not publicly document progress on prosecutions and convictions of trafficking offenders or on victim identification and assistance. Victim services appeared to remain inadequate, and the extent of efforts to investigate internal sex trafficking or to assist children in prostitution was unclear. Therefore, Venezuela is placed on Tier 2 Watch List for a second consecutive year.



Recommendations for Venezuela: Intensify efforts to investigate and prosecute cases of sex trafficking and forced labor, and convict and punish trafficking offenders; fund specialized services for trafficking victims, in partnership with civil society organizations; implement formal and proactive procedures for identifying trafficking victims among vulnerable populations, such as people in prostitution, and for referring victims to care services; enhance interagency cooperation, perhaps through forming a permanent anti-trafficking working group; provide publicly available information regarding government efforts to combat human trafficking; and improve data collection for trafficking.

Prosecution

The Government of Venezuela strengthened its anti-trafficking laws during the year and increased investigations of forced labor cases. The lack of comprehensive public data on investigations, prosecutions, and convictions made law enforcement efforts difficult to assess. Venezuelan law prohibits most forms of human trafficking through a 2007 law on women's rights and the 2005 law on organized crime: these laws prescribe punishments of 10 to 20 years' imprisonment for trafficking of women and girls and for transnational trafficking of men and boys. In April 2012, amendments to the law against organized crime took effect, expanding the definition of human trafficking to include internal trafficking of men and boys when carried out by a member of an organized criminal group of three or more individuals. The revised law also increased penalties for trafficking to 20 to 25 years' imprisonment and 25 to 30 years' imprisonment in cases with child victims. In cases of internal trafficking involving male victims, prosecutors could rely on other statutes, though there were no reports they did so during the year. A separate draft anti-trafficking law remained before the legislature during the year.

According to government and media websites, the government reportedly investigated and arrested individuals in several transnational sex trafficking cases and in at least three transnational forced labor cases during the year, reflecting an apparent increase in investigations of forced labor, particularly domestic servitude. Due to a lack of comprehensive public statistics on human trafficking, it was unclear how many trafficking prosecutions the government initiated or how many traffickers it convicted in 2012. According to a government press release, authorities prosecuted and convicted at least one woman for forced prostitution and sentenced her to 11 years in prison. In comparison, in 2011 Venezuelan courts convicted two women of sex trafficking crimes, but their five-year sentences were commuted to parole. The Ministry of Interior and Justice's directorate of crime prevention, sometimes in collaboration with international organizations, provided anti-trafficking training for various government officials, including law enforcement officers, in 2012. There appeared to be no public allegations that Venezuelan government officials were complicit in human trafficking-related offenses, and the Venezuelan government did not report any investigations or prosecutions of such government employees.

Protection

The government provided minimal information about trafficking victim identification or assistance in 2012, and victim services remained limited. The government did not report information on the existence of formal procedures for identifying trafficking victims among vulnerable populations, including people in prostitution, and referring them to victim services. Authorities did not report operating specialized shelters or services specifically for trafficking victims, but the government provided limited funding to some NGOs providing such services. Government shelters for victims of domestic violence or at-risk youth reportedly were accessible to trafficking victims, though services for male victims were virtually nonexistent. NGOs provided the majority of services. There were no dedicated shelters for trafficking victims in the country. Authorities did not report the number of trafficking victims identified or assisted in 2012, although press and government websites reported the identification of at least three forced-labor victims—two from Peru and one from Ecuador—as well as one potential sex trafficking victim from the Dominican Republic. In comparison, the government reported assisting 38 trafficking victims in 2011. Government-provided psychological and medical examinations reportedly were available to all victims of violent crime, including trafficking victims, but according to NGOs, additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—remained lacking.

There was no information made publicly available about whether the government encouraged victims to assist in the investigation and prosecution of trafficking offenders. Similarly, there were no publicly available reports of victims being jailed or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Foreign victims who faced retribution if returned to their country of origin could apply for refugee status, and, according to an international organization, some victims did so during the reporting period. There were no publicly available reports of government assistance to repatriated Venezuelan trafficking victims during the reporting period.

Prevention

The Venezuelan government continued to raise awareness of human trafficking through public service announcements and an awareness campaign. The Interior and Justice Ministry's directorate of crime prevention was responsible for coordinating government anti-trafficking efforts; there was no permanent anti-trafficking interagency body. Officials reported on anti-trafficking efforts to the media on an *ad hoc* basis. While authorities reported conducting anti-trafficking seminars in tourism destinations for tourism service providers and government officials, there appeared to be no publicly available reports of new investigations, prosecutions, or convictions for child sex tourism in 2012. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor during the year.

VIETNAM (Tier 2)

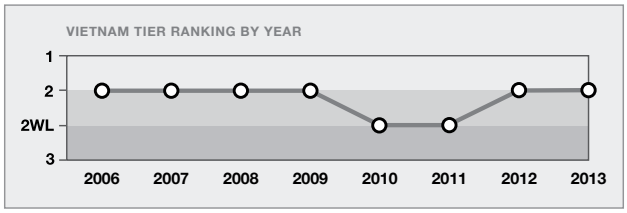
Vietnam is a source and, to a lesser extent, a destination country for men, women, and children subjected to sex trafficking and forced labor. Vietnam is a source country for men and women who migrate abroad for work either on their own or through state-owned, private, and joint-stock labor export recruitment companies. Vietnamese men and women also migrate through informal labor recruitment companies in the construction, fishing, agriculture, mining, logging, and manufacturing sectors primarily to Taiwan, Malaysia, the Republic of Korea (South Korea), Laos, the United Arab Emirates, and Japan, and also to a lesser extent to China, Thailand, Cambodia, Indonesia, the United Kingdom, the Czech Republic, Cyprus, France, Sweden, Trinidad and Tobago, Costa Rica, Russia, Libya, Saudi Arabia, Jordan, and elsewhere in the Middle East and North Africa. Some of these workers subsequently face conditions of forced labor. Vietnamese women and children subjected to sex trafficking throughout Asia are often misled by fraudulent labor opportunities and sold to brothels on the borders of Cambodia, China, and Laos, with some eventually sent to third countries, including Thailand and Malaysia. Some Vietnamese women and children are forced into prostitution in South Korea, Indonesia, Taiwan, Thailand, Malaysia, Singapore, and Russia.

Vietnam's labor export companies, most of which are affiliated with state-owned enterprises, and unlicensed intermediary brokers have been known to charge workers in excess of the fees allowed by law for the opportunity to work abroad. As a result, Vietnamese workers incur some of the highest debts among Asian expatriate workers, making them highly vulnerable to forced labor, including debt bondage. Studies have found that many Vietnamese migrants who go abroad for work face high recruitment fees that put them in a state of debt bondage for years; the majority of those who return to Vietnam early—after one to two years—are unable to earn enough to pay off those debts. Upon arrival in destination countries, some workers find themselves compelled to work in substandard conditions for little or no pay despite large debts and with no credible avenues of legal recourse. Some recruitment companies reportedly did not allow workers to read their contracts until the day before they were scheduled to depart the country, and workers also reportedly signed contracts in languages they could not read. There also have been documented cases of recruitment companies being unresponsive to workers' requests for assistance in situations of exploitation.

Vietnamese and Chinese organized crime groups are involved in the forced labor of Vietnamese children on cannabis farms in the UK, where they are subject to debts up to the equivalent of approximately $32,000 each. Reports indicate that many of these Vietnamese victims fly with an agent to Russia and then are transported via trucks through Ukraine, Poland, the Czech Republic, Germany, and France before arriving in the UK. There are also reports of some Vietnamese men, women, and children subjected to forced labor within Vietnam as well as abroad. Most northern and central trafficking victims are trafficked to China for sexual exploitation or forced labor; victims in southern Vietnam are primarily trafficked to Cambodia and forced into prostitution, sometimes subsequently sent to third countries in Southeast Asia. In both sex and labor trafficking, debt bondage, confiscation of identity and travel documents, and threats of deportation are commonly used to intimidate victims. Some Vietnamese women moving to China, Taiwan, Hong Kong, Macau, Singapore, and South Korea as part of internationally brokered marriages are subsequently subjected to conditions of forced labor (including as domestic servants), forced prostitution, or both. There are reports of trafficking of Vietnamese people, particularly women and girls, from poor, rural provinces to urban areas, including Hanoi, Ho Chi Minh City, and newly developed urban zones such as Binh Duong. While some individuals migrate willingly, they may subsequently be sold into forced labor or commercial sexual exploitation.

Vietnamese children from rural areas are subjected to commercial sexual exploitation. Children also are subjected to forced street hawking, forced begging, or forced labor in restaurants in major urban centers of Vietnam, though some sources report the problem is less severe than in years past. Some Vietnamese children are victims of forced and bonded labor in factories run in urban family houses and in privately run rural gold mines. NGOs report that traffickers' increasing use of the Internet to lure victims has led to a rising number of middle-class and urban-dwelling Vietnamese falling prey to human trafficking. According to a 2012 UNICEF-funded survey on the commercial sexual exploitation of children, Vietnam is a destination for child sex tourism with perpetrators reportedly coming from Japan, South Korea, China, Taiwan, the UK, Australia, Europe, and the United States.

The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During 2012, the government used existing laws to criminally prosecute some labor trafficking offenses; in many cases prosecutors relied on Article 139, "Appropriating Properties Through Swindling." Additionally, two separate decrees were issued during the reporting period on victim identification and victim shelters. Rehabilitation centers for drug users and people in prostitution, run by the Vietnamese government, continued to subject residents to forced labor in agriculture, construction, and manufacturing despite continued international criticism. The Government of Vietnam failed to provide adequate remedies to overseas workers who experienced debt bondage or other forms of forced labor.



Recommendations for Vietnam: Issue necessary decrees or other official guidance to fully implement the new anti-trafficking law, including through the application of stringent criminal penalties for all forms of trafficking; train front-line officers and judicial officials on the provisions of the anti-trafficking law, with a specific focus on recognizing victim exploitation as the essential element of trafficking crimes; criminally prosecute those involved in forced labor, the recruitment of persons for the purpose of forced labor, or fraudulent labor recruitment, and apply stringent penalties to convicted offenders; immediately cease the practice of forcing Vietnamese citizens into commercial labor in government-run drug rehabilitation centers; adopt policies for the proactive identification of victims among vulnerable groups, such as Vietnamese migrant workers who have been subjected to forced labor, and ensure they are provided with victim services; develop formal procedures for identification, using internationally recognized indicators of forced labor such as the confiscation of travel documents by employers or labor brokers, and train relevant officials in the use of such procedures; continue efforts to protect Vietnamese workers going abroad through memoranda of understanding and agreements with additional destination countries; take measures to protect victims of labor trafficking to ensure workers are not threatened or otherwise punished for protesting labor conditions or for leaving their place of employment; improve interagency cooperation on anti-trafficking efforts in order to monitor and evaluate efforts in the implementation of the national plan of action; improve data collection and data sharing at the national level on trafficking prosecutions, particularly labor-related prosecutions; promote primary and secondary school education for youth populations at risk of trafficking; support awareness-raising programs that reduce stigma and promote reintegration of trafficking returnees; and implement and support a visible anti-trafficking awareness campaign directed at those who solicit adults and children in the sex trade.

Prosecution

The Government of Vietnam sustained its law enforcement efforts to combat trafficking in 2012. Despite Vietnam's comprehensive anti-trafficking law, which went into effect in January 2012, criminal penalties have not yet been established; this has to be done by the issuance of guidance by the Supreme People's Court. The expanded definition of trafficking in persons in the new law was not applied during the reporting period because the government has not yet issued necessary guidance to law enforcement personnel.

As the new law had not yet been implemented, the majority of traffickers were prosecuted under pre-existing articles of the penal code, which are vague in scope but could potentially be used to prosecute some forms of trafficking. Article 119 of the penal code criminalizes trafficking in women but does not appear to define "trafficking." Article 120 prohibits "trading

in, appropriating, or exchanging children," which are also not defined. These articles prescribe sufficiently stringent punishments of two to seven years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Judicial officials have interpreted these provisions to apply only to cases that involve a third-party exchange of payment. Other cases were administratively punished under the country's labor laws, which do not provide criminal penalties.

Vietnam's central data collection systems remained inadequate to provide law enforcement statistics on trafficking prosecutions and convictions during the year segregated by type of trafficking. Statistics provided on prosecution, convictions, and victims identified did not correspond between the Supreme People's Procuracy and the Supreme People's Court. The Supreme People's Procuracy reported that authorities prosecuted 232 cases of trafficking and related offenses in 2012 under Articles 119 and 120. The government reported that in calendar year 2012 the Supreme People's Court brought to trial, convicted, and sentenced 490 defendants. Of these, seven defendants received sentences between 20 and 30 years in jail, 38 between 15 and 20 years, 137 between seven and 15 years, 265 less than seven years', 48 defendants were put on probation, and one was fined. Three hundred and ninety-one defendants were tried under Article 119 and 85 under Article 120. The government continued to pursue prosecutions primarily in transnational sex trafficking cases, and overall law enforcement efforts were inadequate to address all forms of human trafficking in Vietnam. The government began sending Ministry of Public Security (MPS) officials on short-term assignments to Cambodia, China, and Laos to lead Vietnam's cooperation efforts in joint trafficking investigations. Although Vietnam does not track the number of cooperative international investigations on trafficking in which it participated, it was reported that there were several instances of MPS officials traveling to China for rescue operations of trafficking victims that led to the arrest of over 200 traffickers and the rescue of 216 trafficking victims in China.

Contract disputes between Vietnamese workers and their Vietnam-based labor recruitment companies or companies overseas—including for fraudulent recruitment and conditions indicative of forced labor—were left largely to the companies to resolve. Although workers have the legal right to take cases to court, in practice few have the resources to do so, and there is no known record of a Vietnamese labor trafficking victim successfully achieving compensation in court; thus, in practice, workers are left without reasonable legal recourse in such cases. Through a regular inspection program, the government monitored and punished fraudulent labor recruiters for not adhering to labor recruiting regulations, including offenses considered to be contributing factors to human trafficking.

Many NGOs indicated that trafficking-related corruption continued to occur at the local level, including officials at border crossings and checkpoints accepting bribes from traffickers and officials opting not to intervene on victims' behalf when family relationships existed between traffickers and victims. The government reported two cases of public officials' complicity in human trafficking during the reporting period that led to convictions. In December 2012, the appellate court in Ho Chi Minh City upheld the life sentence given to a Can Tho City Department of justice official for receiving a total of more than approximately the equivalent of $195,000 in bribes between May 2009 and October 2010 to conduct marriage registrations involving foreigners that facilitated trafficking. The second conviction was in January 2013; the Nghe An Supreme People's Court sentenced a former deputy chief of Bao Thang commune police to three years in prison for trafficking adults and six years for trafficking children.

Protection

The Vietnamese government made some progress in its efforts to protect victims, primarily those subjected to transnational sex trafficking, but it did not make efforts to adequately identify victims among vulnerable populations or protect victims of labor trafficking or trafficking that occurred wholly within the country. Two decrees drafted to guide the implementation of the trafficking in persons law concerning victim protection were completed and issued during the reporting year: Decree No. 62/2012/ND-CP on the grounds for victim identification and protection of victims and their relatives and Decree No. 09/2013/ND-CP detailing the implementation of articles in the trafficking in persons law regarding victim support facilities, mechanisms, procedures, and proceedings. The government did not develop or employ systematic nationwide procedures to proactively and effectively identify victims of trafficking among vulnerable populations, such as women arrested for prostitution and migrant workers returning from abroad, and victim identification efforts remained poor across all identified migration and trafficking streams.

MPS reported that 883 Vietnamese trafficking victims were identified by authorities between January and December 2012. During this period, border guards coordinated with other government agencies to rescue and receive 201 victims of trafficking; of these victims, 119 were identified and repatriated by foreign governments or NGOs and 38 self-identified. There were no specific protections from deportation in Vietnam's law and no provisions for granting residency status for foreign nationals who are victims of trafficking. When Vietnam is a transit or destination country for foreign victims, the government liaises with the sending country for the victims' safe return to Vietnam.

The Law on Administrative Sanctions was adopted in June 2012 and will come into effect July 1, 2013. This new law will ensure that drug users are not automatically referred to a detention facility where they have in the past routinely been subjected to forced labor. Media reports during the reporting period indicated, however, that the government continued to perpetrate forced labor of drug users under current regulations. Authorities have formal procedures for receiving trafficking victims and referring them to care, although the referral system has some significant deficiencies, such as failing to identify victims who do not return via official border crossings or who do not want to be identified by authorities due to social stigma or other reasons. The government did not provide adequate legal protection from forced labor or assistance to victims in Vietnam or abroad. In September 2012, the media reported that a Vietnamese-owned factory in Russia had kept Vietnamese workers in slave-like conditions and that Vietnamese diplomats had visited the site and failed to offer assistance. Vietnam maintains labor attachés in the nine countries receiving the largest number of documented Vietnamese migrant workers; however, it does not maintain embassies in some countries to which there are reports of Vietnamese nationals having been trafficked. In some places where there are embassies, diplomatic personnel responded inadequately to protect migrant workers, and the government

acknowledged that its diplomats lacked sufficient training and oversight. The government did not publish data about individual cases in which diplomatic or consular officials identified or assisted Vietnamese workers subjected to forced labor abroad. Government regulations do not prohibit private employers from withholding the passports of workers in destination countries, and Vietnamese companies withheld workers' travel documents, a known indicator of trafficking. Although workers have the right in principle to sue labor export companies, there has been no indication of victims receiving legal redress in Vietnamese courts for such claims.

The government's Vietnamese Women's Union (VWU), in partnership with NGOs and with foreign donor funding, continued to operate three trafficking shelters in Vietnam's largest urban areas; the shelters provided counseling and vocational training to female sex trafficking victims. The VWU and border guards also operate smaller shelters that provide temporary assistance to migrants in need at some of the most heavily used crossing points. At times victims were housed in Ministry of Labor, Invalids, and Social Affairs (MOLISA) social protection centers that provide services to a wide range of vulnerable groups, although officials acknowledged that victims were better served in trafficking-specific shelters. In many areas shelters are rudimentary, underfunded, and lack appropriately trained personnel. There are no shelters or services specifically dedicated to assisting male victims, child victims, or victims of labor trafficking, although existing shelters reportedly provided services to some male and child victims. NGOs report some victims opt not to stay at a victim support facility or receive social services due to a fear of social stigma from identifying as a trafficking victim. Trafficking victims are eligible for a cash subsidy up to the equivalent of approximately $50, paid through local authorities; the government did not provide statistics on the number of victims who received this benefit. The government continued to provide contributions of office space and personnel to international organizations conducting anti-trafficking projects.

The government reportedly encourages victims to assist in the prosecution of their traffickers, although the Vietnamese government generally does not provide police-assisted witness protection to victims of crime. Victims were often reluctant to participate in investigations or trials due to social stigma particularly as it relates to prostitution, fear of retribution in their local communities, and lack of incentives for participation. Vietnamese law protects trafficking victims from facing criminal charges for actions taken as a direct consequence of being trafficked; however, inadequate efforts to identify victims among vulnerable populations may have led to some victims being treated as law violators. The government did not offer foreign victims legal alternatives to their removal to countries where they faced retribution or hardship.

Prevention

The Government of Vietnam made some efforts to prevent human trafficking during the reporting period. Under the prime minister's Decree 1427, the Ministry of Information and Communication (MIC) and VWU maintained anti-trafficking campaigns through online media, community based anti-trafficking posters, workshops, billboards, art performances, pamphlets, school programs, and neighborhood meetings. Of the two decrees issued during the reporting year, the first, Decree No 62/2012/ND-CP provided guidance in victim identification under the trafficking in persons law. The decree provides a formal legal procedure for victim identification but does not specify its proactive application to high-risk populations. In addition, the decree states that in the absence of conclusive documentation or evidence of a victim's exploitation or trafficking, identification can be made based upon a victim's discovery or known overlapping presence with other identified victims, physical and psychological traits showing signs of sexual abuse or forced labor, reports made by relatives made to the authorities, or other information contributing to a reasonable belief the person may be a victim of trafficking. A key change in the identification procedures under the trafficking in persons law is the expansion in the number of government agencies authorized to verify the status of a trafficking victim.

The Ministry of Foreign Affairs maintained its online migration website providing prospective migrants with access to information about the legal guidelines governing recruitment companies; however, the government did not increase efforts to enforce these regulations, and overall efforts to regulate recruitment companies and marriage brokers remained weak. With assistance and cooperation from international organizations, governments, NGOs, and foreign donors, the Vietnamese government increased efforts to prevent trafficking in persons. In September 2012, the Vietnamese and Cambodian governments agreed to implement a memorandum of understanding on combating trafficking for the period 2013-2015. The government has a five year national action plan on human trafficking active until 2015 and has allocated the equivalent of approximately $15 million to implement the plan, which covers all forms of trafficking and coordinates the government's anti-trafficking responses through the National Steering Committee on Human Trafficking chaired by the deputy prime minister.

YEMEN (Tier 3)

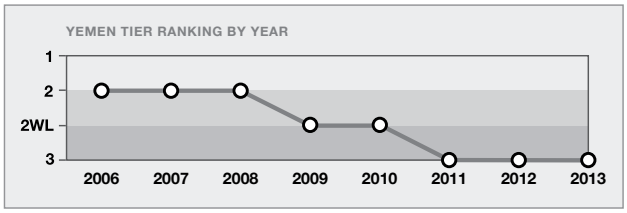
Yemen is a country of origin and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor and sex trafficking. Some Yemeni children, mostly boys, migrate to the Yemeni cities of Aden and Sanaa, or travel across the northern border to Saudi Arabia and, to a lesser extent, to Oman where they are subjected to forced labor in domestic service, small shops, or as beggars. Some of these children are forced into prostitution by traffickers, border patrols, other security officials, and their employers once they arrive in Saudi Arabia; some children are forced to smuggle drugs to Saudi Arabia. Some families supportive of ethnic Houthi rebels, including those residing in Sanaa and other locations outside Houthi control, send their children to Saada to be trained by the Houthis in the use of arms to serve in Houthi militias. A Saudi study conducted in 2011 reported that most beggars in Saudi Arabia are Yemenis between the ages of 16 and 25. The Yemeni government and international NGOs estimate that there are approximately 935,000 child laborers under the age of 15 in Yemen, some of whom are subjected to conditions of forced labor. In addition, some sources report that the practice of chattel slavery still exists in Yemen; while no official statistics exist detailing this practice, unconfirmed sources report that there could be 300 to 500 men, women, and children sold or inherited as slaves in Yemen, including in the Al-Zohrah district of Al-Hudaydah Governorate, west of

Sanaa, and the Kuaidinah and Khairan Al-Muharraq districts of the Hajjah Governorate, north of the capital.

Yemen is also a source country for girls subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 years old are exploited for commercial sex in hotels and clubs in the governorates of Sanaa, Aden, and Taiz. The majority of child sex tourists in Yemen are from Saudi Arabia, with a smaller number possibly originating from other Gulf nations. Yemeni girls who marry Saudi tourists often do not realize the temporary and exploitative nature of these agreements; some are subjected to sex trafficking or abandoned on the streets of Saudi Arabia. Yemen is a transit and destination country for women and children from the Horn of Africa. An international organization estimated that 107,000 migrants and refugees from the Horn of Africa—primarily Ethiopia and, to a lesser extent, Somalia and Eritrea—reached Yemen in 2012, which was double that reported in 2010. According to UNHCR, 74 percent of the migrants reportedly crossed the Red Sea via Obock, Djibouti. Ethiopian and Somali women and children travel voluntarily to Yemen with the hope of working in other Gulf countries, but some are subjected to sex trafficking or domestic servitude in Yemen. Others migrate based on fraudulent offers of employment as domestic servants in Yemen, but upon arrival are subjected to sex trafficking or forced labor. Some female Somali refugees are forced into prostitution in Aden and Lahj governorates, and Yemeni and Saudi gangs traffic African children to Saudi Arabia. Smugglers capitalize on the instability in the Horn of Africa to subject Africans to forced labor and prostitution in Yemen. Some refugees and migrants from the Horn of Africa that voluntarily transit Yemen *en route* to Saudi Arabia and other Gulf countries are abandoned in Yemen and abused by traffickers; some were reportedly forced to embark boats headed to Yemen.

Despite a 1991 law requiring that members of the armed forces be at least 18 years of age, credible reports indicated that many children under 18 joined the official government armed forces—as well as tribal militias and militias of Houthi rebels—during the country-wide civil unrest in 2011. Local NGOs also report that many children, some as young as 11, remain in tribal and Houthi militias. However, the number of child soldiers in the armed forces reportedly declined in 2012.

The Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Yemen was in the midst of a two-year Gulf Cooperation Council (GCC)-brokered political transition, which included security sector reform. Throughout 2012, Yemen faced prolonged political, economic, and security challenges, including weak government institutions, widespread corruption, and poor law enforcement capabilities, which severely impeded the government's modest anti-trafficking efforts. The government did not institute formal procedures to identify and protect victims of trafficking or investigate or prosecute government officials complicit in trafficking-related crimes. The government did not make efforts to address trafficking for commercial sexual exploitation nor to implement anti-trafficking awareness campaigns; however, it took some steps to prevent the recruitment of children in the armed forces.



Recommendations for Yemen: Significantly increase law enforcement efforts against trafficking in persons, including sex and labor trafficking of women, men, and children; investigate and prosecute government employees complicit in trafficking-related offenses; take measures to investigate and eradicate the practice of chattel slavery in Yemen, including by enforcing the prohibition against slavery, including against slave "owners;" expand victim protection services, including rehabilitation of victims of forced prostitution; make greater efforts to stop the forcible recruitment of child soldiers and provide protection and rehabilitation services to demobilized children; institute a formal victim identification mechanism to identify and refer trafficking victims to protection services; implement educational and public awareness campaigns on trafficking to include information on the sex trafficking of children and adults; adopt and dedicate resources to a national plan of action to combat trafficking; and accede to the 2000 UN TIP Protocol.

Prosecution

The government made no discernible progress in enforcing laws against human trafficking during the reporting period. Article 248 of Yemen's penal code prescribes up to 10 years' imprisonment for any person who "buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." Although this statute's prescribed penalty is commensurate with that prescribed for other serious crimes, such as rape, its narrow focus on transactions and movement means that many forms of forced labor and forced prostitution are not criminalized. Article 161 of the Child Rights Law specifically criminalizes the prostitution of children. Although the government reported that it convicted and sentenced 17 trafficking offenders in 2012, the details of these cases were unknown. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses despite allegations that local government and security officials willfully ignored trafficking crimes taking place in their areas of responsibility. The government made no known efforts to investigate or punish the practice of chattel slavery. The Ministry of Interior operated family protection units that could be used to investigate trafficking offenses; however, none of the unit's personnel received specialized anti-trafficking training.

Protection

The government's efforts to protect victims were negligible during the reporting period. The government continued to lack formal victim identification procedures to proactively identify and assist victims of trafficking among vulnerable groups, such as women arrested for prostitution or individuals detained for illegal immigration. As a result, the government did not ensure that victims of trafficking were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed

as a direct result of being trafficked. Though an international organization identified over 2,000 trafficking victims in 2012, the government did not report how many trafficking victims it identified—if any—in this reporting period. The government did not operate shelters for trafficking victims, nor did it provide protective services to adult victims of either forced prostitution or forced labor. The government operated two juvenile detention centers in Sanaa and Haradh, which were not dedicated to providing adequate protective services to child trafficking victims. The government did not encourage victims to assist in investigations or prosecutions of their traffickers. The government did not provide assistance to its nationals who were repatriated as victims of trafficking. While the government acknowledged the use of child soldiers, it was unclear how the government made efforts to remove child soldiers from the military and provide them with protective or rehabilitation services.

Prevention

The government made no efforts generally to prevent trafficking during the reporting period; however, it took some steps to address the recruitment of children in the armed forces. The government did not fund anti-trafficking public awareness or education campaigns, and it made no progress implementing its 2008 national action plan on trafficking. It was not clear whether the government's inter-ministerial anti-trafficking committee met during the year. Moreover, the government did not take any measures to reduce the demand for commercial sex acts or address the problem of child sex tourism. The government did not report efforts to enforce its 2009 decree aimed at preventing trafficking through "temporary marriages." The government did not develop a universal birth registration system and many children, especially in rural areas, were never registered or registered only after several years, depriving them of a key identity document and consequently increasing their vulnerability to trafficking.

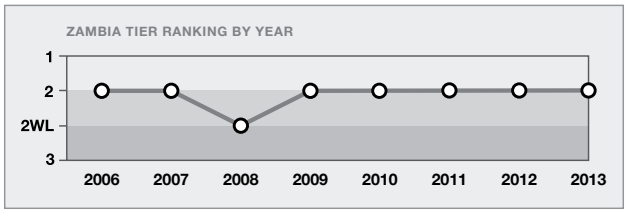
The government made efforts to eliminate the recruitment and use of child soldiers in the military as part of the government's broader measures to reform and restructure the military and security forces. In November 2012, the senior military command issued new orders to strictly enforce its policy against the recruitment of children into the armed forces; it also publicized this policy at military installations and in major cities. The government also created an inter-ministerial taskforce to address the issue of child soldiers. The peacekeeping unit in the Yemeni armed forces received regular pre-deployment training on severe forms of human trafficking. Yemen is not a party to the 2000 UN TIP Protocol.

ZAMBIA (Tier 2)

Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurred within the country's borders and involved women and children from rural areas exploited in cities in domestic servitude or other types of forced labor in the agriculture, textile, mining, and construction sectors, as well as in small businesses such as bakeries. Zambian children may be forced by *jerabo* gangs, who work in the illegal mining sector, to load stolen copper ore onto trucks in the Copperbelt Province. Children are also recruited and transported from villages, brought to cities, and made to serve as guides for groups of blind beggars. While orphans and street children are the most vulnerable, children of affluent village families are also vulnerable to trafficking because sending children to the city for work is perceived to confer status. Zambian boys and girls are recruited into prostitution by women formerly engaged in prostitution. Zambian boys are taken to Zimbabwe for prostitution, and women and girls are exploited in forced prostitution by truck drivers in towns along the Zimbabwean border. Zambian victims of sex trafficking were identified in the United States and South Africa.

In 2012, Zambia continued to be a transit and destination country for many nationalities. Women and children from Malawi and Mozambique are forced into labor or prostitution after arriving in Zambia. Chinese, Indian, and Lebanese nationals are exploited in forced labor in textile factories and bakeries. Chinese and Indian men are recruited to work in Chinese-owned mines in Zambia's Copperbelt Province, where they are reportedly kept in conditions of forced labor by mining companies. In 2012, victims from China, Zimbabwe, the Democratic Republic of the Congo (DRC), Tanzania, Uganda, and South Africa were also identified in Zambia. The transnational labor trafficking of Indians and Bangladeshis through Zambia for use in construction in South Africa continued and was linked to criminal groups based there. Congolese and Somali nationals, including children, are also smuggled through Zambia; some may become victims of trafficking upon reaching South Africa.

The Government of Zambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government initiated prosecution of five suspected trafficking offenders and continued institutional training which reached 119 officials. It doubled its anti-trafficking budget to the equivalent of approximately $72,000, tripled the number of labor inspectors, revised police intake forms to include human trafficking, and convened a long-awaited national committee on human trafficking. The government completed shelter upgrades and provided counseling, paralegal assistance, and regularization of immigration status for victims. It developed a national referral mechanism, finalized guidelines for the protection of trafficking victims, and is piloting a counter-trafficking manual for prosecutors which should be in effect this year. In addition, the government reported its conviction of an offender in a potential trafficking case. Although the Zambian government revoked the licenses and took control of a Chinese-owned mine for violations of safety and other statutory regulations, it failed to criminally investigate or prosecute companies responsible for forced labor in the mining and agricultural sectors. The failure to seriously address internal trafficking—including forced labor in the mining and agricultural sectors, child prostitution, and domestic servitude—stymied anti-trafficking progress in the country.



Recommendations for Zambia: Implement the 2008 anti-trafficking act by ensuring the use of a broad definition of

human trafficking that does not rely on evidence of movement but rather focuses on exploitation, consistent with the 2000 UN TIP Protocol; amend the trafficking law so that force, fraud, or coercion are not required for cases involving children under the age of 18 to be considered sex trafficking crimes; investigate and prosecute internal trafficking cases, including forced child labor and forced labor in the mining and agricultural sectors; continue to train police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes; differentiate the process of victim identification from the prosecution of cases, delinking the identification and protection of trafficking victims from the successful prosecution of a trafficker; develop bilateral cooperation agreements with additional governments in the region, including the DRC and South Africa; formalize and implement victim identification and referral procedures; screen children accused of crimes for evidence of coercion by traffickers; continue to improve government services for trafficking victims through the establishment of additional shelters; begin use of the new database to compile information on human trafficking cases and trends for use by all stakeholders; and continue to conduct public awareness campaigns.

Prosecution

The Government of Zambia maintained anti-trafficking law enforcement efforts, initiating five prosecutions during the reporting period and obtaining one conviction of a trafficking offender. Although the anti-trafficking act of 2008 criminalizes some forms of human trafficking, it requires the use of threat, force, intimidation, or other forms of coercion for a child to be considered a sex trafficking victim. The act prescribes penalties ranging from 20 years' to life imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated approximately 14 potential trafficking cases and initiated the prosecution of five trafficking suspects; four of these prosecutions remained ongoing at the close of the reporting period. The status of three cases pending at the close of the previous reporting period was unknown. In August 2012, the government sentenced a convicted offender under the anti-trafficking act to 25 years' imprisonment for her role in transporting a child to the DRC for the purposes of exploitation. In September 2012, the Lusaka Magistrate's Court began hearing a potential trafficking case involving a Turkish man charged with aiding the commission of a trafficking crime; the suspect promised five Syrian men employment in the Netherlands but instead brought them to Zambia and, at times, withheld their passports. Two additional cases under prosecution involved women and girls from neighboring countries brought to Zambia for domestic servitude and sexual exploitation, with the remaining two prosecutions involving Zambian children intercepted *en route* to South Africa or Europe for similar purposes.

The government failed to dedicate adequate attention to internal trafficking cases, including Zambian children in prostitution and domestic servitude, as well as forced labor in the mining and agricultural sectors. As in 2011, the government investigated only one potential case of internal trafficking in 2012, in which authorities arrested *jerabo* miners for forcing children with threats of beatings or death to load trucks with copper ore from an illegal mining site. Following a police investigation, authorities concluded that the teenage children who were the subject of the investigation were not trafficking victims but instead were likely complicit in illegal mining activities. However, criminal investigations of children for either labor offenses or cases in which victims were not moved across borders were rare; the Ministry of Labor and Social Security (MLSS) Child Labor Unit cited mediation with parents as the usual process for handling child labor cases. Despite revoking the licenses of a Chinese-owned mine for safety and other violations, the government failed to criminally investigate or prosecute companies responsible for labor trafficking in the mining and agricultural sectors.

With the assistance of a donor-funded program, the government completed development of a database to track trafficking case data in July 2012; in order to facilitate the accurate collection of such data, Zambian police intake forms were revised for the first time since 1972 to include human trafficking and gender-based violence and were distributed to all police stations in Zambia. Specific anti-trafficking training is included in all law enforcement courses at the police training academy covering the 2008 anti-trafficking act, investigation techniques, identification of victims, and protection of victims and witnesses; during the year, new immigration officials attended this training for the first time. Building on a foreign donor-funded training-of-trainers program, Zambian officials led trainings for 109 law enforcement officers. The government increased its partnerships in the region, concluding an anti-trafficking memorandum of understanding (MOU) with Zimbabwe and Botswana, and anticipated signing MOUs with the DRC, Malawi, and Mozambique in 2013. In 2012 the government doubled its anti-trafficking budget to the equivalent of approximately $72,000, which included allocation of trafficking-specific funding to the Zambia Police Service's Victims Support Unit (VSU) for training and raising awareness.

Protection

The government increased its capacity to provide victim protection during the reporting period through the completion of upgrades to one shelter and the development of guidelines for victim protection. It continued, however, to rely on international organizations and local NGOs to provide the majority of victim care, without affording any direct financial assistance to such entities. During the year, officials identified at least 32 potential victims. IOM assisted 11 victims, the majority of whom were referred by officials; government officials provided routine assistance in these cases, including counseling, court preparation, or regularization of immigration status for victims. For example, the Ministry of Community Development, Mother and Child Health (MCDMCH) provided counseling to eight victims and drew on existing social assistance programs to assist four children. Officials encouraged victims to assist in the investigation and prosecution of traffickers; during the year, the government, through its VSU, provided paralegal assistance to at least six. The government provided some direct services, including medical care and counseling, to an unknown number of trafficking victims through both the government-run university teaching hospital in Lusaka and NGO-run community response centers, which were staffed by VSU officials. The government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution; during the year, Zambia immigration authorities issued renewable temporary residency permits to at least two victims. The government partnered with IOM to repatriate three victims; Zambia immigration provided exit

permits and social welfare staff in coordination with officials in countries of origin to ensure continued protection for such victims.

The government continued to increase the availability of shelter options for victims by completing repairs to a shelter in Luapula Province, operated by the MCDMCH, which now has the capacity to provide counseling and rehabilitative services to 40 victims at a time. The government provided land, infrastructure, and staff to the center, while the UN Joint Program on Human Trafficking (UNJPHT) supported the renovation of buildings. While the shelter staff is currently in place, unanticipated infrastructure issues have delayed the opening of the shelter to victims. NGO shelters currently do not provide accommodation for male victims over the age of 14; they are accommodated only on an *ad hoc* basis and are sometimes jailed alongside their traffickers for months at a time. Nonetheless, during the year, a joint MCDMCH-NGO shelter acquired land rights for the construction of a third shelter that will accommodate male victims.

Following consultation with 60 stakeholders the government, in partnership with the UNJPHT, launched the Minimum Standard Guidelines on Protection of Victims of Trafficking in October 2012; the guidelines establish the minimum care provisions to be provided to victims in line with the anti-trafficking act. The government distributed the manual in all provinces by early 2013 and trained 148 service providers, including social welfare and immigration officials, on its provisions. In 2012, the government also finalized its national referral mechanism. The implementation of the formal procedures for victim identification, however, remains lacking. With inadequate shelter space, the government may have arrested, jailed, and penalized victims for unlawful acts committed as a direct result of being trafficked, including children accused of crimes.

Prevention

The Zambian government maintained its strong efforts to prevent trafficking during the reporting period. It continued implementation of its 2012-2015 national action plan to combat trafficking, which was finalized in March 2012. The government's efforts are coordinated through the national secretariat, which met weekly in 2012, and the national committee, a higher-level policy-making body; in March 2013, the deputy minister of home affairs inaugurated the national committee, whose formation was mandated by the 2008 anti-trafficking act. In August 2012, the government co-hosted with UNJPHT its third annual national symposium, which was attended by over 100 representatives from government and civil society. Also through the UNJPHT, the government continued strong partnerships with IOM, the ILO, and UNICEF, which enabled the launch of targeted prevention activities during the year, including the "Break the Chain of Human Trafficking" campaign that brought trafficking awareness to urban centers and rural areas.

During the year, MLSS increased it number of labor officers from 13 to 48 but did not provide them with training on trafficking. MLSS failed to develop a systematic means to monitor and investigate agencies allegedly responsible for fraudulent recruitment. MLSS-sponsored district-level labor networks—comprised of labor, immigration, police, and social welfare officers—conducted awareness campaigns, tracked information on cases of labor trafficking, and referred victims to services. In February 2013, the government revoked the mining licenses and seized control of a Chinese-owned mine after several years of safety concerns, accidents, and assaults on workers by management. However, large companies and foreign governments reportedly exerted influence over Zambian officials when labor exploitation was alleged. In September 2012, two Chinese labor trafficking victims working at a Chinese-owned agricultural firm reported exploitation, including nonpayment of wages, passport confiscation, and confinement, to a labor officer; although the deputy ministers of labor and social security and foreign affairs advocated for the payment of salary in arrears and return of immigration documentation, the government failed to criminally investigate or prosecute the alleged perpetrators. The workers were ultimately fired and returned to China.

The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. In 2012, the government failed to provide anti-trafficking training to Zambian troops prior to their deployment abroad on international peacekeeping missions.

ZIMBABWE (Tier 3)

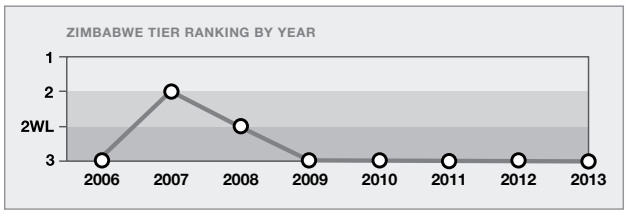
Zimbabwe is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to prostitution in brothels that cater to long-distance truck drivers on both sides of the borders. The number of prostitution rings in Zimbabwe continued to rise, with many young women and girls sold into prostitution by their parents. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and towns. Family members recruit children and other relatives to travel from rural areas to cities, where they are subjected to domestic servitude or other forms of forced labor after arrival; some children, particularly orphans, are lured with promises of education or adoption. Children are forced to labor in the agricultural and mining sectors, or to carry out illegal activities, including drug smuggling. Additionally, the practice of *ngozi*, or giving of a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking. The individuals given to the wronged family, often girls, are sometimes forced to labor or to marry a member of the new family.

Zimbabwean men, women, and children migrate illegally to South Africa, where some are forced to labor for months on farms, construction sites, or in mines without pay before their employers report them to authorities for deportation. Reports indicate employers use the pretense of regularizing the workers' immigration status to withhold passports. Many Zimbabwean women and some children willingly migrate to South Africa, often with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby. Some of the migrants are then transferred to criminal gangs that subject them to violent attacks, rape, deception, and, in some cases, forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Zimbabwean women and men are lured into exploitative labor situations in Angola, Botswana, Mozambique, the United Arab Emirates, Malaysia, Nigeria, and South Africa with false offers of employment in agriculture, construction, information

technology, and hospitality; some subsequently become victims of forced labor or forced prostitution. Women and girls are also lured to China, Egypt, the United Kingdom, and Canada under false pretenses, where they are subjected to forced prostitution.

Men, women, and children from Bangladesh, Somalia, India, Pakistan, the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia are transported through Zimbabwe *en route* to South Africa; some of these migrants are trafficking victims. Women and children from border communities in neighboring countries are trafficked to Zimbabwe for forced labor, including domestic servitude, and prostitution. Zambian boys are subjected to prostitution in Zimbabwe. South Asians are victims of forced labor in Zimbabwe and South Africa, following fraudulent recruitment as part of mining investment schemes, through which they become indebted to a trafficking ring. Chinese nationals reportedly are forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although senior government officials continued to voice interest in trafficking issues, including the deputy prime minister who launched a national awareness campaign on trafficking in November 2012, tangible efforts to investigate and prosecute trafficking offenses, including those allegedly involving government officials, and to protect victims remained minimal. The Ministry of Home Affairs (MHA) advocated for the ratification of the 2000 UN TIP Protocol and convened stakeholders to develop an updated version of draft anti-trafficking legislation and began inter-ministerial coordination. Law enforcement training and victim identification and protection efforts were conducted by an international organization.



Recommendations for Zimbabwe: Finalize and pass draft anti-trafficking legislation consistent with the 2000 UN TIP Protocol; investigate and prosecute trafficking offenses; convict and punish trafficking offenders using existing legislation; formalize procedures for identifying victims and transferring them to the care of appropriate governmental or non-governmental service providers; train officials on victim identification and referral procedures, as well as relevant legislation; provide financial or in-kind support to NGOs and international organizations offering victim services; incorporate trafficking crimes into police procedures for recording and reporting crime data; continue the broad awareness-raising campaign on the nature of trafficking and the availability of assistance for victims; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Zimbabwe made minimal anti-trafficking law enforcement efforts during the year. It did not investigate or prosecute trafficking offenses, and neither finalized nor introduced a comprehensive anti-trafficking bill to the cabinet. Zimbabwean law does not prohibit all forms of trafficking in persons. The Labor Relations Amendment Act prohibits forced labor and prescribes punishments of up to two years' imprisonment; these penalties are not sufficiently stringent. The Criminal Law (Codification and Reform) Act prohibits procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe, but prescribes less than stringent penalties of up to two years' imprisonment. The Act also prohibits coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years' imprisonment. Pledging a female for forced marriage or to compensate for the death of a relative or any debt or obligation is punishable under the Act, with penalties of up to two years' imprisonment. None of these penalties, however, are commensurate with penalties prescribed for other serious crimes, such as rape. The MHA made efforts to engage various government stakeholders in developing an updated draft anti-trafficking bill.

The government failed to vigorously investigate and prosecute trafficking offenses during the reporting period, but did undertake some law enforcement efforts in potential trafficking cases. For example, officials in Beitbridge reported several convictions of mini-bus drivers involved in the illegal transport of children across the border into South Africa, and increased border patrols for criminal gangs, some of which are responsible for transporting persons to South Africa for the purpose of sex trafficking. In one case, the government convicted and fined a man on migration charges for his transport of 19 potential trafficking victims into South Africa. It is unclear whether these children were intended for exploitation upon arrival there. The Zimbabwe Republic Police's ZRP Victim Friendly Unit has responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU did not report investigating any trafficking cases or identifying trafficking victims during the year. In May 2012, the Ministry of Labor and Social Security established a taskforce to investigate Chinese construction companies suspected of abusive employment practices—possibly including forced labor—and to ensure overall compliance with Zimbabwean labor law; however, the government did not report its investigation or prosecution of labor trafficking offenses in 2012. In addition, several Zimbabwean security sector officials served on the managing board of a Chinese-owned company accused of using physical and sexual abuse and other forms of coercion—factors indicative of forced labor—against its workers. At times, police and military officials, part of the company management, instructed the police not to respond to abuse cases. In July 2012, the company fired 1,500 striking workers; 1,000 of those workers filed a lawsuit alleging labor and human rights violations, but lost the case in what may have been a politically motivated decision. Overall corruption in law enforcement and the judiciary remained a serious and unaddressed problem. Victims reportedly refused to report or pursue cases of trafficking out of fear that their traffickers could bribe police or judges. There was anecdotal evidence of limited government involvement in, and tolerance of, trafficking on a local level and at border crossing points. The government did not provide funding or in-kind support for anti-trafficking trainings held by international donors and made minimal efforts to

train independently its staff. The government supported an IOM-sponsored trip for parliamentarians to Zambia to study its anti-trafficking efforts and successes, to help prepare Zimbabwe for similar legislative efforts.

Protection

The Zimbabwean government made minimal efforts to protect trafficking victims during the year, continuing to rely on NGOs and IOM to identify and assist victims without support for such work. In 2012, IOM and NGOs identified and assisted trafficking victims, providing them initial shelter and resources as well as counseling about options for further assistance. Government-run shelters and programs were in place to offer counseling and long-term shelter to vulnerable and orphaned children, including child trafficking victims. The government reported its provision of shelter to four child trafficking victims in 2012. At its centers at Beitbridge and Plumtree border crossings, trained Department of Social Services (DSS) staff worked closely with IOM and NGOs to ensure the protection of vulnerable children. Immigration officers reportedly referred 19 potential child trafficking victims—intercepted by South African authorities after crossing the border at Beitbridge—to DSS staff, who assisted the children in returning to their families. However, it is unknown whether the government referred these or other potential victims for additional care and longer-term assistance. The Department of Immigration continued to encourage deportees from South Africa and Botswana to attend an IOM briefing on safe migration, which includes a discussion of trafficking. With the exception of deportees from South Africa and Botswana, the government's law enforcement, immigration, and social services authorities did not have formal procedures with which to proactively identify victims of trafficking among vulnerable populations, such as women in prostitution and irregular migrants. As a result, potential adult trafficking victims were often briefly detained and deported. For instance, in August 2012, following its failure to screen for trafficking victimization, the government sentenced 16 Bangladeshi nationals to 30 days' imprisonment, in advance of their deportation, for entering Zimbabwe with forged documents.

Prevention

The government modestly increased its efforts to prevent trafficking during the reporting period. In March 2013, the Permanent Secretary of the MHA, in partnership with UNODC, organized a workshop to increase the understanding of trafficking and coordination among the inter-ministerial working group, established in March 2013. In November 2012, the deputy prime minister launched an anti-trafficking awareness campaign in cooperation with IOM, through a donor-funded project; attended by the deputy minister of justice, the minister of labor and social services, immigration and police officers, NGOs, and international organizations, the launch event allowed officials and NGO-stakeholders to jointly discuss the trafficking problem affecting Zimbabwe and served to raise awareness among Zimbabweans. The government did not provide information on any efforts it may have made to ensure that its military personnel deployed abroad on international peacekeeping missions did not facilitate or engage in human trafficking. It did not make efforts to reduce the demand for commercial sex acts. Zimbabwe is not a party to the 2000 UN TIP Protocol.

SOMALIA (Special Case)

Somalia remains a Special Case for the eleventh consecutive year. During the reporting period, the Transitional Federal Government (TFG) and its successor as of August 2012, the Federal Government of Somalia, controlled Somalia's capital city Mogadishu, but had limited influence outside of Mogadishu. The self-declared independent Republic of Somaliland and Puntland State were in control of security and law enforcement in their respective regions. The new Somali federal government focused on capacity-building and securing Mogadishu and government facilities from attacks by the terrorist organization al-Shabaab. The government has minimal capacity to investigate and prosecute most crime, including human trafficking. Justice was primarily provided through military courts. Civilian courts were limited in number and capacity but functioned during the year. The respective authorities operating in Somalia's three regions struggled to address human trafficking, demonstrating weak efforts in prosecution, protection, and prevention in all regions.

Scope and Magnitude: Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Victims are primarily trafficked within the country from Somalia's southern and central regions to the regions of Puntland and Somaliland in the north. In Somaliland, women act as recruiters and intermediaries to take victims to Puntland State, Djibouti, and Ethiopia for the purposes of domestic servitude or sex trafficking. Somali women and girls may be subjected to sex trafficking in Garowe, Las Anod (Sool region), and pirate towns such as Harardheere; girls are reportedly taken from coastal regions, particularly Bossaso, and placed in pirates' homes to be exploited in domestic and sexual servitude. Pirates also use children aged 15 to 17 to carry out their illegal activities. However, pirate groups continued to decline in numbers and influence in 2012 as international efforts to combat piracy gained steam, reducing the number of successful attacks. In Somali society, certain groups are traditionally viewed as inferior and are marginalized; Somali Bantus and Midgaan are sometimes kept in servitude by more powerful Somali clan members as domestic workers, farm laborers, and herders. Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. Most child laborers work within their own households or family businesses. Somalia remains a predominantly pastoral and nomadic society, with low rates of education. Children may be forced into labor in agriculture, herding livestock, crushing stones, or in the construction industry.

"Gatekeepers" in control of some internally displaced persons (IDP) camps reportedly forced girls and women to provide sex acts in exchange for food and services available within the camps. At times, they charge rent or fees for otherwise free basic services and sell the area they control within a camp to other "gatekeepers," establishing a cycle of debt for IDPs that makes them vulnerable to inherited bondage. Additionally, displaced persons in camps or congregated along coastal areas hoping to be smuggled to nearby African countries, Europe, or the Middle East remain particularly vulnerable to trafficking. There were reports of traffickers preying on young women and

children, mostly IDPs from southern and central Somalia, at marketplaces and in the streets, falsely promising them lucrative jobs outside Somalia.

Given Somalia's long coastline, reports of human smuggling are geographically widespread in Somalia, and evidence suggests that traffickers use the same networks and methods as those used by smugglers. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf states for employment. Somali women are smuggled, sometimes via Djibouti, to destinations in the Middle East, including Yemen and Syria, as well as to Sudan, Kenya, and South Africa, where they are frequently subjected to conditions of domestic servitude or forced prostitution. There are reports of forced labor or sexual exploitation of Somali children fleeing al-Shabaab and seeking refuge in Kenya; refugee children among the populations of Kenya-based Dadaab and Kakuma refugee camps may also encounter exploitation in prostitution and forced labor. Trucks used to transport goods from Kenya to Somalia return to Kenya with young girls and women who are placed in brothels in Nairobi or Mombasa, or are sent to destinations outside Kenya. Somali traffickers known as *makhalis* control the networks, but truck drivers also exploit these girls in prostitution. Somali men are subjected to conditions of forced labor as herdsmen and menial workers in the Gulf states, while children are reportedly smuggled to Saudi Arabia through Yemen and then placed into forced begging. Members of the Somali diaspora use fake offers of marriage to lure unsuspecting victims, many of whom are relatives, to Europe or the United States where they are forced into prostitution and domestic servitude. During the year, Somali sex trafficking and forced labor victims were identified in the United States; in one case, Somali nationals belonging to criminal gangs operating in the United States were convicted of trafficking by the U.S. government in 2012.

The estimated 20,000 undocumented Ethiopians in northern Somalia are vulnerable to trafficking as they seek out employment in Puntland and Somaliland to complete their journey to the Middle East, where they also are vulnerable to exploitation upon arrival. Ethiopian women are smuggled through Somalia to Yemen and onward to other destinations in the Middle East where they are subsequently forced into domestic servitude and prostitution. Ethiopian children travel to Somaliland seeking employment but may end up in forced begging or vulnerable to other forms of forced labor.

Child Soldiers: During the year, the Somalia National Army (SNA), anti-Shabaab militia, and African Union Mission in Somalia (AMISOM) forces continued their offensive against al-Shabaab. The UN reported identifying children associated with Somali National Armed Forces. It also reported that the Ahlu Sunnah Wal Jama'a (ASWJ) militia recruited children. Children were also used by Somalia's numerous clan and other militias. Screenings by international actors after transport to basic training in Uganda identified 15 individuals out of 581 new recruits in 2012 as too immature for training. Most Somalis lack birth certificates, and without an established birth registration system it remains difficult to determine the exact age of persons associated with armed groups.

During the reporting period, al-Shabaab sustained losses in numbers and financing, leading Shabaab leaders to rely more heavily on the systematic use of child soldiers as support staff and often as soldiers in the front lines. Throughout the areas under its control, al-Shabaab frequently recruited children as young as eight years old for use by its militias through abduction or deception. It continued forced recruitment at both Koranic schools and other educational facilities, and punished teachers and parents who refused to send their children to its training camps. In August 2012, for instance, one girl and eight boys were taken from a Koranic school in Celbande District (Bakol region). In the El Bur, Galgadud region, press reporting indicated that al-Shabaab forcibly recruited over 100 children in response to an Ethiopian offensive. Recruitment also took place in IDP and Kenya-based refugee camps. Al-Shabaab continued to use children for direct participation in hostilities and other support functions in southern and central Somalia, including for planting roadside bombs and other explosive devices, carrying out assassinations, providing intelligence, portering, working in domestic service, and serving as human shields during incursions. The UN reported al-Shabaab's recruitment of over 542 boys and girls in March and April 2012, including through abduction; such activities continued throughout the year. Al-Shabaab also forcibly recruited young girls who were then "married" to its militia leaders and used for sexual servitude, logistical support, and intelligence gathering. In an April 2012 al-Shabaab attack on the Somali National Theater, a girl was used as a suicide bomber.

Government Efforts: Somaliland and Puntland authorities made efforts during the reporting period to combat trafficking. However, due to capacity constraints and the ongoing campaign to degrade al-Shabaab and secure Mogadishu, the Federal Government of Somalia lacked the resources and will to prosecute trafficking offenses, protect victims, or prevent the crime during the reporting period. Authorities within the three regions did not prosecute or convict any trafficking offenders. The pre-1991 penal code (applicable at the federal and regional levels) outlaws forced labor and other forms of trafficking of persons in servitude, but does not specifically prohibit sex trafficking. Article 455 prohibits and penalizes slavery, prescribing penalties of five to 20 years' imprisonment. Article 464 prohibits forced labor, prescribing penalties of six months' to five years' imprisonment. Article 457 prohibits the transferring, disposing, taking possession, or holding of a person, and prescribes penalties of three to 12 years' imprisonment. All such penalties are sufficiently stringent. Article 408(1) prohibits compelled prostitution of a person through violence or threats, prescribing penalties of two to six years' imprisonment, which are sufficiently stringent but not commensurate with those prescribed for other grave crimes, such as rape. In August 2012, a national constituent assembly adopted a constitution, which remains provisional until a national referendum is held. Its Article 14 prohibits slavery, servitude, trafficking, and forced labor, and Article 29(6) prohibits the use of children in armed conflict. The federal government lacks the police force and judicial system necessary to enforce effectively the provisions set out in its laws, but has modestly increased its capacity in recent months. In 2011, the TFG established a focal point for human rights to oversee efforts to address child soldiers and child labor; however, the succeeding permanent federal government stated its intent to establish a human rights commission and did not retain this specific position. Neither the TFG nor its successor government investigated or prosecuted trafficking crimes during the reporting period.

The Puntland State administration and Somaliland have functioning legal systems and some law enforcement capacity. In Puntland, the Ministry of Women Development and Family Affairs oversaw anti-trafficking efforts, and the police force

in Garowe had an anti-trafficking unit, though it lacked proper training. During the year, officials in Somaliland and Puntland intercepted potential trafficking cases, although limited information exists regarding these crimes or the status of specific cases. In November 2012, Puntland police intercepted a van carrying 10 girls in Garowe and arrested the suspected traffickers, who were later released on the grounds of it being considered a smuggling case. In December 2010, the Puntland Parliament enacted provisions under Islamic law prohibiting the death of smuggled or trafficked persons, prescribing sufficiently stringent penalties of between one and five years' imprisonment.

Local laws in Somaliland prohibit forced labor, involuntary servitude, and slavery. The Ministry of Labor and Social Affairs in Somaliland operated a specialized unit to respond to suspected trafficking cases, and police and immigration officers played an active role in anti-trafficking efforts. In June 2012, Somaliland immigration officials intercepted two men at Berbera Airport attempting to smuggle 12 girls aged 12 to 15 to Saudi Arabia via Djibouti and Yemen; it is unclear whether this case was investigated or prosecuted. In April 2012, Somaliland officials intercepted nine children at Berbera port, where they had arrived after being transported by ship from Yemen. While a Berbera court initiated prosecution of the two Ethiopians transporting the children, it did not investigate whether the children had been subjected to conditions of trafficking by these individuals.

No governmental entity provided protective services to victims of trafficking, although IOM and local organizations provided reintegration services to rescued trafficking victims in Puntland and Somaliland. There was an IOM facility in Puntland dedicated to trafficking victims and accessible to male and female Somali and foreign victims. These organizations also placed child victims with families for care. Neither the TFG, its successor government, nor the Somaliland administration provided financial or in-kind assistance to organizations assisting victims. The Ministry of Security in Puntland provided the equivalent of approximately $700 to a temporary shelter for the care of 10 potential trafficking victims after their interception by police in Garowe in November 2012; however, they were housed alongside their suspected traffickers at the center due to a lack of other adequate space. No governmental entity utilized formal procedures for the proactive identification of victims; however, in the previous reporting period, officials from Puntland and Somaliland formalized a referral process to guide officials in transferring trafficking victims detained, arrested, or placed in protective custody to NGOs that provided care. During the year, Puntland police referred 15 potential trafficking victims to IOM for care. Somaliland immigration authorities transferred the 12 rescued girls to the IOM-run and donor-supported Migration Response Center in Hargeisa before officials organized their transport back to Mogadishu. After intercepting nine children at Berbera port in June 2012, Somaliland officials placed them in jail alongside their alleged traffickers; IOM later secured their release and transferred them to the Hargeisa Orphanage Center. Despite their efforts in these potential cases, Somaliland officials were overwhelmed with humanitarian cases and illegal immigration from Ethiopia, which often hindered identification and protection of potential trafficking victims. In addition, it is unclear whether children involved in prostitution or used in the commission of crimes across Somali territory would be protected from charges of crime under Somali law, although no such cases have been reported to date.

Information on the Federal Government of Somalia's efforts to protect trafficking victims was limited; however, the Somali National Armed Forces reportedly arrested and detained children associated with al-Shabaab. During 2012, in conjunction with the UN, the Somali government began preparations for a comprehensive disengaged combatant program focused on former al-Shabaab members that includes a child soldier component overseen by UNICEF. The successor government has indicated that protection of child soldiers remains part of its national security vision. A donor-funded, NGO-operated camp in Mogadishu held some defectors from rebel groups, including families with children. There were no known foreign trafficking victims or legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution.

Authorities across Somalia made minimal efforts to prevent trafficking during the year. In February 2013, Puntland authorities partnered with IOM to develop an anti-trafficking action plan, though they did not undertake awareness-raising activities. In Somaliland, the Ministry of Labor and Social Affairs conducted awareness campaigns. In July 2012, the TFG signed a UN-sponsored action plan to address the recruitment and use of child soldiers. Implementation of this plan was limited. In October, the joint technical committee responsible for facilitating implementation of the action plan was established, though it did not advance significant action. The Somali National Security Forces (SNSF) failed to create child protection units, as called for in the action plan, due to lack of funding. SNSF officials and African Union doctors continued to use medical checks and interviews to screen for underage candidates during recruitment, though it continued to prove difficult to verify the age of some candidates lacking a birth certificate or other documentation. The Federal Government of Somalia, in partnership with UN agencies and AMISOM, began to develop a comprehensive strategy for the screening, rehabilitation, and reintegration of Shabaab defectors, including child soldiers. A team comprised of senior SNA generals, international military advisors, and a technical monitor vetted all ASWJ/Gedo forces for the presence of children as they integrated into the SNSF during 2012. In 2012, no funding was provided to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. Somalia is not a party to the 2000 UN TIP Protocol.



RELEVANT INTERNATIONAL CONVENTIONS

Country	UN Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Ratification	Ratification
Afghanistan			X		X(a)		X(a)		X
Albania	X	X	X		X(a)		X(a)	X	X
Algeria	X	X	X		X(a)		X(a)	X	X
Angola			X		X(a)		X(a)	X	X
Antigua & Barbuda		X	X	X	X			X	X
Argentina	X	X	X	X	X	X	X	X	X
Armenia	X	X	X	X	X	X	X	X	X
Australia	X	X	X	X	X	X	X	X	X
Austria	X	X	X	X	X	X	X	X	X
Azerbaijan	X	X	X	X	X	X	X	X	X
Bahamas	X	X	X					X	X
Bahrain		X(a)	X		X(a)		X(a)	X	X
Bangladesh			X	X	X	X	X	X	X
Barbados	X		X					X	X
Belarus	X	X	X		X(a)		X(a)	X	X
Belgium	X	X	X	X	X	X	X	X	X
Belize		X(a)	X	X	X	X	X	X	X
Benin	X	X	X	X	X	X	X	X	X
Bhutan				X	X	X	X		
Bolivia	X	X	X	X	X		X(a)	X	X
Bosnia & Herzegovina	X	X	X	X	X	X	X	X	X
Botswana	X	X	X		X(a)	X	X	X	X
Brazil	X	X	X	X	X	X	X	X	X
Brunei			X		X(a)				
Bulgaria	X	X	X	X	X	X	X	X	X
Burkino Faso	X	X	X	X	X	X	X	X	X
Burma		X(a)			X(a)			X	
Burundi	X	X	X		X(a)	X	X	X	X
Cambodia	X	X	X	X	X	X	X	X	X
Cameroon	X	X	X	X		X	X	X	X
Canada	X	X	X	X	X	X	X	X	X
Cape Verde	X	X	X		X(a)		X(a)	X	X
Central African Rep.		X(a)	X	X	X	X		X	X
Chad		X(a)	X	X	X	X	X	X	X
Chile	X	X	X	X	X	X	X	X	X
China (PRC)		X(a)	X	X	X	X	X		
Colombia	X	X	X	X	X	X	X	X	X

Country	UN Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Ratification	Ratification
Comoros			X		X(a)			X	X
Congo, Rep. of	X		X		X(a)		X(a)	X	X
Congo (DRC)		X(a)	X		X(a)	X	X	X	X
Costa Rica	X	X	X	X	X	X	X	X	X
Cote d'Ivoire		X(a)	X		X(a)		X(a)	X	X
Croatia	X	X	X	X	X	X	X	X	X
Cuba		X(a)		X	X	X	X	X	X
Cyprus	X	X	X	X	X	X	X	X	X
Czech Republic	X		X	X		X	X	X	X
Denmark	X	X	X	X	X	X	X	X	X
Djibouti		X(a)	X	X	X	X	X	X	X
Dominican Republic	X	X	X		X(a)	X		X	X
Ecuador	X	X	X	X	X	X	X	X	X
Egypt	X	X	X		X(a)		X(a)	X	X
El Salvador	X	X	X	X	X	X	X	X	X
Equatorial Guinea	X	X	X		X(a)			X	X
Eritrea					X(a)		X(a)	X	X
Estonia	X	X	X	X	X	X		X	X
Ethiopia		X(a)	X			X		X	X
Fiji			X	X		X		X	X
Finland	X	X(A)	X	X	X	X	X	X	X
France	X	X	X	X	X	X	X	X	X
Gabon		X(a)	X	X	X	X	X	X	X
Gambia, The	X	X	X	X	X	X		X	X
Georgia	X	X	X		X(a)		X(a)	X	X
Germany	X	X	X	X	X	X	X	X	X
Ghana		X(a)	X	X		X		X	X
Greece	X	X	X	X	X	X	X	X	X
Guatemala		X(a)	X	X	X	X	X	X	X
Guinea		X(a)	X		X(a)			X	X
Guinea-Bissau	X	X	X	X	X	X		X	X
Guyana		X(a)	X		X(a)		X(a)	X	X
Haiti	X	X	X	X		X		X	X
Honduras		X(a)	X		X(a)		X(a)	X	X
Hungary	X	X	X	X	X	X	X	X	X
Iceland	X	X	X	X	X	X	X	X	X
India	X	X		X	X	X	X	X	X

Country	UN Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Ratification	Ratification
Indonesia	X	X	X	X	X	X	X	X	X
Iran			X		X(a)	X		X	X
Iraq		X(a)	X		X(a)		X(a)	X	X
Ireland	X	X	X	X		X	X	X	X
Israel	X	X	X	X	X	X	X	X	X
Italy	X	X	X	X	X	X	X	X	X
Jamaica	X	X	X	X	X	X	X	X	X
Japan	X		X	X	X	X	X	X	
Jordan		X(a)	X	X	X	X	X	X	X
Kazakhstan		X(a)	X	X	X	X	X	X	X
Kenya		X(a)	X	X		X	X	X	X
Kiribati		X(a)	X					X	X
Korea (DPRK)									
Korea, Rep. Of	X		X	X	X	X	X		
Kuwait		X(a)	X		X(a)		X(a)	X	X
Kyrgyz Republic	X	X	X		X(a)		X(a)	X	X
Laos		X(a)	X		X(a)		X(a)	X	
Latvia	X	X	X	X	X	X	X	X	X
Lebanon	X	X	X	X	X	X		X	X
Lesotho	X	X	X	X	X	X	X	X	X
Liberia		X(a)	X	X		X		X	X
Libya	X	X	X		X(a)		X(a)	X	X
Lithuania	X	X	X		X(a)	X	X	X	X
Luxembourg	X	X	X	X	X	X	X	X	X
Macedonia	X	X	X	X	X	X	X	X	X
Madagascar	X	X	X	X	X	X	X	X	X
Malawi		X(a)	X	X	X	X	X	X	X
Malaysia		X(a)	X		X(a)		X(a)	X	
Maldives, The			X	X	X	X	X	X	X
Mali	X	X	X		X(a)	X	X	X	X
Malta	X	X	X	X	X(a)	X	X	X	X
Marshall Islands									
Mauritania		X(a)	X		X(a)			X	X
Mauritius		X(a)	X	X	X	X	X	X	X
Mexico	X	X	X	X	X	X	X	X	X
Micronesia (FSM)		X(a)		X	X	X			
Moldova	X	X	X	X	X	X	X	X	X

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	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Ratification	Ratification
Mongolia		X(a)	X	X	X	X	X	X	X
Montenegro		X(a)	X		X(a)		X(a)	X	X
Morocco		X(a)	X	X	X	X	X	X	X
Mozambique	X	X	X		X(a)		X(a)	X	X
Namibia	X	X	X	X	X	X	X	X	X
Nepal			X	X	X	X	X	X	X
Netherlands, The	X	X(A)	X	X	X	X	X	X	X
New Zealand	X	X	X	X	X	X	X	X	X
Nicaragua		X(a)	X		X(a)		X(a)	X	X
Niger	X	X	X	X	X		X(a)	X	X
Nigeria	X	X	X	X	X	X	X	X	X
Norway	X	X	X	X	X	X	X	X	X
Oman		X(a)	X		X(a)		X(a)	X	X
Pakistan			X	X	X	X		X	X
Palau									
Panama	X	X	X	X	X	X	X	X	X
Papua New Guinea			X					X	X
Paraguay	X	X	X	X	X	X	X	X	X
Peru	X	X	X	X	X	X	X	X	X
Philippines	X	X	X	X	X	X	X	X	X
Poland	X	X	X	X	X	X	X	X	X
Portugal	X	X	X	X	X	X	X	X	X
Qatar		X(a)	X		X(a)		X(a)	X	X
Romania	X	X	X	X	X	X	X	X	X
Russia	X	X	X	X		X	X	X	X
Rwanda	X	X	X		X(a)		X(a)	X	X
St. Lucia			X	X		X		X	X
St. Maarten								X	X
St. Vincent & the Gren.	X	X	X		X(a)		X(a)	X	X
Saudi Arabia	X	X	X		X(a)		X(a)	X	X
Senegal	X	X	X	X	X	X	X	X	X
Serbia	X	X	X	X	X	X	X	X	X
Seychelles	X	X	X	X	X	X	X	X	X
Sierra Leone	X		X	X	X	X	X	X	X
Singapore			X			X	X	X	
Slovak Republic	X	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X	X

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	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Ratification	Ratification
Solomon Islands			X	X		X		X	X
Somalia						X		X	X
South Africa	X	X	X		X(a)	X	X	X	X
South Sudan			X					X	X
Spain	X	X	X	X	X	X	X	X	X
Sri Lanka	X		X	X	X	X	X	X	X
Sudan			X		X(a)	X	X	X	X
Suriname		X(a)	X	X	X	X		X	X
Swaziland	X	X	X		X(a)		X(a)	X	X
Sweden	X	X	X	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X	X	X	X
Syria	X	X	X		X(a)		X(a)	X	X
Tajikistan		X(a)	X		X(a)		X(a)	X	X
Tanzania	X	X	X		X(a)		X(a)	X	X
Thailand	X		X		X(a)		X(a)	X	X
Timor-Leste		X(a)	X		X(a)		X(a)	X	
Togo	X	X	X	X	X	X	X	X	X
Tonga									
Trinidad & Tobago	X	X	X					X	X
Tunisia	X	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X	X	X
Turkmenistan		X(a)	X		X(a)		X(a)	X	X
Uganda	X		X		X(a)		X(a)	X	X
Ukraine	X	X	X	X	X	X	X	X	X
United Arab Emirates		X(a)	X					X	X
United Kingdom	X	X	X	X	X	X	X	X	X
United States	X	X	X	X	X	X	X		X
Uruguay	X	X	X	X	X	X	X	X	X
Uzbekistan	X	X	X		X(a)		X(a)	X	X
Venezuela	X	X	X	X	X	X	X	X	X
Vietnam		X(a)	X	X	X	X	X	X	
Yemen			X		X(a)		X(a)	X	X
Zambia		X(a)	X	X		X		X	X
Zimbabwe			X		X(a)			X	X

TRAFFICKING VICTIMS PROTECTION ACT: MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.

(A) Minimum standards

For purposes of this chapter, the minimum standards for the elimination of trafficking applicable to the government of a country of origin, transit, or destination for victims of severe forms of trafficking are the following:

(1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.

(2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.

(3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.

(4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

(B) Criteria

In determinations under subsection (a)(4) of this section, the following factors should be considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons:

(1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country, including, as appropriate, requiring incarceration of individuals convicted of such acts. For purposes of the preceding sentence, suspended or significantly reduced sentences for convictions of principal actors in cases of severe forms of trafficking in persons shall be considered, on a case-by-case basis, whether to be considered as an indicator of serious and sustained efforts to eliminate severe forms of trafficking in persons. After reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.

(2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked, including by providing training to law enforcement and immigration officials regarding the identification and treatment of trafficking victims using approaches that focus on the needs of the victims.

(3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons, measures to establish the identity of local populations, including birth registration, citizenship, and nationality, measures to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and measures to prevent the use of forced labor or child labor in violation of international standards.

(4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons.

(5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).

(6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation and prosecution of acts of such

trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.

(7) Whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate severe forms of trafficking in persons, including nationals of the country who are deployed abroad as part of a peacekeeping or other similar mission who engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and takes all appropriate measures against officials who condone such trafficking. After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.

(8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.

(9) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.

(10) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.

(11) Whether the government of the country has made serious and sustained efforts to reduce the demand for

(A) commercial sex acts; and

(B) participation in international sex tourism by nationals of the country.

Ethiopian migrants wait at a departure center in the western Yemeni town of Haradh, on the border with Saudi Arabia and Yemen, before being returned to their home countries. Many people from the Horn of Africa cross international borders as irregular migrants and embark from points in Djibouti and Somalia to cross the Gulf of Aden. Drawn by the promise of a better life in the Arabian Peninsula, some migrants end up becoming trafficking victims during their journeys.



STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS

In response to a Congressional mandate, this section summarizes actions taken by the United Nations (UN), the North Atlantic Treaty Organization (NATO), and the Organization for Security and Co-operation in Europe (OSCE) to prevent trafficking in persons or the exploitation of victims of trafficking.

UNITED NATIONS (UN)

The United Nations' 2003 zero-tolerance policy "Special Measures for Protection from Sexual Exploitation and Sexual Abuse" (ST/SGB/2003/13), applies to approximately 114,000 uniformed personnel (troops, military observers, and police), international and national staff members, contractors, consultants, and volunteers serving in peacekeeping and humanitarian missions around the world. In 2012, there were 59 allegations of sexual exploitation and abuse lodged against UN peacekeeping personnel. The majority (52 percent) of those allegations were made against staff members, contractors and UN Volunteers, not military or uniformed personnel. Most of the allegations occurred at the UN missions in the Democratic Republic of the Congo, Cote d'Ivoire, Liberia, Haiti and Sudan. Thirty percent of the allegations involved children under 18 years of age, and in 20 other cases the age of the victims could not be determined. The UN completed 21 investigations of which eight were deemed credible; 37 cases were still under investigation at the end of 2012. No information is available on the number of cases that resulted in disciplinary action such as suspension, dismissal, censure, demotion, and referral to employers. In 2012, the UN reports it followed up 47 times with affected Troop Contributing Countries, and received 27 responses concerning the outcomes of disciplinary actions. All UN Missions have established victim assistance mechanisms and have mapped locally-available services for victims of sexual exploitation and abuse, which can be found at http://cdu.unlb.org/unstrategy/remedialaction.aspx.

NORTH ATLANTIC TREATY ORGANIZATION (NATO)

The North Atlantic Treaty Organization's anti-trafficking policy was adopted in 2004 and updated in 2007 and includes training for personnel of NATO-led missions, support for host country law enforcement in anti-trafficking investigations, guidelines prohibiting contractors from engaging in trafficking, and evaluations of implementation of efforts as part of ongoing reviews. In 2007, NATO established a Senior Coordinator on Counter Trafficking in Human Beings; according to NATO, due to budget constraints, the position has been vacant for two years. No anti-trafficking initiatives or activities were undertaken by NATO at the headquarters level since the departure of NATO's Counter Trafficking Senior Coordinator. NATO has five ongoing operations involving the deployment more than 105,000 troops. During the reporting period, there were no reports of NATO personnel or units engaging in or facilitating human trafficking.

ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)

The Organization for Security and Cooperation in Europe's Code of Conduct for Staff and Mission Members prescribes general conduct of officials and staff while on mission, with specific instruction on not engaging in human trafficking. In a direct response to the OSCE Action Plan, the organization's human resources department issued guidance reiterating the high standards of behavior expected for all OSCE officials in mission areas, as well as for OSCE staff attending conferences and other official events. During the reporting period there were no reports of OSCE personnel engaging in or facilitating human trafficking.

INTERNATIONAL, REGIONAL AND SUB-REGIONAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS

Organization	Framework Document Relevant to TIP	TIP Focal Point
United Nations www.un.org www.unodc.org www2.ohchr.org/english/bodies/chr/special/themes.htm www.ilo.org http://www.ilo.org/sapfl/Informationresources/ILOPublications/Byregion/Global/lang--en/index.htm	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (A/RES/55/25) (2000) United Nations Global Plan of Action to Combat Trafficking in Persons (A/RES/64/293) (2010) ILO Conventions: -C29 Forced Labour Convention, 1930 -C105 Abolition of Forced Labour Convention, 1957 -C182 Worst Forms of Child Labour Convention, 1999 -C189 Domestic Workers Convention, & R201, 2011	Special Rapporteur on Trafficking in Persons, Especially Women and Children Special Rapporteur on Contemporary Forms of Slavery Special Rapporteur on the sale of children, child prostitution and child pornography
African Union (AU) www.africa-union.org/	Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (2006) AU Commission Initiative against Trafficking Campaign (AU.COMMIT)	N/A
Association of Southeast Nations (ASEAN) www.aseansec.org www.aseansec.org/4966.htm	ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children, 2004	N/A
Commonwealth of Independent States (CIS) www.cis.minsk.by/ www.cis.minsk.by/page.php?id=18806 (in Russian only)	Agreement on the Cooperation of the CIS Member States in Combatting Trafficking in Persons, Human Organs and Tissues, 2005 Programme of Cooperation of the Member States of the Commonwealth of Independent States in combating Human Trafficking, 2011-2013	N/A
Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) www.no-trafficking.org/index.html	COMMIT Memorandum of Understanding on Cooperation Against Trafficking in Greater Mekong Sub-Region (2004) Second COMMIT Sub-Regional Plan of Action, 2008-2010	UN Inter-Agency Project on Human Trafficking (UNIAP)
Council of the Baltic Sea States (CBSS) www.cbss.org/Civil-Security-and-the-Human-Dimension/creating-a-safe-and-secure-region www.childcentre.info/egcc/	A Vision for the Baltic Sea region by 2020, CBSS Summit 2010 Expert Group for Cooperation on Children at Risk: Priority paper, 2011 - 2013	Task Force against Trafficking in Human Beings with Focus on Adults (TF-THB) Expert Group on Children at Risk
Council of Europe (COE) www.coe.int www.coe.int/t/dghl/monitoring/trafficking/default_en.asp	COE Convention on Action Against Trafficking in Human Beings (2005)	Group of Experts on Action Against Trafficking in Human Beings (GRETA)

Organization	Framework Document Relevant to TIP	TIP Focal Point
Economic Community of West African States (ECOWAS) www.ecowas.int **Economic Community of Central African States (ECCAS)** www.ceeac-eccas.org/	Declaration on the Fight against Trafficking in Persons, 2001 ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003), extended until 2011 Joint ECOWAS/ECCAS Regional Plan of Action to Combat Trafficking in Persons, especially Women and Children (2006-2008)	Anti-Trafficking Unit
European Union (EU) http://ec.europa.eu/anti-trafficking/index.action	Brussels Declaration on Preventing and Combating Trafficking in Human Beings, 2002 Directive on Preventing and Combating Trafficking in Human Beings and Protecting Victims	European Union Anti-Trafficking Coordinator
League of Arab States (LAS) www.arableagueonline.org/las/index.jsp (in Arabic only)	Arab Framework Act on Combating Trafficking in Persons (2008) Arab Initiative to Combat Trafficking in Persons, 2010	N/A
Organization of American States (OAS) www.oas.org/en/default.asp www.oas.org/dsp/english/cpo_trata.asp	Work Plan to Combat Trafficking in Persons in the Western Hemisphere 2010-2012 (AG/RES. 2551 (XL-O/10)	Coordinator Against Trafficking in Persons
Organization of Islamic Conference (OIC) http://www.comcec.org/TR/Yeni_Site_Dokumanlar/ana_dokumanlar/IKT_Sarti.pdf	Charter of the Organisation of the Islamic Conference, 2008	N/A
Organization for Security and Cooperation in Europe (OSCE) www.osce.org/ www.osce.org/cthb	OSCE Action Plan to Combat Trafficking in Human Beings, 2003 Platform for Action Against Human Trafficking, 2007	Special Representative and Co-ordinator on Trafficking in Human Beings
Regional Conference on Migration (RCM) (Puebla Group) www.rcmvs.org/	Regional Conference on Migration Plan of Action	N/A
Southern African Development Community (SADC) www.sadc.int/ www.sadc.int/index/browse/page/531	SADC Regional Plan of Action on Trafficking in Persons, 2009-2019	N/A
South Asian Association for Regional Cooperation (SAARC) www.saarc-sec.org/ http://www.saarc-sec.org/userfiles/conv-traffiking.pdf	SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002	Regional Task Force

GLOSSARY OF ACRONYMS

ASEAN	Association of Southeast Asian Nations
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
EU	European Union
GRETA	Group of Experts on Action against Trafficking in Human Beings
ILO	International Labour Organization
ILO-IPEC	International Labour Organization, International Program for the Elimination of Child Labour
INTERPOL	International Criminal Police Organization
IOM	International Organization for Migration
NGO	Non-Governmental Organization
OAS	Organization of American States
OSCE	Organization for Security and Co-operation in Europe
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNODC	United Nations Office on Drugs and Crime
2000 UN TIP Protocol (Palermo Protocol)	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime

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A CLOSING NOTE: LIFT EVERY VOICE AND SING

"Because domestic work is carried out largely behind closed doors, these [workers] are particularly vulnerable to hazardous and exploitative conditions and are often subject to sexual harassment, and mental and physical abuse."

– Secretary of State John F. Kerry

Each year, this Report takes an unflinching view at human trafficking around the world. What governments are doing, and what they are failing to do. And, each year, as a group we select the photographs that accompany the Report. Through these images, readers have had to confront the reality of the sex trade, the plight of manual laborers, the often hidden abuse of domestic workers, and the historical legacy of slavery. None of it is pleasant, but it must be confronted.

The testimony of their bodies. Bearing witness to the torture that they withstood, alone and behind closed doors. The amputated fingers of Nour Miyati in the 2006 Report. The X-ray of the nails driven into the hands, legs, and forehead of a Sri Lankan maid in 2011. The burns of Siti Hara in the 2010 Report. Of Shewaye (suffered at the hands of the Qadafi family) in 2012. And, this year, the unnamed 12 year-old in Thailand, seen only from the back, as police and reporters gaze on her naked and burned body.

We know that these images provoke. They demand that we confront what happens in secret. They make us contemplate why someone would torture the very person who they trust to raise their child or clean their home. To understand why experienced anti-trafficking investigators can recognize at a glance the distinctive scars from the point of an iron, a wire hanger, or a pot of boiling water. To wonder whether we did enough to find and help them. To ask the hard questions about whether we are condoning, contributing, accepting. These images horrify and anger and compel. And they hopefully trigger action.

But these are just snapshots of people at one terrible stage in their lives.

There are other images in this Report as well. Of survivors. Insisting on their rights; insisting on the lives for which they had hoped. Standing with Presidents and Congresswomen. Marching and advocating. Demanding rights for domestic workers in the International Labor Organization and other fora. Helping others who have been through the fire.

Survivors such as the members of the survivors' caucus pictured on the facing page are proof that when people come out from behind those closed doors they are powerful and capable. That when there are governments who recognize them, NGOs who support them, and change in the societies that tolerate these abuses, survivors' voices can be heard not just in courtrooms and police stations, but in the halls of Congress and parliaments.

You have seen the images. You have read their accounts and the country narratives. In the words of trafficking survivor Tina Frundt, now executive director of a service provider, "Now that you have the knowledge, what will you do with it?"

"I feel like I am powerful in the sense that I can be a role model to others. They will see that, despite what happened to me, because of my hard work and perseverance, I have now succeeded in life."

– "Julita", Survivor of Domestic Servitude

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From Slavery to...



CAST

Freedom

Members of the Coalition to Abolish Slavery and Trafficking Survivor Advisory Caucus.
From left to right, top to bottom: Flor, Ima, Kanthi, Angela, Pasi, Pichai, Sujai, Wati, Lorena



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