



# TRAFFICKING IN PERSONS REPORT

## JULY 2015







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## DEAR READER:

Trafficking in persons is an insult to human dignity and an assault on freedom. Whether we are talking about the sale of women and children by terrorists in the Middle East, the sex trafficking of girls lured from their homes in Central Europe, the exploitation of farm workers in North America, or the enslavement of fishermen in Southeast Asia, the victims of this crime each have a name. And they each have been robbed of their most basic human rights.

The fight against modern slavery matters deeply to me. When I was a prosecutor outside of Boston in the 1970s, I worked to put people behind bars for rape and sexual assault. We were one of the very first jurisdictions in America to set up a witness protection program so that people weren't twice victimized—once by the crime and once for daring to tell the truth.

My time as a prosecutor brought home to me the simple lesson that justice is not simply a matter of having the right laws on the books; we have to back those words with resources, strategies, and actions that produce the right results. As Secretary of State, I am proud that the United States is using the tools at our disposal to deter, expose, apprehend, and prosecute those who seek to profit by trafficking in their fellow human beings.

Modern slavery doesn't exist in a vacuum. It's connected to a host of 21st century challenges, including the persistence of extreme poverty, discrimination against women and minorities, corruption and other failures of governance, the abuse of social media, and the power and reach of transnational organized crime. That is why the United States is working with our international partners at every level to attack the root causes of trafficking, warn potential victims, put perpetrators behind bars, and empower survivors as they rebuild their lives.

One thing is clear: No nation can end modern slavery alone. Eliminating this global scourge requires a global solution. It also cannot be solved by governments alone. The private sector, academic institutions, civil society, the legal community, and consumers can all help to address the factors that allow human trafficking to flourish. But governments have a special responsibility to enforce the rule of law, share information, invest in judicial resources, and espouse policies

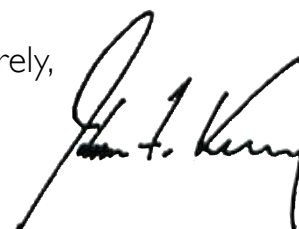


that urge respect for the rights and dignity of every human being. Human trafficking is not a problem to be managed; it is a crime to be stopped.

This year's *Report* places a special emphasis on human trafficking in the global marketplace. It highlights the hidden risks that workers may encounter when seeking employment and the steps that governments and businesses can take to prevent trafficking, including a demand for transparency in global supply chains.

The bottom line is that this is no time for complacency. Right now, across the globe, victims of human trafficking are daring to imagine the possibility of escape, the chance for a life without fear, and the opportunity to earn a living wage. I echo the words of President Obama and say to them: We hear you, and we will do all we can to make that dream come true. In recent decades, we have learned a great deal about how to break up human trafficking networks and help victims recover in safety and dignity. In years to come, we will apply those lessons relentlessly, and we will not rest until modern slavery is ended.

Sincerely,

A handwritten signature in black ink, reading "John F. Kerry". The signature is fluid and cursive, with the first name "John" and last name "Kerry" clearly legible.

John F. Kerry

Secretary of State John F. Kerry delivers remarks at the White House Forum on Combating Human Trafficking in Supply Chains on January 29, 2015.



*"Money may be able to buy a lot of things, but it should never, ever be able to buy another human being."*

— Secretary of State John F. Kerry








# CONTENTS

<b>WHAT IS TRAFFICKING IN PERSONS?</b>	<b>7</b>
The Face of Modern Slavery	7
<b>PREVENTING HUMAN TRAFFICKING IN GLOBAL SUPPLY CHAINS</b>	<b>13</b>
The Risk of Human Trafficking in Supply Chains	13
Labor Recruitment in Global Markets	15
The Connection to Sex Trafficking	18
The Role of Government	24
The Private Sector: An Opportunity to Lead	32
Looking Forward	34
<b>TOPICS OF SPECIAL INTEREST</b>	
The 15th Anniversary of the Palermo Protocol	11
The Link Between Extractive Industries and Sex Trafficking	19
Overcoming Harmful Cultural Norms	20
Preventing Domestic Servitude in Diplomatic Households	21
New Research on Abusive Recruitment Practices and Human Trafficking	22
Beyond Witness Testimony	26
New at the ILO: Updates to the Forced Labour Convention	28
Modern Slavery As A Tactic In Armed Conflicts	37
<b>CHILD SOLDIERS PREVENTION ACT LIST</b>	<b>38</b>
<b>2015 TIP REPORT HEROES</b>	<b>40</b>
<b>METHODOLOGY</b>	<b>45</b>
Tier Placement	45
A Guide to the Tiers	47
Funding Restrictions for Tier 3 Countries	48
<b>GLOBAL LAW ENFORCEMENT DATA</b>	<b>48</b>
<b>TVPA MINIMUM STANDARDS</b>	<b>49</b>
<b>TIER PLACEMENTS AND REGIONAL MAPS</b>	<b>54</b>
<b>HOW TO READ A COUNTRY NARRATIVE</b>	<b>62</b>
<b>COUNTRY NARRATIVES</b>	<b>63</b>
<b>RELEVANT INTERNATIONAL CONVENTIONS</b>	<b>374</b>
<b>STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS &amp; CIVILIAN PERSONNEL</b>	<b>375</b>
<b>INTERNATIONAL, REGIONAL, AND SUB-REGIONAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS</b>	<b>376</b>
<b>GLOSSARY OF ACRONYMS</b>	<b>378</b>
<b>PHOTO CREDITS</b>	<b>379</b>
<b>CLOSING NOTE</b>	<b>380</b>



Fisherman raise their hands when asked who among them would like to go home, after their release was secured from a situation of forced labor on a fishing vessel.



**“E**very girl is sacred.  
Every girl deserves  
dignity. Every girl needs  
to dream. And no girl  
should ever be sold.”

– An inspiring message supports  
and encourages girls in a  
Cambodian shelter

The Government of North Korea sends citizens to work abroad through bilateral agreements with foreign governments. Some workers are subjected to forced labor, prohibited from changing jobs, and denied a large portion of their earnings.



# WHAT IS TRAFFICKING IN PERSONS?

“Trafficking in persons,” “human trafficking,” and “modern slavery” 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 of 2000 (Pub. L. 106-386), as amended (TVPA), and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (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 exploited in their hometown, were transported to the exploitative situation, previously consented to work for a trafficker, or participated in a crime as a direct result of being subjected to trafficking. 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.

## THE FACE OF MODERN SLAVERY

### SEX TRAFFICKING

When an adult engages in a commercial sex act, such as prostitution, as the result of force, threats of force, fraud, coercion or any combination of such means, that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, enticing, transporting, providing, obtaining, or maintaining a person for that purpose are guilty of the sex trafficking of an adult.\* Sex trafficking also may occur within debt bondage, as individuals 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. An adult’s 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.

### CHILD SEX TRAFFICKING

When a child (under 18 years of age) is recruited, enticed, harbored, transported, provided, obtained, or maintained to perform a commercial sex act, proving force, fraud, or coercion is not necessary for the offense to be characterized as human trafficking. There are no exceptions to this rule: no cultural or socioeconomic rationalizations alter the fact that children who are prostituted are trafficking victims. The use of children in the commercial sex trade is prohibited under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for children, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death.

### VICTIM STORIES

The victims’ testimonies included in this Report are meant to be illustrative only and to characterize the many forms of trafficking and the wide variety of places in which they occur. They do not reflect all forms of human trafficking and could take place almost anywhere in the world. 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 human trafficking and the variety of situations in which trafficking victims are found.

\* On May 29, 2015, section 103(10) of the TVPA defining “sex trafficking” was amended by section 108 of the Justice for Victims of Trafficking Act (Pub. L. 114-22). Section 108 also changed the TVPA definition of “severe forms of trafficking in persons,” which includes a reference to the term “sex trafficking.” Because this Report covers government efforts undertaken from April 1, 2014 through March 31, 2015, this amendment is not reflected in this Report.

## 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 prior consent to work for an employer is legally irrelevant: the employer is a trafficker and the employee a trafficking victim. 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.

### NEPAL | QATAR

With the help of a labor broker, 16-year-old Lok left Nepal for a job in Qatar. He was too young to legally migrate for work, but the broker who recruited him obtained a fake passport so Lok would appear to be 20 years old. The broker charged Lok an illegally high recruitment fee, so he left with a large debt that he had agreed to pay back at a 36 percent interest rate. Two months later, Lok died of cardiac arrest while working in harsh conditions. Migrant workers in parts of the Gulf, including Qatar, have complained of excessive work hours with little to no pay in scorching heat. Many workers also allege their housing complexes are overcrowded and have poor sanitation. Lok's parents received no money for his two months' work.

## BONDED LABOR OR DEBT BONDAGE

One form of coercion is the use of a bond or debt. 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, wittingly or unwittingly, as a term of employment. Debts taken on by migrant laborers in their countries of origin, often with the involvement 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 in which a worker's legal status in the destination country is tied to the employer and workers fear seeking redress.

## DOMESTIC SERVITUDE

Involuntary domestic servitude is a form of human trafficking found in distinct circumstances—work in a private residence—that creates unique vulnerabilities for victims. It is a crime in which a domestic worker is not free to leave her employment and is abused and underpaid, if paid at all. Many domestic workers do not receive the basic benefits and protections commonly extended to other groups of workers—things as simple as a day off. Moreover, their ability to move freely is often limited, and employment in private homes increases their vulnerability and isolation.

Authorities cannot inspect homes as easily as formal workplaces, and in many cases do not have the mandate or capacity to do so. Domestic workers, especially women, confront various forms of abuse, harassment, and exploitation, including sexual and gender-based violence. These issues, taken together, may be symptoms of a situation of involuntary servitude.

## FORCED CHILD LABOR

Although children may legally engage in certain forms of work, children can also be found in slavery or slavery-like situations. Some indicators of 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 supplement, not replace, traditional actions against child labor, such as remediation and education. When children are enslaved, their abusers should not escape criminal punishment through weaker administrative responses to such abusive 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 for 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 made to work as porters, cooks, guards, servants, messengers, or spies. Young girls can be forced to marry or have sex with commanders and male combatants. Both male and female child soldiers are often sexually abused and are at high risk of contracting sexually transmitted diseases.



## HUMAN TRAFFICKING DEFINED

The TVPA defines “severe forms of trafficking in persons” as:

- 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
- 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.

“**T**here is no inevitability, no excuse: with commitment and the right policies and institutions, forced labour can be stopped.”

– ILO Director-General Guy Ryder

Children are subjected to forced labor in extractive sectors, including in coal mining.

# DECLARATION OF RELIGIOUS LEADERS AGAINST MODERN SLAVERY

Religious leaders have long played a vital role in combating human trafficking. On December 2, 2014, leaders representing Anglican, Buddhist, Catholic, Hindu, Jewish, Orthodox, and Islamic faiths met for the first time in history to sign a declaration pledging to end modern slavery and calling for action against it as a moral imperative.

These leaders urged their followers to work to find ways to end human trafficking. Each religious authority gave a statement urging the world to support this effort, including Hindu leader Mata Amritanandamayi, who said, “if we fail to do something, it will be a travesty against future generations.”

*We, the undersigned, are gathered here today for a historic initiative to inspire spiritual and practical action by all global faiths and people of good will everywhere to eradicate modern slavery across the world by 2020 and for all time.*

*In the eyes of God,\* each human being is a free person, whether girl, boy, woman or man, and is destined to exist for the good of all in equality and fraternity. Modern slavery, in terms of human trafficking, forced labour and prostitution, organ trafficking, and any relationship that fails to respect the fundamental conviction that all people are equal and have the same freedom and dignity, is a crime against humanity.\*\**

*We pledge ourselves here today to do all in our power, within our faith communities and beyond, to work together for the freedom of all those who are enslaved and trafficked so that their future may be restored. Today we have the opportunity, awareness, wisdom, innovation and technology to achieve this human and moral imperative.*

His Grace Most Reverend and Right Honourable Justin Welby,  
Archbishop of Canterbury

Venerable Bhikkhuni Thich Nu Chan Khong (representing  
Zen Master Thích Nhất Hạnh)

The Most Venerable Datuk K. Sri Dhammaratana, Chief High  
Priest of Malaysia

His Holiness Pope Francis

Her Holiness Mata Amritanandamayi (Amma)

Dr. Abbas Abdalla Abbas Soliman, Undersecretary of State of  
Al Azhar Alsharif (representing Mohamed Ahmed  
El-Tayeb, Grand Imam of Al-Azhar)

Grand Ayatollah Mohammad Taqi al-Modarresi

Sheikh Naziyah Razzaq Jaafar, Special advisor (representing  
Grand Ayatollah Sheikh Basheer Hussain al Najafi)

Sheikh Omar Abboud

Rabbi Dr. Abraham Skorka

Rabbi Dr. David Rosen

His Eminence Metropolitan Emmanuel of France (representing  
His All-Holiness Ecumenical Patriarch Bartholomew)

*\*The Grand Imam of Al Azhar uses the word “religions.”*

*\*\*The term “crime against humanity” has a particular legal meaning that the U.S. Department of State does not view as being implicated here.*



**Religious leaders from around the world met at the Vatican on December 2, 2014, to sign the historic Declaration of Religious Leaders against Modern Slavery.**



## THE 15<sup>TH</sup> ANNIVERSARY OF THE PALERMO PROTOCOL

This year marks the 15th anniversary of the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol). The impact of the Palermo Protocol has been remarkable—today, 166 countries have become a party to the Protocol. Many countries have implemented the “3P” paradigm of prosecuting traffickers, protecting victims, and preventing the crime through the passage and implementation of national anti-trafficking laws. Countries continue to update their legal framework to better address this crime. In 2014, Haiti enacted the Law to Combat Trafficking in Persons. Burundi also enacted its first anti-trafficking law in 2014. In March 2015, the United Kingdom enacted the Modern Slavery Act to refine the country’s legal framework.

While the promulgation of anti-trafficking criminal laws points to increased commitment to address the crime, challenges in fully implementing the promise of Palermo remain. In an effort to monitor implementation of the Palermo Protocol, the United Nations in 2004 established a special rapporteur on trafficking in persons, especially women and children, who conducts fact-finding missions to study human trafficking conditions and provide recommendations on ways to better address the problem. Over the past two years, the special rapporteur has visited Malaysia, Morocco, Italy, the Bahamas, Belize, and Seychelles.

In 2009, the Conference of Parties to the UN Convention against Transnational Organized Crime (UNTOC) convened a working group on trafficking in persons to facilitate implementation of the Palermo Protocol and make recommendations to States parties. The working group has met five times and recommended governments involve civil society as partners in anti-trafficking efforts; consider investigating suspected traffickers using a wide range of tools including tax and labor law; and consider using administrative tools and regulations to combat the crime. The working group will meet again in November 2015 to continue discussion of the implementation of the Palermo Protocol and make further recommendations. While 2015 is a milestone, particularly in the near universal adoption of the Protocol, significantly more must be done in the next decade and beyond to fulfill its mandate.

In 2014, *The New York Times* reported about Pavitra, a domestic worker who had migrated to Oman, where she was jailed for five months after being raped by her employer’s husband and becoming pregnant. She was never paid for the eight months she had worked. In many countries, it is difficult for police to detect abuse, nonpayment of wages, and other trafficking indicators for workers in private residences.


## SIERRA LEONE | KUWAIT

Thema paid approximately \$1,480 to Sierra Leonean recruiters who promised her a nursing job or hotel work in Kuwait. Upon her arrival in Kuwait, however, Thema was instead forced to work as a domestic worker for a private Kuwaiti family. Thema worked all day, every day without compensation. Her employers forbade her from leaving the house or from using a cell phone. The family eventually returned Thema to her recruiter, taking advantage of a guarantee allowing them to obtain a refund for domestic workers they are not happy with. She ran away from the recruiter to the Sierra Leonean Embassy and was placed in a Kuwaiti government-run shelter with approximately 300 other former domestic workers. Thema likely faces the same fate as other trafficking victims in Kuwait who run away from private homes—the cancellation of her residence permit and deportation.



**“F**rom the ground to the top we need to create network[s].  
From governments, legal, medical, social institutions,  
businesses to schools, local communities, individuals. We  
have to involve all. Traffickers are extremely well connected.  
We need to be, too.”

— Jana, survivor of sex trafficking, in her address  
to the UN Human Rights Council

A photograph showing four migrant workers in bright orange jumpsuits and head coverings sweeping a dusty construction site with large brooms. In the background, a yellow skid steer loader is parked, and the hazy skyline of Dubai, including the Burj Khalifa, is visible under a clear sky.

Migrant workers from South and Central Asia flock to the Gulf for construction work. Some labor brokers charge workers recruitment fees, which are often difficult to repay and can facilitate debt bondage.



# PREVENTING HUMAN TRAFFICKING IN GLOBAL SUPPLY CHAINS

Efforts to combat human trafficking around the world have advanced steadily over the past 15 years, since the adoption of the Palermo Protocol and the passage of the TVPA in 2000. Scores of countries have expanded implementation of the “3P” paradigm enshrined in these instruments, as governments investigate and **prosecute** trafficking cases, provide **protection** and services to victims, and put improved measures in place to **prevent** the crime from happening in the first place. Progress over this period of time has been nothing short of profound.

Yet, while the fight against human trafficking intensifies, millions of people continue to toil in compelled service, exploited for the enrichment of others in virtually every country in the world.

As the International Labour Organization (ILO) estimated in 2014, forced labor in the private economy reaps some \$150 billion in illicit profits each year; most instances of what the *Trafficking in Persons Report* refers to as human trafficking are covered by ILO’s definition of forced labor. These billions flood the formal marketplace, corrupt the global economy, and taint purchases made by unwitting consumers. Long and complex supply chains that cross multiple borders and rely on an array of subcontractors impede traceability and make it challenging to verify that the goods and services bought and sold every day are untouched by modern-day slaves.

This means consumers of goods and services may be connected to human trafficking more closely than they imagine—connected, however indirectly, to the man in the Amazon compelled to mine for gold and to the woman forced into prostitution in that same mining camp; linked to the construction worker in the Gulf who is unable to leave an exploitative situation and to the woman in Indonesia who accepts a job as a caregiver and is instead made to work in a brothel; tied to the child in West African cocoa fields who is compelled to work instead of going to school; and to the Native American teenager who runs away from home and ends up a victim of sex trafficking near the oil fields in North America.


Governments, the private sector, and individuals can all make a difference when it comes to addressing human trafficking in supply chains. Each has the unique ability to leverage economic power to influence existing markets, and create new ones, where workers can enjoy decent work and human dignity, and are free from coercion and the exploitation associated with human trafficking.

## THE RISK OF HUMAN TRAFFICKING IN SUPPLY CHAINS


Human trafficking has no boundaries and respects no laws. It exists in formal and informal labor markets of both lawful and illicit industries, affecting skilled and unskilled workers from a spectrum of educational backgrounds. Victims include adults and children, foreign nationals and citizens, those who travel far—whether through legal or illegal channels—only to be subjected to exploitation, and those who have been exploited without ever leaving their hometowns.

The fluid nature of the crime means traffickers can target vulnerable workers anywhere to fill labor shortages everywhere along a supply chain. In the electronics sector, for example, human trafficking may exist in the extractive stages (mining for raw material), in the component manufacturing stage (where separate pieces are produced or combined), and in the production stage (where a good is assembled and packaged in a factory).

Risks are present in the service sector, as well as in the production of goods. The sheets in a hotel may be made with cotton harvested by forced labor; the housekeeper cleaning the room may be exploited in labor trafficking, and the room itself may be used as a temporary brothel by sex traffickers. The international community must both understand the supply chains of the products used to provide a service (hotel sheets, airplane parts, medical equipment) and also examine the risks to those workers who provide them (house cleaners, caregivers, dishwashers).



In Pakistan, children as young as 5 years old are sold or kidnapped for forced labor in brick kilns. Some kiln owners hold government positions and use their power to facilitate illegal activities.



Debt bondage, which has been reported in the agricultural sector in South Asia, can cripple entire families; if an exploited elder cannot repay an initial debt, it can be inherited by his descendants.

Although human trafficking is found in many trades, the risk is more pronounced in industries that rely upon low-skilled or unskilled labor. This includes jobs that are dirty, dangerous, and difficult—those that are typically low-paying and undervalued by society and are often filled by socially marginalized groups including migrants, people with disabilities, or minorities.

Risks may also be higher in industries of a seasonal nature or where the turn-around time for production is extremely short. In these industries, the demand for labor increases drastically at the time of harvest or when a new product—be it a smartphone or a roadway—must be manufactured within a strict timeframe. For example, East and South Asian migrant workers in the garment sector are vulnerable to forced labor and labor exploitation, including long working hours and forced overtime, especially during periods of high consumer demand.

The urgency to hire employees can also result in a dependence on labor recruiters and their agents, which in turn creates layers of separation between the employer and the worker. This disconnect means that employers can be unaware of bad practices related to hiring within their operations, leaving workers exposed to exploitation.

Finally, in industries where fierce competition leads to constant downward pressure on prices, some employers respond by taking cost-cutting measures to survive commercially, from reducing wages or ignoring safety protocols, to holding workers in compelled service through debt bondage or the retention of identity documents.

**“A**s we grow, we have to do it responsibly, and stay true to our values and uphold basic standards and rule of law. We have to keep striving to protect the rights of our workers; to make sure that our supply chains are sourced responsibly.”

- President Barack Obama



# LABOR RECRUITMENT IN GLOBAL MARKETS

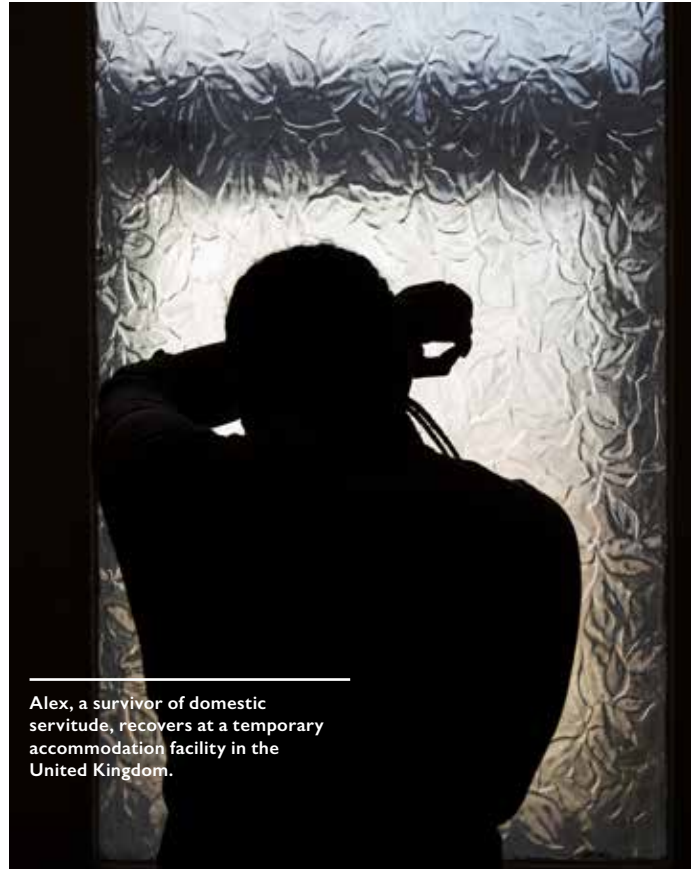
Practices that lead to human trafficking often occur in the recruitment process before employment begins, whether through misrepresentation of contract terms, the imposition of recruitment fees, the confiscation of identity documents, or a combination of these. The involvement of intermediaries (for example, labor brokers, middlemen, employment agencies, or recruiters) creates additional layers in the supply chain and positions these individuals to either assist or exploit.

Labor brokers function as a bridge between worker and employer and can provide helpful guidance and assistance in matching workers with jobs and arranging visas and documentation, medical checkups, pre-departure orientation, training, and travel. In many cases, labor brokers are both legitimate and important to connect readily available laborers to employers in need of a workforce. A worker's dependence on intermediaries, however, can also increase their risk of being subjected to trafficking. Recruiters sometimes promise individuals a high-paying job, good benefits, and reasonable working conditions to induce them into taking employment. Thereafter, when the nature or location of the job is not as promised, workers may find themselves in situations they cannot leave, either because they are held against their will or because they are indebted to their recruiters.

It is possible to identify areas of increased vulnerability in supply chains, including fraudulent practices in the recruitment process. Indicators of such recruitment typically include deception about job terms, living conditions, location, legal status, and wages, or more forceful methods such as document confiscation, debt bondage, isolation, or violence. Fraudulent recruitment practices can lead to exploitation at the place of employment, as an unsuspecting worker may endure excessive hours, poor living conditions, and wage theft. When workers are put or held in such situations through the use of force, fraud, or coercion, it constitutes human trafficking.

## DEBT

Debt manipulation is one of the main methods by which workers can be exploited. Workers often borrow large sums of money to cover the costs of recruitment or "job placement" fees that can run anywhere from several hundred to tens of thousands of dollars. Workers may borrow money from family and friends, or mortgage their homes or ancestral lands believing they can easily repay their debts upon employment. These costs, which may also be combined with excessive or arbitrary interest rates, mean workers spend a period of time—sometimes years—working for very little or no wages to repay what they owe. For example, one report tells



Alex, a survivor of domestic servitude, recovers at a temporary accommodation facility in the United Kingdom.



Thai men and women in Israel's agricultural sector have endured abuses such as illegally low wages, excessive hours, and difficulty switching employers, conditions indicative of forced labor.

“**A**fter responding to an advertisement for a job in a Chicago hotel, I checked the legal documents, paid a recruiter fee, accepted the position and flew to New York City. I entered the United States lawfully on a nonimmigrant visa arranged through the ‘recruiting organization’ that brought me here. I was picked up at the airport, along with five other women, by men we all believed were affiliated with our recruiter. Shortly thereafter, however, our passports were forcibly removed, our lives were threatened and the situation became clear: we were being trafficked into the sex trade.

...  
Labor recruiters and contractors are directly involved in the trafficking and exploitation of workers around the world, including men, women and children who enter the United States lawfully. These criminal recruiters make false promises about jobs and charge workers high recruitment fees that force workers to stay in abusive or exploitative working conditions under debt bondage.”

— Shandra Woworuntu, survivor of sex trafficking and Founder, Mentari, a non-profit organization dedicated to providing human trafficking survivors with mentorship and job training



A 12-year-old girl checks her make-up. Traffickers have been known to make child sex trafficking victims wear make-up and clothes—and even ingest drugs—to appear older.



of a Nepalese man who took a loan at a 36 percent interest rate and leveraged his family land to pay a recruitment agent \$1,500 for a job abroad. After 14 months of a three-year contract, the man still was not able to save any money because he was being paid far less than what had been promised to him. He reported that he would have liked to return to Nepal, but would have had to pay a large fine to break his contract and purchase his own return flight. He then would have had no means of repaying the loan.

At other times, employers withhold pay until the work is complete, meaning workers must forfeit the entirety of their wages if they leave prior to the end of the contract. Workers may endure abusive conditions for fear of losing their job and wages and defaulting on their debts. In many cases, unpaid debts result in threats to family members or loss of family property, adding further pressure for workers to stay in servitude.

Some employers require their employees to buy food and supplies from “company stores” where high prices, coupled with low wages, continue to drive workers further into debt. In Mexico, laborers sometimes live and work on farms enclosed by fences with barbed wire, where they must buy necessities, including food, from the company store at inflated prices. They are only paid at the end of the months-long season, and many workers report that at the end of the harvest they return home owing money.

### CONTRACT FRAUD OR SWITCHING

When a labor recruiter changes the terms and conditions of employment after a worker has invested in the recruitment process—or transfers the worker to another labor recruiter who feels neither legally nor ethically bound to the original contract—an individual’s vulnerability to forced labor increases dramatically. Contract fraud occurs when a worker enters into an agreement with a labor broker, either orally or in writing, and finds upon arrival that the conditions of employment have materially changed.

Not all workers sign contracts, and many of those who do are either illiterate or sign them in a language they are unable to read. Even when workers can read the contract and willingly sign it, they may be forced to sign a different and less protective contract once they arrive on location—the penalty for not doing so being the loss of the job and being stranded without the means to get home. When contract switching occurs, workers may find that the job they end up with differs substantially from the job offered. It may include longer hours, offer lower wages, and even be in a different industry or country. In some cases, the proposed job never existed at all.

### DOCUMENT CONFISCATION AND ABUSE OF THE LEGAL PROCESS

Although human trafficking does not always involve migration, traffickers exploit the vulnerability of migrants who take risks to find work. In fact, migrants can be quite susceptible to human trafficking. Individuals leave their homes in search of work for a variety of reasons—fleeing poverty and unemployment, criminal violence, armed conflict, or natural disasters—and travel to other regions or countries where language barriers, their immigration status, physical and cultural isolation, and financial burdens can make them vulnerable. Some migrants may agree to pay a smuggler to cross into another country to obtain work, only to find that similarly exploitative circumstances await them once they arrive—whether at their original destination or someplace altogether different. Thus, migrant smuggling (a crime involving transportation and the deliberate evasion of immigration laws) can turn into human trafficking, a crime of exploitation.

Many migrant workers have their identity or travel documents confiscated by a labor broker, sponsor, or employer. Identity documents, in addition to being a necessity for freedom of movement, are particularly important for accessing assistance, healthcare, and other important services. Document confiscation is a key practice used by traffickers as the employer gains significant control over the movement of the worker, and may prevent a worker from leaving an abusive situation, reporting abuse, or seeking employment elsewhere.

## PAKISTAN | SOMALIA

Ali and 19 other Pakistani men responded to a newspaper advertisement seeking fishermen to work in Saudi Arabia. Many of the men accepted the recruiters’ promises. Others questioned the odd visa and recruitment process, but the recruiters assured them the official paperwork would be completed during a stop in Dubai. Once in Dubai, however, the recruiters confiscated the workers’ passports and flew them to Somalia, where they were forced to work long, grueling hours, without pay, for a Somali fishing company. One Saturday, the men found a way to call their families and a human rights NGO from a local mosque. Their boss entered the mosque, beat them, and confiscated their cell phones. Fortunately, the workers hid one phone and used it to organize a rescue mission through the NGO. Twelve of the men were able to return home.

Traffickers may also use the threat of the legal process to hold workers in compelled service. Visa sponsorship systems, like the *kafala* system in effect in many countries in the Middle East, tie the issuance of employment visas to one employer or sponsor. If a worker intends to continue working, he is tied to that sponsor and has few options for challenging abusive practices. The fear of arrest or deportation is often enough to prevent a worker from leaving an exploitative situation or reporting abuse to authorities.

ILO estimates there are 232 million migrant workers globally, and that this number will continue to grow. A lack of both cooperation among source and destination countries and effective public or private standards on labor migration create a space where recruiters, labor brokers, and employers can abuse migrants without consequence. The demand for cheap labor and weak rule of law, coupled with high unemployment in developing countries, fosters the phenomenon of trafficking in persons. These factors are compounded where corrupt officials facilitate irregular migration by accepting bribes or false documentation.



## THE CONNECTION TO SEX TRAFFICKING

When large populations of workers migrate for employment, especially to isolated locations, such as mining, logging, and agricultural camps, the incidence of sex trafficking in those areas may increase. Traffickers often advertise jobs for activities that are directly related to the primary industry, such as food service, mineral-sorting, or retail work in camp stores. Some individuals who take these jobs may instead find themselves the victims of sex trafficking. In the Democratic Republic of the Congo, for example, women who accepted jobs as waitresses in a bar near a mining camp in South Kivu province became trapped in debt bondage due to recruitment fees and medical expenses and were forced into prostitution to repay their debts.

Women may be forced into prostitution in the very regions and camps mentioned above where workers are in compelled service. Chinese companies operating in the Angolan construction sector recruit male Chinese workers, some of whom endure forced labor; these same operations also fraudulently recruit Chinese women who are later forced into prostitution.

### NIGERIA | COTE D'IVOIRE

Natalie and Dara, eager to earn money and go to school, left Nigeria with the help of men who arranged their travel and convinced them good jobs awaited them in Cote d'Ivoire. Once there, Natalie and Dara were instead forced to have sex with men every night to pay back a \$2,600 "travel debt." After two years of being subjected to sex trafficking, Natalie and Dara contacted a UN Police officer (who was in the area to investigate other suspected cases of human trafficking) and escaped. The United Nations Office on Drugs and Crime helped the girls return to Nigeria, where they participated in social service programs supported by regional NGOs. Their traffickers were convicted in 2014 and sentenced to five years' imprisonment and a \$2,000 fine.



## THE LINK BETWEEN EXTRACTIVE INDUSTRIES AND SEX TRAFFICKING

Extractive industries involve the removal of non-renewable raw materials such as oil, gas, metals, and minerals from the earth. Although communities can benefit from such industries by using these natural resources for sustainable development, their extraction has also “triggered violent conflicts, degraded the environment, worsened gender and other inequalities, displaced communities, and undermined democratic governance,” according to the UN Development Program. Furthermore, mining, drilling, and quarrying activities often occur in relatively remote areas with minimal infrastructure and limited rule of law, leading to the development of makeshift communities, such as mining “boom towns,” that are vulnerable to crime.

Forced labor in extractive industries has been well-documented; however, the link between these industries and sex trafficking is increasingly an issue of grave concern among governments and advocates alike. Bolivian and Peruvian girls are subjected to sex trafficking in mining areas in Peru, and women and girls are subjected to sex trafficking near gold mines in Suriname and Guyana. NGOs have reported continued commercial sexual exploitation of children related to mining sectors in Madagascar. In some areas, this exploitation involves organized crime. For example, in Colombia, NGOs report organized criminal groups control sex trafficking in some mining areas.

Any discovery of raw materials will necessarily lead to a large influx of workers and other individuals, some of whom will create a demand for the commercial sex industry. In Senegal, a gold rush resulted in rapid migration from across West Africa; some of these migrants are women and children exploited in sex trafficking. Likewise, in the oil industry, individuals are sometimes recruited with false promises of work opportunities, but instead are exploited in the sex trade. Service providers in areas near camps surrounding large-scale oil extraction facilities, such as the Bakken oil fields in North Dakota, report that sex traffickers are exploiting women in the area, including Native American women.

Sex trafficking related to extractive industries often occurs with impunity. Areas where extraction activities occur may be difficult to access and lack meaningful government presence. Information on victim identification and law enforcement efforts in mining areas can be difficult to obtain or verify. Convictions for sex trafficking related to the extractive industries were lacking in 2014, despite the widespread scope of the problem.



Some workers in Brazil's ranching, agricultural, and logging sectors are subjected to forced labor.

## OVERCOMING HARMFUL CULTURAL NORMS

Cultural norms, practices, and traditions play an important role in defining a country or society. Unfortunately, some cultural norms are at times used or distorted to justify practices or crimes, including modern slavery, that exploit and harm others. A 14-year-old girl may be advertised for sex, an 11-year-old boy may be hired as a domestic worker, or a young transgender woman may be subjected to trafficking in a popular sex tourism destination. Such customs may also create significant challenges that impede efforts to combat sex and labor trafficking.

Harmful cultural norms drive inequality, poverty, and discrimination. Depending on the particular country or region, these norms can be used to support, hide, or attempt to justify human trafficking and other criminal schemes, undermining laws designed to protect children and adults. Acquiescence to corruption and lack of transparency can also facilitate human trafficking and make it difficult to detect and combat.

Cultural norms that perpetuate inequality and a cycle of violence against women are closely linked with sex and labor trafficking in all regions of the world, from North America to South Asia and the Pacific. Other practices common to many regions of the world can harm children, migrants, and domestic workers and help facilitate forced child labor or exploitation of migrant workers. Examples include minorities forced to beg and steal throughout Europe, children compelled through debt bondage and other means to work in hazardous conditions in South American and African mines, or workers exploited aboard fishing vessels at sea in East Asia. In addition to increasing the vulnerability of individuals, harmful cultural norms like these can hinder a government's efforts to prevent human trafficking and create an environment in which the crime either remains hidden or is socially accepted—or even facilitated—and, therefore, more difficult to address by law enforcement.

Steadily increasing efforts to combat human trafficking around the globe challenge certain cultural norms. The Palermo Protocol, which has been accepted by 166 States parties and does not allow for any cultural variations, requires the criminalization of all forms of trafficking in persons, as do newly enacted domestic anti-trafficking laws. Likewise, public awareness campaigns and other prevention efforts can also push some traditions to change. In the Middle East, small robots have replaced young boys as jockeys in the sport of camel racing, and in East Asia and the Pacific, some governments have begun to strengthen their responses to child sex tourism by increasing public awareness that it is a crime and denying entry to known foreign sex offenders. African societies are beginning to recognize child domestic servitude as a crime and an injustice to children who instead deserve an education and a supportive environment in which to live. Efforts to prosecute, protect, and prevent human trafficking should continue to hasten the decline of harmful practices that had been defended as culturally justified and thus used to embolden those willing to enslave others.



In Haiti, parents send their children to live with and work for an outside family who agrees to provide food, clothing, and shelter. Many families, however, exploit these children and subject them to domestic servitude and physical, sexual, and other types of abuse.



# PREVENTING DOMESTIC SERVITUDE IN DIPLOMATIC HOUSEHOLDS

*“[D]omestic servitude has been detected in many OSCE countries, and it is important that we continue to work with the diplomatic community to prevent it.”*

*—Ambassador Madina Jarbussynova,  
OSCE Special Representative and Coordinator for  
Combating Trafficking in Human Beings*

Involuntary servitude of domestic workers in diplomatic households has been detected in the United States and in many other countries around the world. In 2014, OSCE released a handbook on preventing this form of human trafficking. The handbook is a useful reference tool designed for foreign ministry protocol departments and other relevant authorities and international partners to help regulate and oversee the employment of private domestic workers hired by diplomatic personnel. It informs officials about how to detect and respond to human trafficking, and protect the rights of domestic workers. The handbook highlights various preventive measures related to domestic servitude in the context of diplomatic immunity and presents several approaches to resolving disputes. It also provides examples of promising practices in addressing allegations of abuse that governments have adopted and put into practice. The handbook *How to prevent human trafficking for domestic servitude in diplomatic households and protect private domestic workers* is available on the OSCE website at [www.osce.org/handbook/domesticservitude](http://www.osce.org/handbook/domesticservitude). The 2015 *Trafficking in Persons Report*, for the first time, assesses the efforts of governments to proactively train and provide guidance to their diplomatic personnel to prevent such abuses.



A shopping center in Singapore advertises maids who will work for low pay without a day off. Many of the more than 1.35 million foreign workers in Singapore are vulnerable to human trafficking, including debt bondage and involuntary servitude.

Some fraudulent brokers lure young women abroad with promises of safe jobs and an education, but instead force them into sex trafficking, domestic servitude, or menial labor.



# NEW RESEARCH ON ABUSIVE RECRUITMENT PRACTICES AND HUMAN TRAFFICKING

## UNODC AND ILO COLLABORATE ON GLOBAL RESEARCH\*

In 2014, the International Labour Organization (ILO) and the UN Office on Drugs and Crime (UNODC) each began research on the abusive recruitment practices known to facilitate human trafficking and emerging responses to protect individuals, particularly migrant workers, from such abuses. ILO and UNODC released their global research in June 2015. This coordinated research included three stakeholder meetings and field surveys conducted in different countries and regions of the world.

Some of the reports' key findings and recommendations include:

1. Workers who have to borrow from third parties to cover recruitment fees and who suffer from fraudulent and abusive practices during their recruitment are at higher risk of coercion and debt bondage. As a result, they are more likely to accept exploitative working conditions, making them vulnerable to forced labor or compulsory service.
2. There is an emerging trend toward stronger regulation to prevent such abuses. Various national regulatory models, including under labor and criminal law, have emerged to strengthen the governance of internal and cross-border labor recruitment.
3. There is further need to strengthen compliance with national and international standards. Government authorities, workers' and employers' organizations, businesses, and civil society have a key role to play in promoting compliance with standards of fair recruitment.
4. At present, illegitimate or unethical recruiters are usually not being prosecuted under anti-trafficking laws in identified trafficking cases. Abusive and fraudulent recruitment practices often precede exploitation on the job site, making it difficult to prove that unscrupulous labor recruiters were part of the trafficking crime or that they knowingly recruited victims for the purpose of exploitation.
5. Stronger efforts are required to ensure that migrant workers who experienced abusive and fraudulent recruitment practices gain timely access to effective remedies at destination or in their country of origin. Such efforts would create positive incentives for workers to submit complaints and to collaborate with law enforcement authorities.
6. Coordination between labor inspectors and other law enforcement should be enhanced within and across countries to address gaps in enforcement.



Some Malian boys are forced to work in artisanal gold mines for unscrupulous employers or guardians who confiscate their earnings.



These reports are available on UNODC's and ILO's websites:

UNODC—*The Role of Recruitment Fees and Abusive and Fraudulent Recruitment Practices of Recruitment Agencies in Trafficking in Persons*

ILO—*Regulating labour recruitment to prevent human trafficking and to foster fair migration: Models, challenges and opportunities*

## VERITÉ REPORT ON HUMAN TRAFFICKING IN FEDERAL AND CORPORATE SUPPLY CHAINS\*

In a report released this year, the labor rights NGO Verité analyzes the risk of human trafficking in federal and corporate supply chains. The report examines a range of sector-specific risk factors, as well as social, economic, and political risk factors in countries of production or service delivery and in those that supply the labor. Eleven sectors were found to be the most likely to have a risk of human trafficking globally:

- Agriculture
- Construction
- Electronics
- Fishing and Aquaculture
- Forestry
- Healthcare
- Hospitality
- Housekeeping/Facilities Operation
- Mining and Basic Metal Production
- Textile and Apparel Manufacturing
- Transportation and Warehousing

The report will also include an in-depth examination of more than 40 of the world's most important primary commodities, analyzing global production and trade patterns, reports of forced labor and the incidence of child labor (an indicator of the risk of forced labor), and the structure of each commodity's supply chain. Many, if not most, of these commodities can be found in products used by consumers every day, all over the world.

- Bamboo
- Bananas
- Beans
- Brass
- Bricks
- Cattle
- Charcoal
- Citrus
- Coal
- Cocoa
- Coffee
- Coltan, Tungsten, Tin
- Copper
- Corn
- Cotton
- Diamonds
- Fish
- Flowers
- Gold
- Granite and Other Stone
- Gravel and Crushed Stone
- Jewels
- Leather
- Melons
- Nuts
- Palm Oil
- Pineapple
- Rice
- Rubber
- Salt
- Shrimp
- Silk
- Silver
- Steel
- Strawberries
- Sugar
- Sunflowers
- Tea
- Tobacco
- Tomatoes
- Wheat
- Wool
- Zinc

This report is available on Verité's website:

Verité—*Strengthening Protections Against Trafficking in Persons in Federal and Corporate Supply Chains*

\* Each of these reports was funded by the Department of State.





## THE ROLE OF GOVERNMENT

Government action is crucial in prosecuting trafficking cases, protecting victims, and preventing trafficking. By strengthening efforts in these areas, and by continuing to build partnerships with civil society and the private sector, governments are making serious strides in fighting modern slavery.

Governments can also play an important leadership role in combating human trafficking in supply chains. At home, governments can model and encourage multi-stakeholder dialogue and partnerships to bring together businesses and anti-trafficking experts to generate ideas and solutions and promote voluntary responsible business conduct initiatives. Governments should set clear expectations for businesses on human rights issues and adopt policies that promote greater transparency and better reporting on anti-trafficking efforts in supply chains. For example, in March, the United Kingdom enacted the Modern Slavery Act of 2015, which requires—among other things—commercial organizations with annual sales above a certain threshold to prepare annual statements outlining the steps they have taken to prevent human trafficking from occurring in their supply chain or in any part of their business.

Of course, governments have the responsibility to enforce labor laws, treat all workers fairly, including lawfully present and irregular migrants, and root out corruption—all factors that can help prevent trafficking. International cooperation to strengthen labor migration policies and manage the increasing flows of migrant labor is critical to reducing the number of people who fall prey to human traffickers. Better regulation of private labor recruiters can also help protect workers.

Further, governments can provide a model for the private sector by better monitoring their own supply chains, which look much like those of the private sector. Tiers of subcontractors, lack of transparency, and the sheer magnitude of expenditure all make it extremely difficult for governments to ensure that taxpayer money is not supporting the illicit business of human trafficking. Nevertheless, the massive spending by governments to procure goods and services each year gives them enormous influence and leverage in the marketplace to minimize the risks of human trafficking.

“**E**nslave the liberty of but one human being and the liberties of the world are put in peril.”

-William Lloyd Garrison,  
19<sup>th</sup> century abolitionist



In October 2014, the A21 Campaign held its first annual Walk for Freedom, a global human trafficking awareness event in London that captured the attention of supporters worldwide.

## UNITED KINGDOM | GREECE | ITALY

When she was 14 years old, Cara met Max while on vacation in Greece with her mother. She fell in love with him and, after only a few weeks, Max persuaded her to move in with him, rather than return to England. He soon broke his promise to take care of her and forced Cara to have sex with strangers. Max first convinced her that the money she made was helping to keep them together; he later threatened to kill her mother if she tried to stop. In time, Max gave Cara to another trafficker who forced her to send postcards to her mother depicting a happy life in Athens. Cara eventually suffered an emotional breakdown and, once hospitalized, was able to ask for help. Hospital staff contacted her mother, who had no knowledge of Cara's abuse. They returned to England, where Cara is rebuilding her life and aspires to help other trafficking victims.

Governments can, and often do, prohibit government employees and contractors from engaging directly in trafficking in persons. In addition, some governments have policies in place that require contractors and subcontractors to ensure that employees have not participated in those activities that can lead to trafficking: charging recruitment fees, engaging in contract switching, and confiscating or retaining identification documents. These prohibitions must be backed up with effective enforcement.



An international organization provides shelter, mental health and medical services, and reintegration assistance to trafficking survivors at its shelter in the Democratic Republic of the Congo.



IOM and the Ukrainian government created the exhibition "Invisible in Plain Sight" to raise awareness for human trafficking, featuring real-life accounts of Ukrainian trafficking victims inscribed on cutouts of the human body. It debuted in Kiev and is being exhibited around Ukraine.



## BEYOND WITNESS TESTIMONY

Victim testimony can be crucial to human trafficking prosecutions, but recounting exploitation and directly confronting traffickers can be traumatizing, especially when traffickers threaten retaliation or psychologically manipulate victims to distrust authorities and avoid seeking assistance. In addition to protecting victim-witnesses from their traffickers, governments should ensure victims have access to comprehensive services, including medical and mental health care, legal services, and if desired by the victim, case management support throughout the criminal justice process. Such protections are key to minimizing the likelihood victims will be traumatized again during the investigation and prosecution of their accused traffickers.

Governments that embrace a victim-centered approach have adopted the following promising practices in witness protection:

### CARE

- Provide an opportunity for victims to consider their options and make an informed decision about participating in criminal proceedings.
- Provide access to legal counsel for victims who wish to participate in the investigation and prosecution of their traffickers.
- Permit a professional, such as a social worker, legal advocate, or counselor, to accompany and support victims throughout investigations and prosecutions.
- Collaborate with civil society and NGOs to ensure victims receive comprehensive support services, including mental health care, if requested.
- Offer victims placement in non-restrictive shelters that provide care appropriate to age, gender, and special needs.
- Help victims secure safe, long-term accommodation.
- Conduct safety planning and extend protection to victims' relatives, if necessary.

For example, the Australian program Support for Trafficked People, administered through the Australian Red Cross, provides income support, safe accommodation, and legal assistance, among other services, to victims, irrespective of their willingness or ability to assist with the investigation and prosecution of their traffickers. After 45 days of support, those who choose to aid the prosecution are eligible for additional support, including long-term accommodation, income and employment assistance, and skills training. Victims who are willing but unable to assist the prosecution are also eligible for extended support.

In addition, countries party to the Council of Europe's Convention on Action against Trafficking in Human Beings must provide victims with a reflection period of at least 30 days to stabilize and carefully consider whether to participate in the prosecution of their traffickers. During this period, governments cannot make a decision to remove the victim from the country, nor can a previous removal decision be brought into effect.

### CONFIDENTIALITY

- To the extent permissible by law, protect victims' identities and privacy.
- Allow victims to provide testimony in a manner that is less threatening, such as testimonies that are written or recorded, delivered via videoconference, or produced with audio or visual distortion.
- Provide a separate waiting area for victims, for example in court, to minimize interaction with the accused traffickers or their associates.

### COMMUNICATION

- Explain to victims how their testimony will be delivered and to what extent their identity will be revealed, if at all, to the defendant and the public.
- Establish a point person to communicate in a language the victim understands and provide updates on the status of the case and information about available services.
- Inform and prepare victims on what to expect before testimony and court examinations, including realistic expectations in the sentencing phase.





Experts estimate millions of people are victims of sex trafficking in India. Some are exploited in brothels on Delhi's notorious Garstin Bastion or "GB" Road.

“I choose to believe that I went through all that I did, so that today I can help others. If I can educate one person or give hope to one victim of trafficking, then I am doing my job and everything I went through was worth it. I choose to be a victor not a victim—not just to survive, but to thrive. Today I tell my story whenever I can so I can help others.”

– Barbara Amaya, survivor of sex trafficking, author, and advocate

# NEW AT THE ILO: UPDATES TO THE FORCED LABOUR CONVENTION

On June 11, 2014, the tripartite constituency of the annual International Labour Conference (ILC) in Geneva comprised of governments, workers, and employers, voted overwhelmingly to adopt a protocol and recommendation to supplement the International Labour Organization (ILO) Convention concerning Forced or Compulsory Labour of 1930 (also known as the Forced Labour Convention or Convention 29).

## PROTOCOL OF 2014 TO THE FORCED LABOUR CONVENTION

The new Protocol of 2014 (Protocol 29) updates the widely ratified Forced Labour Convention by addressing gaps in its implementation and reaffirming the obligation of States to take effective measures to prevent and eliminate forced labor in all its forms. It reaffirms the definition of forced labor contained in Convention 29 and provides concrete guidance to ratifying States on effective measures to prevent and eliminate all forms of forced labor. The legally binding Protocol 29 also complements other international instruments such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000) and mandates specifically that measures include actions against trafficking in persons. Protocol 29 is open to ratification by governments that have ratified the Forced Labour Convention and will enter into force one year after it has been ratified by two Member States of the ILO.

Obligations under Protocol 29 include:

- Developing comprehensive national policies and action plans for the effective and sustained suppression of forced labor;
- Providing victims with protection and effective access to remedies, such as compensation, irrespective of their presence or legal status in the territory;
- Sanctioning perpetrators;
- Strengthening and applying labor laws and policies to all sectors, as well as inspection services;
- Supporting due diligence by both the public and private sectors to prevent and respond to risks of forced labor; and
- International cooperation between and among States.

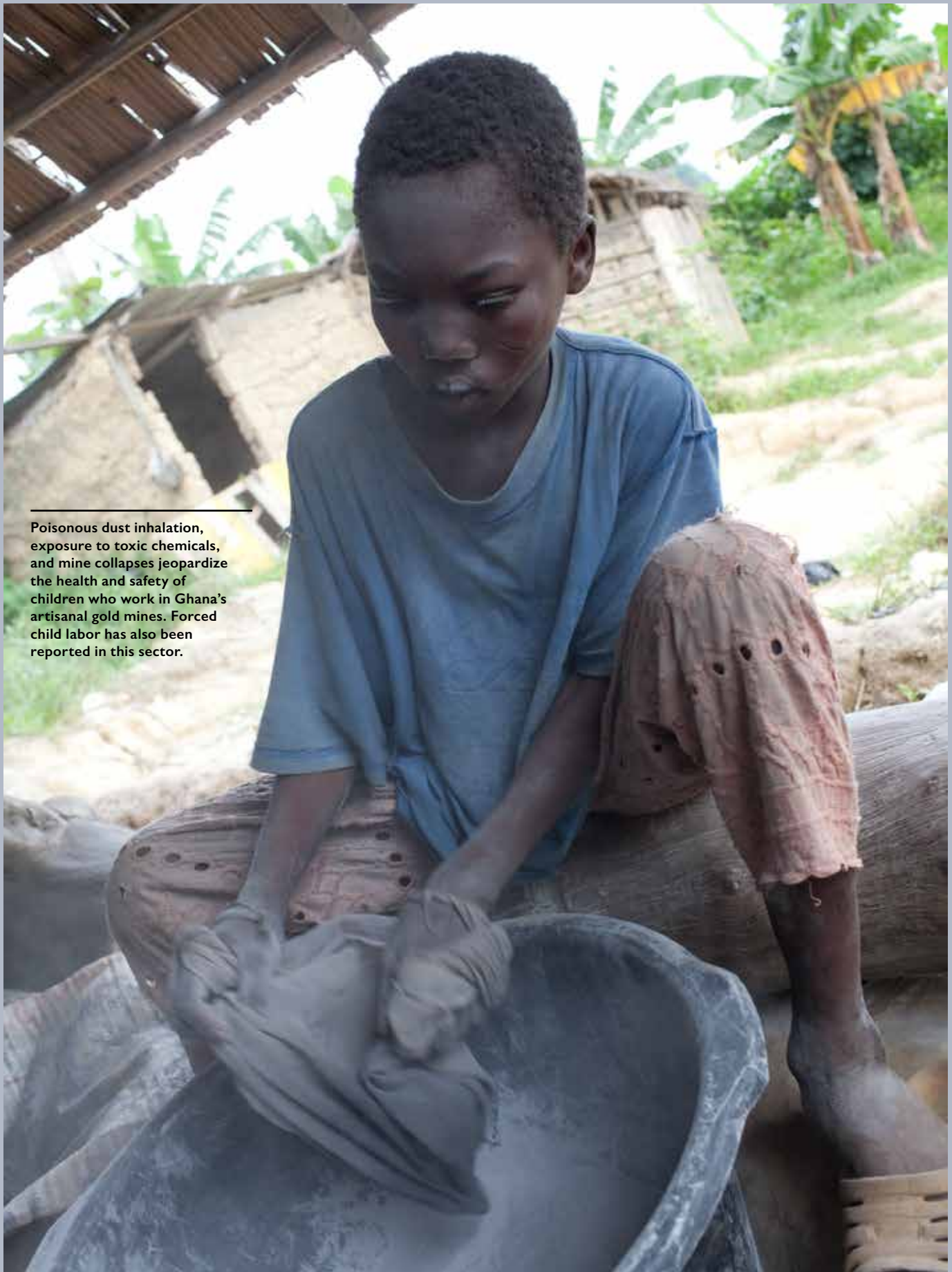
## FORCED LABOUR RECOMMENDATION NO. 203

Also on June 11, 2014, the ILC adopted the Recommendation on supplementary measures for the effective suppression of forced labour (Recommendation 203), which provides detailed technical and practical guidance to States on the implementation of Protocol 29 in the areas of prevention, protection, and access to justice and remedies, such as compensation, enforcement, and international cooperation. This recommendation supplements both Protocol 29 and the Forced Labour Convention. As a non-binding instrument, Recommendation 203 is not open to ratification.

Provisions of Recommendation 203 include:

- Regulating labor recruiters and employment agencies, and eliminating recruitment fees charged to workers;
- Supporting the private sector to address the risks of forced labor in their own operations, as well as those of their suppliers;
- Immediate and long-term assistance for victims, taking into account the safety of the victims and their family members, and the protection of their privacy and identity, regardless of the victims' willingness to cooperate in criminal or other proceedings;
- A reflection and recovery period for foreign victims, as well as temporary or permanent residence permits and access to the labor markets, irrespective of their legal status; and
- International cooperation to prevent and address the use of forced labor by diplomatic personnel.





Poisonous dust inhalation, exposure to toxic chemicals, and mine collapses jeopardize the health and safety of children who work in Ghana's artisanal gold mines. Forced child labor has also been reported in this sector.



## KAILASH SATYARTHI: RECIPIENT OF THE 2014 NOBEL PEACE PRIZE

*"When you are living in a globalized economy and a globalized world, you cannot live in isolation, all the problems and solutions are interconnected, and so the problem of child labor in any part of the world is your problem."*

*-Kailash Satyarthi*

The world was formally introduced to Mr. Kailash Satyarthi and his work fighting child labor when he was awarded the Nobel Peace Prize in 2014, together with child activist Malala Yousafzai, "for their struggle against the suppression of children and young people and for the right of all children to education." During his acceptance speech, he issued an impassioned call to action: "I refuse to accept that some children are born to live without human dignity." He further insisted, "[e]ach one of you has some moral responsibility. It cannot go on me alone."

For more than four decades, Mr. Satyarthi has worked relentlessly for the rights of children and waged a peaceful struggle to keep children in school, rather than in the workforce. He has helped to free children trapped in bonded labor, assisted them with vocational training and education, and challenged public discourse in India on child labor and child trafficking. In 1980, Mr. Satyarthi founded *Bachpan Bachao Andolan* (Save the Childhood Movement), which has removed more than 80,000 children from exploitation. His contributions have not only affected India, but have also changed the world: in 1998 he organized the Global March Against Child Labor, the world's largest campaign against child labor that led to the adoption of ILO Convention 182 on the worst forms of child labor. Mr. Satyarthi also founded Good Weave in 1994, which now implements a certification scheme to ensure no child labor is used in the production of carpets in India, Nepal, and Afghanistan.

In 2007, the U.S. Department of State recognized Mr. Satyarthi's contributions to the global fight against forced child labor by selecting him as one of ten *Trafficking in Persons Report* Heroes.

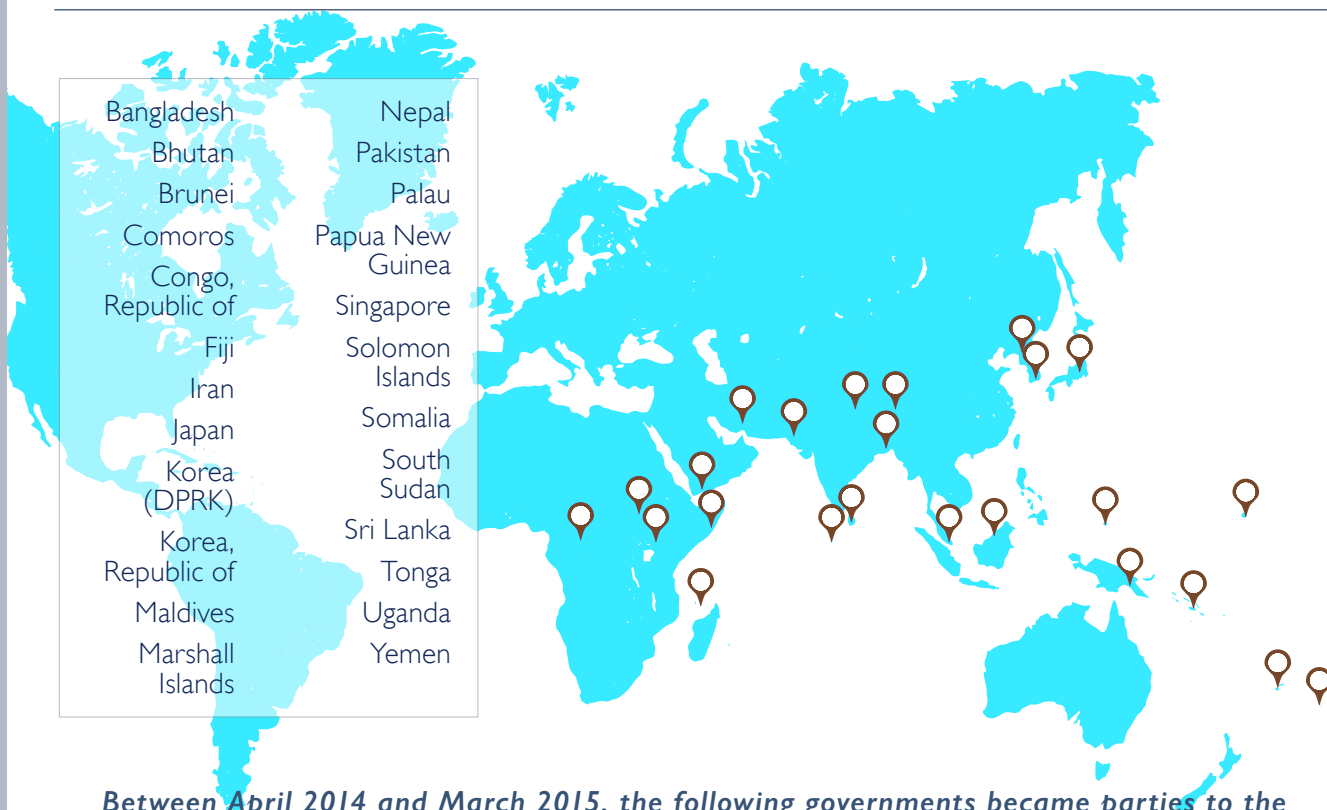


In January 2015, President and Mrs. Obama met with Kailash Satyarthi, recipient of the 2014 Nobel Peace Prize, and his wife, Sumedha. In the words of President Obama, "[t]he true measure of Kailash's efforts is not a single prize he has been awarded, but the tens of thousands of people who today live with freedom and dignity thanks to his efforts."

**“**Whose children are they who stitch footballs, yet have never played with one? They are our children. Whose children are they who mine stones and minerals? They are our children. Whose children are they who harvest cocoa, yet do not know the taste of a chocolate? They are all our children.**”**

— Kailash Satyarthi, 2014 Nobel Prize laureate

## Countries in the 2015 *TIP Report* 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



*Between April 2014 and March 2015, the following governments became parties to the Protocol: Afghanistan, Angola, Barbados, Czech Republic, Eritrea, Sierra Leone and Sudan.*



### UNITED STATES

Tanya was only 11 years old when her mother traded her to a drug dealer for sex, in exchange for heroin. Both Tanya's mother and the drug dealer have been indicted on multiple charges, including sex trafficking. In addition, the drug dealer was accused of rape as well as videotaping his sex crimes. At the end of the school year, after four months of such abuse and being forced to take heroin, Tanya went to live with her father and stepmother and confided in them about what had happened. Both her mother and the drug dealer face the possibility of life in prison if convicted on all counts.

ISIL militants in Iraq have taken captive between 4,000 and 5,000 Yazidi women and children. Many have been sold and enslaved or forced into marriages or domestic servitude in Iraq and elsewhere.

## THE PRIVATE SECTOR: AN OPPORTUNITY TO LEAD

Beyond the efforts of governments, companies can also take action to reduce the likelihood of trafficking in their supply chains and respect the rights of those who work to make their businesses successful.

There are many measures businesses can take to mitigate the risks of human trafficking throughout their operations. For starters, business leaders can create anti-trafficking policies that address the common risks in their operations and supply chains, ensure workers have the right to fair compensation and redress, train staff to understand the indicators of human trafficking, and put remediation plans in place before any allegations arise to allow for appropriate corrective action. Businesses should also work with government officials, NGOs, and recruiters in the countries where they source to gain a better understanding of workers' vulnerabilities and commit to making improvements.

A company can demonstrate its commitment to responsibly source goods and services by creating a clear and comprehensive anti-trafficking policy, which includes an enforcement mechanism that is applied throughout the company's supply chain. High-level executives should approve and promote such a policy and build it into company operations so supplier consideration goes beyond price and reliability, to include an assessment of labor practices. Among other things, an effective policy:

- » prohibits human trafficking and those activities that facilitate it—including charging workers recruitment fees, contract fraud, and document retention;
- » responds to industry- or region-specific risks;
- » requires freedom of movement for workers;
- » pays all employees at least the minimum wage in all countries of operation, preferably a living wage;
- » includes a grievance mechanism and whistleblower protections; and
- » applies to direct employees, as well as subcontractors, labor recruiters, and other business partners.



Indigenous peoples such as the Guarani of South America are often politically and economically marginalized, which increases their vulnerability to trafficking.



## GHANA | UNITED STATES

At 13 years old, Effia moved to the United States with family friends, excited to learn English and go to school—something her parents in Ghana could not afford. When she arrived, these so-called friends forbade her from attending school and forced her to clean, cook, and watch their children for up to 18 hours a day. The father physically and sexually abused her. Effia received no payment and could not use the telephone or go outside. Six years later, after a particularly severe beating, she escaped the house and a neighbor called the police. With help from an NGO, Effia is finally in school and plans to become a nurse.

Such a policy sends a clear message to employees, business partners, investors, and consumers that human trafficking will not be tolerated. Coupled with effective risk assessments, monitoring, and serious remediation efforts, it can promote good labor practices throughout the supply chain.

Understanding how supply chains operate, where key suppliers are located, and what working conditions exist in those locations and sectors is vital to help a company gain control. By fully mapping its supply chain, down to the level of raw materials, a company can gain a better understanding of gaps in transparency. Companies can then create a plan to target those areas where high levels of spending overlap with industries or locations with high risks for human trafficking.

Once a risk assessment is completed, companies must begin to address problem areas, implement corrective measures, and monitor and enforce anti-trafficking policies. Monitoring often takes the form of social auditing, which—when done properly—can help to detect violations of company policies, including worker abuse. Yet, human trafficking is frequently difficult for auditors to detect. Companies that are serious about addressing forced labor in their supply chains should make sure that auditors are properly trained and equipped to look for known indicators of human trafficking, including

the fraudulent recruitment practices discussed in this *Report*. Audits should be thorough, comprehensive, and periodic.

Finally, constant pressure on cutting costs can have a destabilizing effect on the proactive measures a company may take to prevent human trafficking. By incorporating anti-trafficking measures throughout an operation, including in company budget, training, policies, and protocols, business can make efforts to ensure that the dignity of workers throughout the supply chain is not sacrificed for higher profits.



Traffickers employ debt bondage, document confiscation, fraud, physical abuse, and threats of abuse, among other tactics, to trap victims in involuntary servitude.

“**L**et us ask ourselves, as individuals and as communities, whether we feel challenged when, in our daily lives, we meet or deal with persons who could be victims of human trafficking, or when we are tempted to select items which may well have been produced by exploiting others. Some of us...close our eyes to this. Others, however, decide to do something about it ... ”

– Pope Francis

## DEMOCRATIC REPUBLIC OF THE CONGO

Ruth's grandmother could not afford her tuition, and Ruth, due to physical disabilities, had a difficult time finding employment. When a family friend offered to both take care of Ruth and pay for her studies if she worked for him, the grandmother eagerly accepted. But the friend did not follow through on his promises. He never allowed Ruth to attend school, he forced her to work as his domestic servant and as an agricultural laborer for third parties, and he confiscated all her earnings. The man also raped Ruth repeatedly and abandoned her when she became pregnant. With the support of an NGO, Ruth received care and skills training and eventually returned to her community.

## LOOKING FORWARD

This year's *Trafficking in Persons Report* presents information intended to highlight the risks many individuals encounter while seeking employment and the ways governments and businesses can take action to protect workers.

Governments, businesses, and individuals have a real opportunity to effect change by influencing the purchases they make and by demanding accountability and transparency in supply chains, promoting and enforcing policies that prohibit trafficking and the practices that facilitate it, and punishing those who perpetuate this practice.

By leveraging the strengths of different actors, the global market can become a place where innovation and growth thrive alongside a workforce free of human trafficking; supply chains create an environment of mutual benefit for both workers and business owners; and consumers celebrate the knowledge that their purchases are contributing to a system that elevates and respects human rights.



Dalits are extremely vulnerable to trafficking. These boys attend a Dalit school established by an NGO as a preventative measure against trafficking.



# COALITION OF IMMOKALEE WORKERS: RECIPIENT OF THE 2015 PRESIDENTIAL AWARD FOR EXTRAORDINARY EFFORTS TO COMBAT TRAFFICKING IN PERSONS

On January 29, 2015, the Coalition of Immokalee Workers (CIW) received the *Presidential Award for Extraordinary Efforts to Combat Trafficking in Persons* from U.S. Secretary of State John F. Kerry. For more than 20 years, CIW has stood by Floridian tomato workers, organized communities, and pioneered a zero tolerance policy on forced labor and sexual assault through its Fair Food Program, which puts worker protections and social responsibility at the absolute center. This program ensures a price premium that buyers agree to pay and growers agree to pass on to farm workers, and provides worker-to-worker training sessions—on site and on-the-clock—at participating farms. CIW has also partnered with law enforcement to help uncover and investigate several modern slavery cases involving farm operations across the southeastern United States. Owing to its outstanding efforts, CIW has effectively eradicated human trafficking in the farms participating in the Fair Food Program.







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These children manually stuff cigarettes with locally grown tobacco, which can negatively affect their health. Some Bangladeshi children are sold into bonded labor by their parents, while others are physically compelled to perform this dangerous work.



## MODERN SLAVERY AS A TACTIC IN ARMED CONFLICTS

Armed groups, violent extremists, and militias fuel conflicts that devastate communities and weaken social and governmental structures, leaving adults and children defenseless and vulnerable. Women and children in armed conflicts are particularly vulnerable to multiple abuses, including those involving human trafficking and sexual and gender-based violence.

The use of modern slavery as a tactic in the armed conflicts in Iraq and Syria is particularly alarming. The Islamic State of Iraq and the Levant (ISIL), as well as other armed groups and militias, continue to intimidate populations and devastate communities through unconscionable violence, fear, and oppression. ISIL has made the targeting of women and children, particularly from Yazidi and other minority groups, a hallmark of its campaign of atrocities. In the past year, ISIL has abducted, systematically raped, and abused thousands of women and children, some as young as 8 years of age. Many of the horrific human rights abuses that ISIL has engaged in also amount to human trafficking. Women and children are sold and enslaved, distributed to ISIL fighters as spoils of war, forced into marriage and domestic servitude, or subjected to horrific physical and sexual abuse. ISIL has established “markets” where women and children are sold with price tags attached and has published a list of rules on how to treat female slaves once captured.

In a recent UN report, women and girls who managed to escape from ISIL recounted how they were treated. A young woman shared how she was taken to a school and given to an ISIL emir as his slave, and in another case, 150 unmarried girls and women were reportedly transported to Syria from Iraq to be given to ISIL fighters as rewards. Some isolated reports indicate ISIL has begun transporting captive women and girls to buyers in the Gulf. Men and boys are also vulnerable to trafficking, as entire families are reportedly abducted and forced to work in agriculture, such as on sheep and poultry farms in Iraq. Additionally, there is growing concern that some ISIL recruits from Central Asian countries may be vulnerable to trafficking after arriving in Syria. Others, deceived by recruiters promising jobs in Turkey, are later taken to Syria and forced by extremist groups to fight, work, or endure sexual servitude.

ISIL continues to actively and unlawfully recruit, including by abduction, train, and use children—some as young as 12 years old—as soldiers in Iraq and Syria. These children are forced to undergo military training to join the front lines of combat, while some are deployed as human shields or made to patrol ISIL checkpoints. In training camps, children nicknamed “Cubs of the Caliphate” are trained to use weapons, make bombs, and deploy as suicide bombers.

Whole communities in Iraq and Syria continue to be displaced internally and in neighboring countries, as increasing numbers of adults and children flee the horrors of war, including those perpetrated by ISIL and other armed groups. The UN estimates 2.8 million individuals in Iraq have been displaced and nearly four million Syrians have fled the country, mostly to Turkey, Jordan, Lebanon, and Iraq. This displacement is compounded by the use of human trafficking as a tactic by ISIL in the armed conflict.

The use of modern slavery in armed conflicts is not unique to ISIL, but is also evident in the case of other armed groups that are forcibly recruiting children and training them to be soldiers or otherwise exploiting them. Boko Haram has forcibly recruited and used child soldiers as young as 12 years old, and abducted women and girls in the northern region of Nigeria, some of whom it later subjected to domestic servitude, other forms of forced labor, and sexual servitude through forced marriages to its militants. In Somalia, al-Shabaab has recruited and used children in armed conflict. The Lord’s Resistance Army, a Ugandan rebel group that operates in eastern regions of the Central African Republic, enslaves boys and girls for use as cooks, porters, concubines, and combatants. The use of human trafficking in the midst of armed conflicts further amplifies the unspeakable devastation communities and families experience and perpetuates intimidation and fear among oppressed communities.

### IRAQ

The Islamic State of Iraq and the Levant (ISIL) overran Tariq’s town and kidnapped his daughter, along with the wives and daughters of many others. After a week of silence, Tariq finally received a phone call—his daughter had gained access to a phone shared by several of the girls imprisoned, and she had called to tell him she was going to be sold that day for \$10. In the past year, ISIL has abducted and exploited thousands of women and children, sold them in markets and sexually enslaved them, forced them into marriages, or subjected them to forced labor. Family members like Tariq are often left helpless, with knowledge of their daughters’ or wives’ whereabouts but unable to prevent the horrendous abuse of their loved ones.

## CHILD SOLDIERS PREVENTION ACT LIST

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 *Trafficking in Persons 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, 2014, and ending March 31, 2015.

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.”

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, 2015, and effective throughout Fiscal Year 2016, 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 credible reporting from various UN entities, international organizations, local and international NGOs, and international media outlets.

The 2015 CSPA List includes governments in the following countries:

- |   |                |
|---|----------------|
| 1. Burma                                  | 5. South Sudan |
| 2. Democratic Republic of the Congo (DRC) | 6. Sudan       |
| 3. Nigeria                                | 7. Syria       |
| 4. Somalia                                | 8. Yemen       |

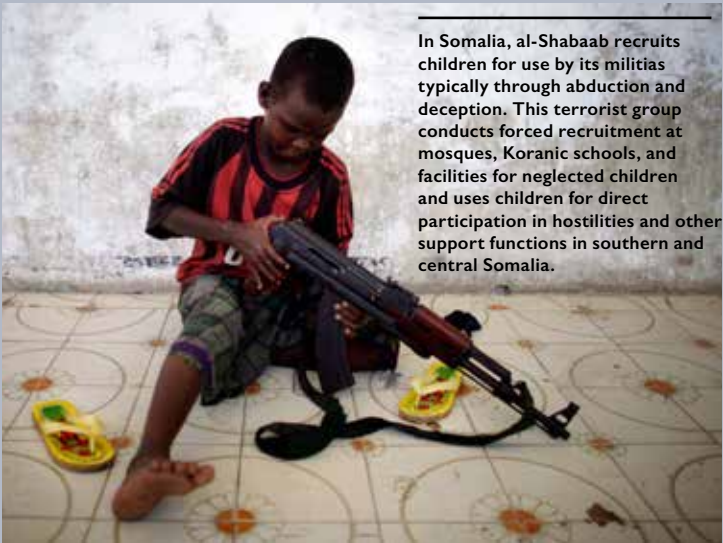
“ [In August 2013,] a child came in who appeared to be between 10 and 12 years old, called ‘Abu Bakr.’ His hand had been cut by a piece of metal. [We] talked to his escort, an armed man from ‘Da`esh’ [ISIL] who came and brought him. He said this boy was a guard in their prison in Tal Abyad, and he had the job of whipping prisoners. ”

– A doctor who worked at a clinic in Tal Abyad in Raqqa governorate, on treating a child injured while serving in an ISIL military camp.

This child in Syria wears a hat bearing the ISIL logo. Reports indicate ISIL kidnaps and forcibly recruits children as young as 12 years old for combat and other military operations.



In Somalia, al-Shabaab recruits children for use by its militias typically through abduction and deception. This terrorist group conducts forced recruitment at mosques, Koranic schools, and facilities for neglected children and uses children for direct participation in hostilities and other support functions in southern and central Somalia.



## NIGERIA

Aisha was at a friend's wedding when she was abducted by Boko Haram, along with her sister, the bride, and the bride's sister. They were taken to a camp where her friends were forcibly married to Boko Haram fighters. Aisha, at 19 years old, had to learn how to fight; she was trained how to shoot and kill, detonate bombs, and execute attacks on villages. She was forced to participate in armed operations, including against her own village; those that refused were buried in a mass grave. Aisha saw more than 50 people killed, including her sister, before she managed to escape.



In Yemen, children are unlawfully recruited and used in armed conflict on the front lines, to man checkpoints, and even as human shields or suicide bombers.



# 2015 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*

## BETTY PEDRAZA LOZANO COLOMBIA



Since July 2003, Betty Pedraza Lozano has served as the founder and director of Corporación Espacios de Mujer, a Colombian NGO that provides victim services to adults, especially women, and children who suffer violence and abuse within the context of human trafficking and sexual exploitation. As director, she promotes and advocates for women's empowerment and victims' rights, as well as gender and human rights. She has worked with the Colombian government and international organizations to implement protocols for victim care.

A native of Medellín, Ms. Pedraza focuses much of her attention in the Antioquia department, where virginity auctions, sex tourism, and child pornography are rampant, and women and children are often exploited in prostitution in the mining and tourism sectors. She coordinated an anti-trafficking awareness campaign called "Porque se Trata de Ti," or "Because it's all about you," which provides educational information on prevention efforts, victim identification, and victim services.

Ms. Pedraza is the co-founder of the Colombian Alliance of Civil Society Organizations against Human Trafficking, the first NGO network on trafficking in the country, and represents Colombia in the Global Alliance Against Trafficking in Women.

## AMEENA SAEED HASAN IRAQ



Ameena Saeed Hasan is a Yezidi Kurd, a former member of the Iraqi Council of Representatives, and a fearless voice for the Yezidi religious minority in northern Iraq. This community has been the target of the Islamic State of Iraq and the Levant (ISIL) since the summer of 2014 when they began kidnapping thousands of members of the Yezidi community, including women and girls who are subjected to forced marriages, sexual slavery, systematic rape, and domestic servitude.

Resolved to assist victims of some of the worst forms of human rights abuses and human trafficking, Ms. Hasan participated in an effort to create a registry of ISIL captives and the locations where they were being held. She also joined a team of activists sponsored by the Kurdistan Regional Government that has helped secure the release of approximately 100 former captives.

Ms. Hasan's courageous leadership has been vital to support fellow members of the Yezidi community who have sought assistance from the U.S. government in the face of the ongoing humanitarian crisis in Iraq. She participated as a civil society representative in the White House Summit to Counter Violent Extremism in February 2015, where she delivered remarks on captive Yezidi women.

raise awareness of ongoing criminal practices in their countries and abroad. For more information about current and past Trafficking in Persons Report Heroes, including how to connect with them, please visit the Trafficking in Persons Report Heroes Global Network at [www.tipheroes.org](http://www.tipheroes.org).

## GITA MIRUŠKINA LATVIA



Gita Miruškina, an innovative lawyer for the Latvian NGO Safe House, has dedicated her life to assisting victims of human trafficking and enhancing the legal understanding of trafficking in persons in Latvia and the European Union. As one of the principal NGOs working on trafficking in Latvia, Safe House works directly with sex and labor trafficking victims, assisting them in their recovery and providing vital legal aid.

Ms. Miruškina also has been instrumental in alerting the European Union to the issue of “sham marriages”—brokered marriages between European Union passport-holders and third-country nationals, arranged so the latter can become eligible for immigration benefits—a practice that often leads to sex and labor trafficking, especially of women from Eastern Europe.

In the past six years, Ms. Miruškina has assisted more than 150 trafficking victims and acted as their legal representative in nearly 30 trials, including Latvia’s first labor trafficking trial, a landmark case that is still ongoing. Ms. Miruškina’s professionalism and dedication to a victim-centered approach has been lauded by victims and their families, as well as by judges and prosecutors who frequently consult her for professional advice.

## NOROTIANA RAMBOARIVELO JEANNODA MADAGASCAR



Norotiana Ramboarivelo Jeannoda launched the National Union of Social Workers in Madagascar in 2005, which quickly became a leading civil society organization promoting human rights and combating child sex tourism and human trafficking. She is among the most persistent and outspoken members of civil society advocating in Madagascar on behalf of victims of human trafficking. Ms. Ramboarivelo Jeannoda counsels victims trapped in abusive situations abroad, meets victims at the airport who return destitute and in need of care, and coordinates with border police to institute protective measures.

Ms. Ramboarivelo Jeannoda has prodded the government to do more by documenting the numbers of Malagasy victims exploited in the Middle East and of those who have committed suicide as a result of their desperation. She has led civil society groups to plead publicly for the case of transnational trafficking victims. In addition, Ms. Ramboarivelo Jeannoda was instrumental in ensuring that new draft anti-trafficking legislation addressed the needs of victims, and her advocacy efforts led to the adoption of Madagascar’s new National Action Plan to Combat Trafficking in Persons.

CATHERINE  
GROENENDIJK-NABUKWASI  
*SOUTH SUDAN*



As Founder of Confident Children out of Conflict (CCC), Catherine Groenendijk-Nabukwasi is a pioneer in the fight against child trafficking in South Sudan. Ms. Groenendijk-Nabukwasi established CCC in 2007 as a drop-in center for girls vulnerable to sex trafficking, at a time when no other organizations were serving that population. Between 2010 and 2013, Ms. Groenendijk-Nabukwasi raised funds to build a shelter, which provides full-time residential care for 40 girls, ages 3 to 18, as well as food, health care, scholarships, educational support and mentoring, recreational activities, and counseling. The children learn trades, such as making handicrafts, cooking and farming as a means for income generation, and develop skills in conflict mitigation, stress and anger management, and cultivating self-confidence.

CCC also ensures 600 vulnerable boys and girls in the impoverished communities of Juba attend school by paying tuition and providing basic necessities, including books, uniforms, and shoes. CCC provides outreach services to 10 schools and raises community awareness about child protection and gender-based violence. CCC also supports survivors of trafficking and sexual and gender-based violence displaced by the current civil conflict. In addition, Ms. Groenendijk-Nabukwasi has consistently engaged the Government of the Republic of South Sudan on justice for children, specifically on the issue of human trafficking.

MOSES BINOGA  
*UGANDA*



Moses Binoga, Coordinator of the Ugandan National Counter Human Trafficking Taskforce, has worked tirelessly to bring together the government-led taskforce and the civil society coalition against human trafficking into one coordinated effort to better identify and assist trafficking victims at home and abroad. With Mr. Binoga at the helm, the national taskforce has conducted training programs, created public awareness materials, held pre-departure information briefings for intending migrants, drafted guidelines on victim care for investigators, and is designing a national database in collaboration with the International Organization for Migration for sex and labor trafficking statistics. Due to his urging, the government has substantially increased its emphasis on prosecuting trafficking offenses.

Mr. Binoga is a strong voice on behalf of victims and has brought attention to their stories, often featured in Uganda's leading national papers. He regularly deals directly with victims and answers their calls for assistance while also effectively coordinating assistance between officials and NGOs. Additionally, he proactively engages diplomatic missions in Uganda to establish agreements to prevent Ugandans from being subjected to human trafficking abroad.



PAROSHA CHANDRAN  
UNITED KINGDOM



Parosha Chandran, an extraordinarily dedicated human rights barrister, has spent the last 18 years shaping the development of national and international law and policy on human trafficking in the United Kingdom and globally. With a rare multidisciplinary perspective, she has set critical legal precedents to protect the rights of trafficking victims.

Ms. Chandran has appealed cases in which victims were punished as criminals for crimes committed as a result of being subjected to trafficking; enabled trafficking victims to seek redress by taking civil action against the police for having failed to investigate the alleged crimes; and brought forward a case where the court established the right to refugee status for victims of human trafficking. Ms. Chandran's cases often have exposed legal protection gaps, which have led to legislative or policy reforms.

As one of the world's leading practitioners in the field, Ms. Chandran is recognized as a global expert on human trafficking by the United Nations Office of Drugs and Crime, the Organization for Security and Cooperation in Europe, and the Council of Europe. She works closely with NGOs and has a strong commitment to *pro bono* work. Ms. Chandran is the co-founder of the Trafficking Law and Policy Forum, an educational think tank based in London with a diverse membership.

TONY MADDOX  
UNITED STATES



Tony Maddox is the Executive Vice President and Managing Director of CNN International (CNNi) and creator of the CNN Freedom Project, the longest-running awareness and investigative campaign on modern slavery on a global news channel. CNNi launched the CNN Freedom Project in 2011 to shine a spotlight on modern slavery, amplify the voices of survivors, highlight effective prevention and victim assistance efforts, and investigate the criminal enterprises involved. Mr. Maddox's personal conviction that combating trafficking is a shared responsibility was the catalyst for the concept behind the Freedom Project. Due to his dedication and relentless advocacy, what began as a yearlong project became a much longer commitment. The Freedom Project is celebrating its fifth year of production, and is one of the most successful and highly visible programming initiatives on CNNi.

Under Mr. Maddox's leadership, CNNi has enlisted dozens of correspondents and crews around the world, and has published more than 400 investigative stories on modern slavery. Various NGOs report that Freedom Project stories have led to more than 1,000 survivors receiving assistance, sparked more than \$24 million in donations to anti-trafficking organizations globally, contributed to changing laws and corporate policies, and inspired new NGOs and grassroots campaigns around the world. CNNi currently reaches more than 291 million households and hotel rooms worldwide.



**“E**very citizen can take action by speaking up and insisting that the clothes they wear, the food they eat, and the products they buy are made free of forced labor. Business and non-profit leaders can ensure their supply chains do not exploit individuals in bondage.”

– President Barack Obama

Some Chinese factories subject internal migrants to forced labor, at times compelling them to work in the presence of hazardous chemicals without proper safety equipment.

# 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. The *2015 Trafficking in Persons Report* covers government efforts undertaken from April 1, 2014 through March 31, 2015.

## TIER PLACEMENT

The Department places each country in this *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 country's 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 49), which are generally consistent with the Palermo Protocol.

While Tier I is the highest ranking, it does not mean that a country has no human trafficking problem or that it is doing enough to address the problem. Rather, a Tier I 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 I ranking. Indeed, Tier I represents a responsibility rather than a reprieve. A country is never finished with the job of fighting trafficking.

Tier rankings and narratives in the *2015 Trafficking in Persons 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 and sentencing of offenders;
- » proactive victim identification measures with systematic procedures to guide law enforcement and other government-supported front-line responders in the process of victim identification;

### CZECH REPUBLIC | SWITZERLAND | UNITED KINGDOM

A man approached Bruno outside a homeless shelter in Prague and offered to help him find work and housing in the United Kingdom. He even offered to lend Bruno money for travel, commiserating he had once received help from a stranger. Bruno accepted and traveled with the man and seven other people from Prague to the United Kingdom via Switzerland. The recruiter took everyone's identification documents and, once in the United Kingdom, turned their documents over to the men's new bosses instead of back to the workers. When Bruno arrived at his new boss's house, he was forced, through beatings and threats, to perform construction and factory work, clean, and provide childcare for almost 20 hours every day. He ate one meal each day and was never paid. Bruno eventually fled to the Czech Embassy in London, and an NGO helped move him to a support shelter in the Czech Republic.



- » 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;
- » 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 excessive fees.

## BURMA

Nakaji had to leave school at an early age to help his struggling family by taking a job in a factory. One day, a stranger offered him a better-paying job as a driver. Nakaji eagerly accepted, excited at the prospect of learning how to drive, and went with the man who, for \$80, drugged and delivered him to the Tatmadaw, Burma's armed forces. Nakaji and six other boys, the eldest 17 years old, were sold to the army and moved to a base in the capital, where they lived under armed guard. Upon realizing what had happened, Nakaji's father, a retired sergeant, contacted the police but, according to Nakaji, they "wouldn't help until my father mentioned the International Labor Organization." Nakaji was released when he was 15 years old and now works on the docks.

**In Afghanistan, opium-farming families sometimes sell their children to settle debts with opium traffickers, while other families use labor brokers to obtain employment for their children who then become trapped in forced labor.**



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

The governments of countries that fully comply with the TVPA's minimum standards for the elimination of trafficking.

### TIER 2

The governments of countries that 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

The government of countries that do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards, and for which:

- 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 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

The governments of countries that 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 that the government would need to undertake to be in compliance with the minimum standards in light of the government's resources and capabilities to address and eliminate severe forms of trafficking in persons.

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. 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

## PHILIPPINES

A Palawan fisherman recruited Datu and 25 other men to work as fishermen on a neighboring island in the Philippines. The workers met with the recruiter twice before moving to the island, and they received money at each meeting that reaffirmed their belief that well-paying jobs awaited. At their new job, however, the men were not paid at all. Instead, their traffickers charged them P60,000 (\$1,360) each for room and board. They forced the men to fish illegally and physically abused them if they did not catch enough fish. The men endured forced labor for two months before being released. Both the recruiter and fish trader face charges of human trafficking, and the owner of the boats remains at large.

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.

FUNDING RESTRICTIONS FOR TIER 3 COUNTRIES

Pursuant to the TVPA, governments of countries on Tier 3 may be subject to certain restrictions on bilateral assistance, whereby the U.S. government may withhold or withdraw non-humanitarian, non-trade-related foreign assistance. In addition, certain 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 restrictions would also face U.S. opposition to the provision of assistance (except for humanitarian, trade-related, and certain development-related assistance) by international financial institutions, such as the International Monetary Fund and the World Bank.

Funding restrictions will take effect upon the beginning of the U.S. government's next Fiscal Year—October 1, 2015—however, all or part of the TVPA's restrictions can be waived if the President determines that the provision of such assistance to the government would promote the purposes of the TVPA or is otherwise in the United States' national interest. The TVPA also authorizes the President to waive funding restrictions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.

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

UKRAINE | UNITED STATES

Over a period of several years, five Ukrainian brothers fraudulently promised 70 Ukrainians well-paying janitorial jobs at retail stores in the United States. They further lured the workers with promises to pay for their room and board and all their travel expenses. Once the workers arrived in the United States, however, the traffickers exacted reimbursement for \$10,000-\$50,000 in travel debts, making them work 10 to 12 hours per day, seven days a week to repay the debt, almost never providing compensation. The brothers abused the workers physically, psychologically, and sexually, and threatened to hurt the workers' families if they disobeyed. The brothers brought many of the workers into the United States illegally through Mexico. Over time, several new recruits were detained at the border and other victims bravely came forward, exposing the trafficking ring. Four of the brothers were convicted on charges of human trafficking; one remains a fugitive and is thought to be in Ukraine.

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 I). 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
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	7,909 (456)	3,969 (278)	42,291 (15,205)	15
2012	7,705 (1,153)	4,746 (518)	46,570 (17,368)	21
2013	9,460 (1,199)	5,776 (470)	44,758 (10,603)	58
2014	10,051 (418)	4,443 (216)	44,462 (11,438)	20

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.



# TRAFFICKING VICTIMS PROTECTION ACT: MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

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*Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.*

- (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.

## INDICIA OF “SERIOUS AND SUSTAINED EFFORTS”

- (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 diplomatic, peacekeeping, or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, a transparent system for remediating or punishing such public officials as a deterrent, measures to prevent the use of forced labor or child labor in violation of international standards, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting.
- (4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries.

- (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, including diplomats and soldiers, who participate in or facilitate severe forms of trafficking in persons, including nationals of the country who are deployed abroad as part of a diplomatic, 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. A government's failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria. 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 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 has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with
- (A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government's efforts to prevent trafficking, protect victims, and punish traffickers; or
- (B) the United States toward agreed goals and objectives in the collective fight against trafficking.
- (10) 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.
- (11) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.
- (12) 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.







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In 2014, the *L.A. Times* uncovered conditions indicative of human trafficking on Mexican tomato farms. Some employers illegally withheld workers' wages, and the exorbitant prices at onsite grocery stores caused many laborers to return home penniless after the season.







# 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

## TIER 1

ARMENIA	DENMARK	KOREA, SOUTH	SLOVAKIA
AUSTRALIA	FINLAND	LUXEMBOURG	SPAIN
AUSTRIA	FRANCE	MACEDONIA	SWEDEN
THE BAHAMAS	GERMANY	NETHERLANDS	SWITZERLAND
BELGIUM	ICELAND	NEW ZEALAND	TAIWAN
CANADA	IRELAND	NORWAY	UNITED KINGDOM
CHILE	ISRAEL	POLAND	UNITED STATES OF AMERICA
CZECH REPUBLIC	ITALY	PORTUGAL	

## TIER 2

AFGHANISTAN	ECUADOR	LITHUANIA	RWANDA
ALBANIA	EL SALVADOR	MACAU	ST. LUCIA
ANGOLA	ESTONIA	MADAGASCAR	ST. MAARTEN
ARGENTINA	ETHIOPIA	MALAWI	SENEGAL
ARUBA	FIJI	MALTA	SERBIA
AZERBAIJAN	GEORGIA	MEXICO	SEYCHELLES
BAHRAIN	GUATEMALA	MICRONESIA	SIERRA LEONE
BANGLADESH	GREECE	MOLDOVA	SINGAPORE
BARBADOS	HONDURAS	MONGOLIA	SLOVENIA
BENIN	HONG KONG	MONTENEGRO	SOUTH AFRICA
BHUTAN	HUNGARY	MOROCCO	SWAZILAND
BOSNIA & HERZEGOVINA	INDIA	MOZAMBIQUE	TAJIKISTAN
BRAZIL	INDONESIA	NEPAL	TOGO
BRUNEI	IRAQ	NICARAGUA	TONGA
CABO VERDE	JAPAN	NIGER	TURKEY
CAMEROON	JORDAN	NIGERIA	UGANDA
CHAD	KAZAKHSTAN	OMAN	UNITED ARAB EMIRATES
COLOMBIA	KENYA	PALAU	URUGUAY
COTE D'IVOIRE	KIRIBATI	PANAMA	VIETNAM
CROATIA	KOSOVO	PARAGUAY	ZAMBIA
CURAÇAO	KYRGYZSTAN	PERU	
CYPRUS	LATVIA	PHILIPPINES	
DOMINICAN REPUBLIC	LIBERIA	ROMANIA	

## TIER 2 WATCH LIST

ANTIGUA & BARBUDA	CUBA	LESOTHO	ST. VINCENT & THE GRENADINES
BOLIVIA	DJIBOUTI	MALAYSIA	SOLOMON ISLANDS
BOTSWANA	EGYPT	MALDIVES	SUDAN
BULGARIA	GABON	MALI	SURINAME
BURKINA FASO	GHANA	MAURITIUS	TANZANIA
BURMA	GUINEA	NAMIBIA	TIMOR-LESTE
CAMBODIA	GUYANA	PAKISTAN	TRINIDAD & TOBAGO
CHINA (PRC)	HAITI	PAPUA NEW GUINEA	TUNISIA
CONGO, DEMOCRATIC REP. OF	JAMAICA	QATAR	TURKMENISTAN
CONGO, REPUBLIC OF	LAOS	SAUDI ARABIA	UKRAINE
COSTA RICA	LEBANON	SRI LANKA	UZBEKISTAN

## TIER 3

ALGERIA	EQUATORIAL GUINEA	KUWAIT	SYRIA
BELARUS*	ERITREA	LIBYA	THAILAND
BELIZE	THE GAMBIA	MARSHALL ISLANDS*	YEMEN
BURUNDI	GUINEA-BISSAU	MAURITANIA	VENEZUELA
CENTRAL AFRICAN REPUBLIC	IRAN	RUSSIA	ZIMBABWE
COMOROS*	KOREA, NORTH	SOUTH SUDAN	

## SPECIAL CASE

SOMALIA

\* Auto downgrade from Tier 2 Watch List





## TIER PLACEMENTS

■ Tier 1
 ■ Tier 2
 ■ Tier 2 Watch List
 ■ Tier 3
 ■ Tier 3 (Auto downgrade)
 ■ Special Case

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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	340 (45)	217 (113)	8,900 (5,098)	2
2012	493 (273)	252 (177)	10,043 (6,544)	4
2013	572 (245)	341 (192)	10,096 (2,250)	7
2014	811 (49)	317 (33)	9,523 (1,308)	4

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.



## 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
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	2,127 (55)	978 (55)	8,454 (3,140)	4
2012	1,682 (115)	1,251 (103)	8,521 (1,804)	4
2013	2,460 (188)	1,271 (39)	7,886 (1,077)	3
2014	1,938 (88)	969 (16)	6,349 (1,084)	3

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.





\* Islands in the Caribbean Sea—although part of the Kingdom of the Netherlands, Aruba, Curaçao and St. Maarten are covered by the State Department's Bureau of Western Hemisphere Affairs.

## 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
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	3,188 (298)	1,601 (81)	10,185 (1,796)	2
2012	3,161 (361)	1,818 (112)	11,905 (2,306)	3
2013	3,223 (275)	2,684 (127)	10,374 (1,863)	35
2014	4,199 (197)	1,585 (69)	11,910 (3,531)	5

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.

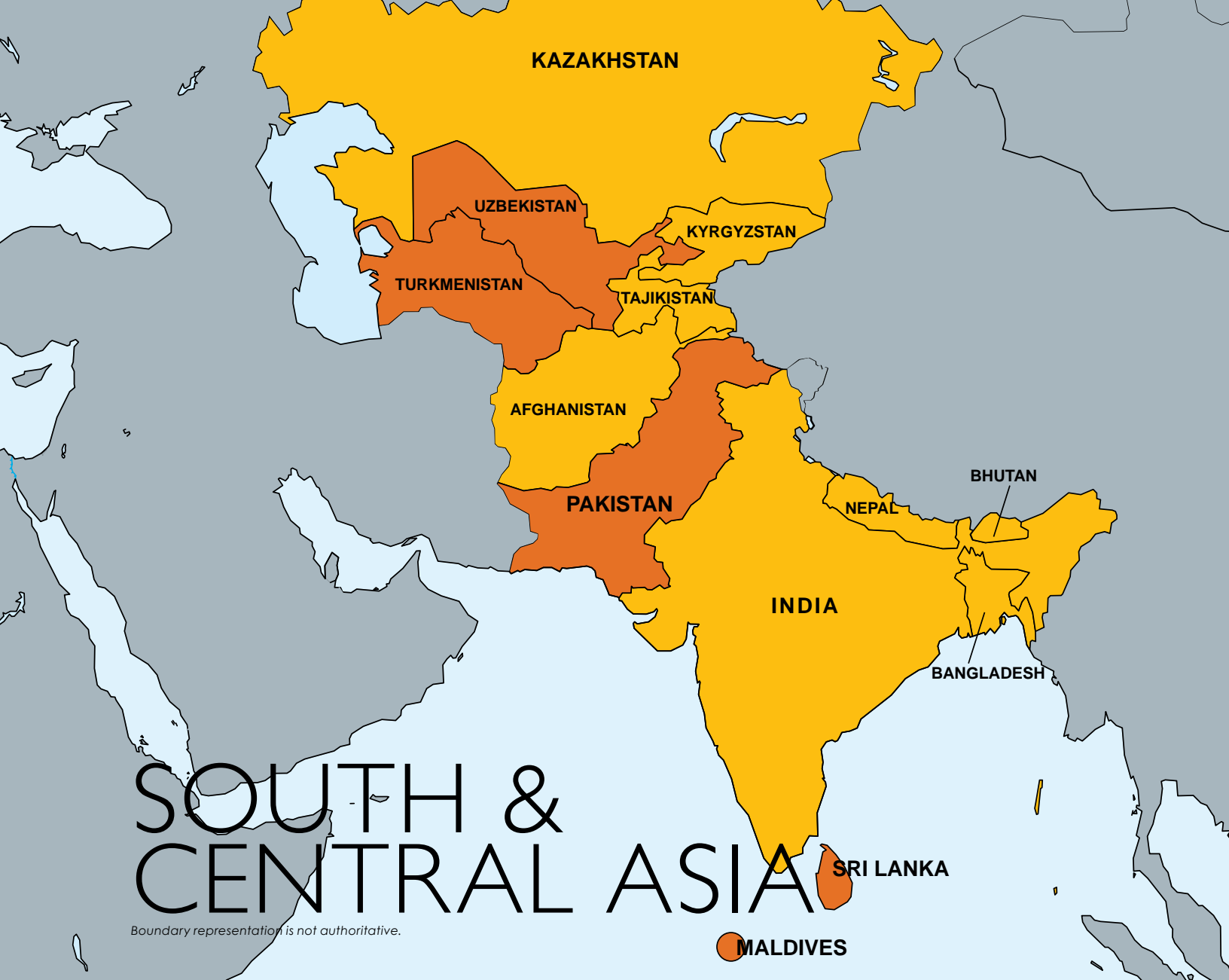


## TIER PLACEMENTS

■ Tier 1
 ■ Tier 2
 ■ Tier 2 Watch List
 ■ Tier 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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 (1,132)	2
2012	249 (29)	149 (15)	4,047 (1,063)	1
2013	119 (25)	60 (4)	1,460 (172)	4
2014	320 (5)	144 (25)	3,388 (2,460)	0

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.



## 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
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 (1,089)	2
2012	1,043 (6)	874 (4)	4,415 (2,150)	1
2013	1,904 (259)	974 (58)	7,124 (1,290)	5
2014	1,839 (12)	958 (10)	4,878 (1,041)	3

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.





## TIER PLACEMENTS

■ Tier 1
 ■ Tier 2
 ■ Tier 2 Watch List
 ■ Tier 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
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	624 (17)	279 (14)	9,014 (2,490)	3
2012	1,077 (369)	402 (107)	7,639 (3,501)	8
2013	1,182 (207)	446 (50)	7,818 (3,951)	4
2014	944 (67)	470 (63)	8,414 (2,014)	5

The above statistics are estimates only, given the lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified. The number of victims identified includes information from foreign governments and other sources.



Traffickers in the Republic of the Congo force Congolese and Beninese children into market vending and domestic servitude.



# 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 49), during the reporting period.

This truncated narrative gives a few examples.

The country's tier ranking is based on the government's efforts against trafficking as measured by the TVPA minimum standards, in the context of its efforts in the preceding year(s).

## COUNTRY X: Tier 2 Watch List

Profile of human trafficking in recent years.

Country X is a transit and destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Men and women from South and Southeast Asia, East Africa, and the Middle East voluntarily travel to Country X as laborers and domestic servants, but some subsequently face conditions indicative of involuntary servitude. These conditions include threats of serious harm, including threats of legal action and deportation; withholding of pay; restrictions on freedom of movement, including the confiscation of passports and travel documents and physical, mental, and sexual abuse. In some cases, arriving migrant workers have found that the terms of employment in Country X are wholly different from those they agreed to in their home countries. Individuals employed as domestic servants are particularly vulnerable to trafficking since they are not covered under the provisions of Country X's labor law. Country X is also a destination for women who are trafficked into prostitution, but the extent to which they are trafficked into forced prostitution is unknown.

TVPA Minimum Standard 4(10) – whether the government shows evidence of overall increasing efforts.

Synopsis of government efforts.

The Government of Country X does not meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government has not yet enacted necessary anti-trafficking legislation, during the reporting period it reaffirmed its commitment to this goal over the next year. Despite these efforts, the government did not show evidence of overall progress in prosecuting and punishing trafficking offenders and identifying victims of trafficking; therefore, Country X is placed on Tier 2 Watch List.

Guidance on how the government can enhance its efforts and obtain a better tier ranking.

### RECOMMENDATIONS FOR COUNTRY X:

Enact the draft comprehensive anti-trafficking legislation; significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders. Apply formal procedures to identify and protect vulnerable groups, such as those who are trafficked into prostitution; and collect, disseminate, and act on counter-trafficking law enforcement data.

TVPA Minimum Standards 1-3 – whether the government prohibits all forms of trafficking and prescribes adequate criminal punishments.

Summary of the country's laws and the government's law enforcement efforts against human trafficking.

### PROSECUTION

The Government of Country X made minimal efforts to investigate and prosecute trafficking offenses during the reporting period. Country X does not prohibit all acts of trafficking, but it criminalizes slavery under Section 321 and forced labor under Section 322 of its criminal law. The prescribed penalty for forced labor—up to six months' imprisonment—is not sufficiently stringent. Article 297 prohibits forced or coerced prostitution, and the prostitution of a child below age 15 even if there was no compulsion or redress; the prescribed penalty is up to 15 years' imprisonment, which is commensurate with penalties prescribed for other serious crimes, such as rape. Draft revisions to the penal code have not yet been enacted. An unconfirmed report indicates that four traffickers were charged with fraudulently issuing visas to workers who they then exploited. Two were reportedly deported, and two were reportedly convicted. The government did not confirm nor deny the existence of this case. The government did not report any investigations, prosecutions, convictions, or sentences for trafficking complicity of public officials.

TVPA Minimum Standard 4(1) – whether the government vigorously investigates and prosecutes trafficking offenses and convicts and punishes trafficking offenders and provides data on these actions.

### PROTECTION

Country X made minimal progress in protecting victims of trafficking during the reporting period. Although health care facilities reportedly refer suspected abuse cases to the government anti-trafficking shelter for investigation, the government continues to lack a systematic procedure for law enforcement to identify victims of trafficking among vulnerable populations, such as foreign workers awaiting deportation and women arrested for prostitution; as a result, victims may be punished and automatically deported without being identified as victims or offered protection. The government reported that the Ministry of the Interior has a process by which it refers victims to the trafficking shelter; however, this process is underutilized in practice. The trafficking shelter assisted 24 individuals during the reporting period and provided them with a wide range of services, including full medical treatment and legal and job assistance. Country X commonly fines and detains potential trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations and running away from their sponsors, without determining whether the individuals are victims of trafficking.

TVPA Minimum Standard 4(2) – whether the government adequately protects victims of trafficking by identifying them and ensuring they have access to necessary services.

Summary of the government's efforts to ensure that trafficking victims are identified and provided adequate protection.

Country X sometimes offers temporary relief from deportation so that victims can testify as witnesses against their employers. However, victims were generally not permitted to leave the country if there is a pending case. The government did not routinely encourage victims to assist in trafficking investigations or consistently offer victims alternatives to removal to countries where they may face retribution or hardship.

### PREVENTION

Country X made modest progress in preventing trafficking during the reporting period. While the government made an apparent effort to amend provisions of Country X's sponsorship law to help prevent the forced labor of migrant workers, the government did not start to enforce other parts of the law to the benefit of migrant workers. One provision in the sponsorship law continues to require foreign workers to request exit permits from their sponsors in order to leave Country X. Although this may increase migrant workers' vulnerability to forced labor, the law created a new process through which a laborer who was not granted an exit permit due to a sponsor's refusal or other circumstances can seek one by other means. The Ministry of Labor sponsored media campaigns and organized informational workshops for officials, NGOs, and labor recruitment agencies. However, the government did not provide anti-trafficking training or guidance for its diplomatic personnel during the reporting period. The government has a national plan of action to address trafficking in persons, but did not publicly disseminate the plan or take steps to implement it during the reporting period. The government did not take any public awareness campaigns aimed at reducing the demand for commercial sex acts in Country X, but the government convicted two of its nationals for soliciting children for sex in other countries and sentenced them to 10 years' imprisonment.

TVPA Minimum Standard 4(3) – whether the government is making adequate efforts to prevent human trafficking, including measures to ensure its diplomats or peacekeepers assigned abroad do not engage in trafficking.

Summary of the government's efforts to prevent human trafficking.

TVPA Minimum Standard 4(7) – whether the government has made adequate efforts to address the involvement in or facilitation of human trafficking by government employees.

TVPA Minimum Standard 4(11) – whether the government has made efforts to reduce the demand for commercial sex acts, and, if applicable, participation in international sex tourism by its nationals.



# COUNTRY NARRATIVES



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Maisie, a survivor of sex trafficking, tells her story at a faith-based women's shelter in the United States.

## AFGHANISTAN: Tier 2

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 trafficking victims are children who end up in carpet making and brick factories, domestic servitude, commercial sexual exploitation, begging, transnational drug smuggling, and assistant truck driving within Afghanistan, as well as in the Middle East, Europe, and South Asia. Afghan boys are also subjected to forced labor in Iran in the construction and agricultural sectors. The majority of Afghan victims in Pakistan are women and girls subjected to trafficking for the purpose of commercial sexual exploitation, including through forced marriages. Some Afghan families knowingly sell their children into prostitution, including for *bacha baazi*—where men, sometimes including government officials and security forces, use young boys for social and sexual entertainment. Some law enforcement officials, prosecutors, and judges accept bribes from or use their relationships with perpetrators of *bacha baazi* to allow them to escape punishment. Other families send their children to obtain employment through labor brokers and 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 forcibly recruit and use children as suicide bombers. Boys from Badakhshan, Takhar, Baghlan, Kunduz, and Balkh provinces in the north, as well as those traveling unaccompanied, are particularly vulnerable to trafficking. Some entire Afghan families are trapped in debt bondage in the brick-making industry in eastern Afghanistan.

Men, women, and children in Afghanistan often pay intermediaries to assist them in finding employment, primarily 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 prostitution and domestic servitude primarily in Pakistan, Iran, and India. Afghan boys and men are subjected to forced labor and debt bondage in agriculture and construction, primarily in Iran, Pakistan, Greece, Turkey, and the Gulf states. Some Afghan boys are found in sex trafficking in Greece after paying high fees to be smuggled into the country. There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, Sri Lanka, and China subjected to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, some labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan; the recruiters subject these migrants to forced labor after arrival.

The Government of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government acceded to the 2000 UN TIP Protocol, increased convictions of offenders under the trafficking law, and the Afghanistan Independent Human Rights Commission (AIHRC) completed and published a national inquiry into the practice of *bacha baazi*. However, the government's prosecution and victim protection efforts remained inadequate. While victims of trafficking were routinely prosecuted and convicted as criminals for moral crimes, the government failed to hold the vast majority of traffickers criminally accountable for their offenses. Official complicity remained a serious problem and political will to combat the crime was low. Law enforcement and judicial officials continued to have a limited understanding

of human trafficking, and the government did not develop or employ systematic procedures for the identification and referral of victims to protective services.



### RECOMMENDATIONS FOR AFGHANISTAN:

Cease the penalization of victims for offenses committed as a direct result of being subjected to trafficking; increase prosecutions and convictions under the 2008 anti-trafficking law, while respecting due process; investigate and prosecute officials suspected of being complicit in trafficking; consider amending the 2008 anti-trafficking law to prohibit and penalize all forms of trafficking in persons; strengthen the capacity of the Ministry of Interior (MOI)'s anti-trafficking/smuggling units, including by increasing the number of staff in each region and ensuring their ability to differentiate between smuggling and trafficking; continue to increase the capacity of the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling (high commission), and further implement the anti-trafficking national action plan; educate officials at national, provincial, and local levels on the definition of human trafficking, as well as identification, protection, and law enforcement strategies; improve efforts to collect, analyze, and accurately report counter-trafficking data; and implement culturally appropriate long-term victim rehabilitation programs for boys designed for their specialized needs.

### PROSECUTION

The government made modest law enforcement efforts; convictions of trafficking offenders increased but official complicity remained a serious problem. The 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. The law defines sex trafficking of a child only when coercion is used. 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 law and other provisions of the penal code include penalties for most forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The interagency high commission reported the government convicted 23 offenders under the trafficking statute, an increase from 14 convictions in 2013. The courts sentenced these offenders to terms of imprisonment ranging from one to 15 years.

Law enforcement and judicial officials continued to have a limited understanding of trafficking. In Dari—the language spoken most widely in Afghanistan—the same word is used for both human trafficking and human smuggling, compounding the confusion. The MOI had a central anti-trafficking/smuggling unit staffed with 16 officers and an additional two officers in each of the 34 provinces; however, officers were not solely dedicated to anti-trafficking, and officials noted two officers per province was

insufficient. International organizations and NGOs continued to provide training in eight provinces to police, prosecutors, and other government officials on investigating and prosecuting trafficking cases; the governor's office in each of those provinces provided venues for some of the trainings.

Official complicity in trafficking remained a serious problem. Reports indicated some government and security officials engaged in the practice of *bacha baazi*. The AIHRC's report revealed the majority of those who engage in *bacha baazi* pay bribes to or have relationships with law enforcement, prosecutors, or judges that effectively exempt them from prosecution. Reports indicated some law enforcement officials facilitated trafficking and raped sex trafficking victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained its weak overall efforts to protect victims and penalization of victims continued to be widespread. The government did not develop or employ systematic procedures for the identification of victims and their subsequent referral to protective services. The government, particularly authorities from the Ministry of Labor and Social Affairs, Martyrs, and the Disabled (MOLSAMD) and the Ministry of Women's Affairs (MOWA), in practice referred victims to NGO-run shelters. Police lacked formal guidelines and funding to provide basic care (including water and food) to victims during the investigations. In some instances, police officers paid out-of-pocket for basic victim care. The government did not report the number of victims identified, but an international organization reported the government referred approximately 140 victims to it for assistance in 2014. During the reporting period, three of the four short-term trafficking shelters, owned by MOLSAMD but operated by an international organization, closed due to lack of funding. MOLSAMD assumed some of the operations of the fourth shelter, located in Kabul; an NGO handled the day-to-day operations while MOLSAMD registered the victims and provided security and other reintegration assistance. Similarly, NGOs operated women's protection shelters in 20 provinces that provided protection, legal, and social services to female victims of violence, including victims of trafficking; MOWA registered victims and provided shelter regulations. At times, the government placed child victims in orphanages. There continued to be no shelters for adult male victims.

Despite a directive by the high commission in the previous reporting period to cease prosecution of trafficking victims, victims continued to be penalized for crimes committed as a result of being subjected to human trafficking. Authorities sometimes treated male and female victims as criminals simply for being unchaperoned or for having committed moral crimes. Officials continued to arrest, imprison, or otherwise punish female victims for prostitution or adultery, without regard to whether they had been subjected to forced prostitution, or for escaping from husbands who forced them into prostitution. NGOs reported placement of child trafficking victims in juvenile detention centers, sometimes for several years. Male child sex trafficking victims, including those subjected to *bacha baazi*, were in some cases referred to juvenile rehabilitation centers on criminal charges. Officials sometimes placed male and female victims who could not be accommodated in shelters in prisons.

The government encouraged victims to participate in investigations;

however, it did not provide adequate support, security, and protective services for victims to safely do so without supplemental trauma. For example, in one case, officials forced a child trafficking victim to testify in front of his alleged trafficker. Afghan law allows foreign victims to remain temporarily in Afghanistan for at least six months. There was no information the government forcibly deported any foreign trafficking victims in 2014.

## PREVENTION

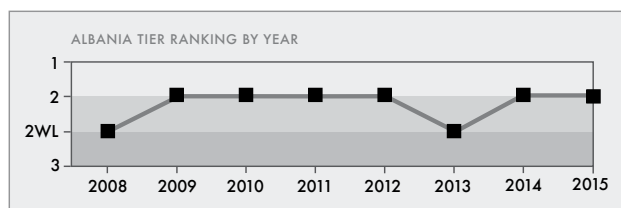
The government made modest improvements in preventing trafficking. The government continued to organize its anti-trafficking activities through its high commission, which met four times in 2014 and separately held 11 working level meetings; routine attendance by deputy ministers at the meetings improved. The high commission took some limited steps to implement activities set forth in its national anti-trafficking action plan, including the establishment of 32 provincial anti-trafficking commissions, of which 31 were functioning at the close of the reporting period. The Ministry of Education requested all schools spend the first five minutes of the school day on raising awareness about human trafficking and smuggling; there is no information confirming that this directive had been implemented. In collaboration with international organizations, MOLSAMD continued to sponsor television spots warning against trafficking. The AIHRC published a groundbreaking report on the practice of *bacha baazi*, which stated the practice was a kind of human trafficking and proposed recommendations for government action; in the course of gathering information for the report, the AIHRC held 14 public hearings attended by 1,050 people in 14 provinces. However, 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 or forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. Afghanistan acceded to the 2000 UN TIP Protocol in August 2014.

## ALBANIA: Tier 2

Albania is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and children are primarily subjected to sex trafficking within Albania, in neighboring countries (Kosovo, Macedonia, Montenegro, and Greece), and in other European countries. Albanian and some foreign victims are subjected to forced labor in Albania, particularly in the tourism industry. An increasing number of Albanian children, often of Romani or Balkan Egyptian ethnicity, are subjected to forced begging and other forms of compelled labor in Albania and neighboring countries (Greece, Kosovo, Macedonia, and Montenegro). Some Albanian girls are subjected to sex trafficking or forced labor following arranged marriages. Some foreign women from European countries, including Ukraine, Russia, the United Kingdom, and Norway, are subjected to sex trafficking in Albania. An increasing number of Middle Eastern and African irregular migrants, particularly Syrians, transit Albania to reach Western Europe and are vulnerable to trafficking, though police have yet to identify any as trafficking victims. Corruption and high rates of turnover within the police force inhibit law enforcement action to address trafficking. Official complicity in trafficking crimes remains a significant concern. A sitting member of Parliament had prior convictions for trafficking-related crimes.



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. The government significantly improved law enforcement efforts by prosecuting and convicting more traffickers than in 2013, including some traffickers who forced children to beg. The government and NGOs identified more victims, and the government increased funding to the state-run shelter for trafficking victims. Nevertheless, psychological, medical, and reintegration services at the state-run shelter were inadequate. Government funding to NGO shelters was insufficient, and the only shelter providing specialized services for child trafficking victims closed for several months due to a lack of funds; however, in March 2015, the government allocated funding for staff salaries at two NGO shelters. The government continued to investigate and punish victims for unlawful acts committed as a result of their exploitation.



## RECOMMENDATIONS FOR ALBANIA:

Increase funding to NGO-run shelters for trafficking victims and provide funding on a regular basis; provide victims free medical and mental health care per the 2014 law and ministerial decision; improve services provided at the state-run shelter; do not punish victims for unlawful acts committed as a direct result of being subjected to trafficking; continue to investigate, prosecute, and convict traffickers, including complicit officials; fund mobile units operated by civil society groups and law enforcement to identify victims; further train police, labor inspectors, and other front-line officials on proactive identification of victims; encourage victims to assist in the prosecution of their traffickers by facilitating participation in the witness protection program and expanding training for prosecutors dealing with victim witnesses; improve the capacity of border and migration police to screen irregular migrants for trafficking indicators; and continue efforts to screen street children for signs of trafficking.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. Albania's criminal code prohibits sex and labor trafficking under Articles 110(a) and 128(b), which prescribe penalties of eight to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The Serious Crimes Prosecutor's Office investigated 39 suspected traffickers in 2014, an increase from 24 suspects in 2013. The government did not disaggregate law enforcement data to demonstrate efforts against both sex trafficking and forced labor. The government prosecuted 18 defendants in 2014, a large increase from three prosecuted in 2013. Courts convicted nine traffickers, a significant increase from two traffickers convicted in 2013. All convicted traffickers received prison sentences ranging from 10 to 20 years. Observers expressed concern authorities sometimes prosecuted traffickers for the lesser crime of "exploitation of prostitution" rather than trafficking because the two laws overlap in some areas. Exploitation of prostitution carries a punishment of

two to five years' imprisonment, and up to 15 years' imprisonment under aggravated circumstances. Victims of the crime are not protected from prosecution for unlawful acts committed as a result of their exploitation. Authorities often applied the lesser charge because it was easier to investigate and prosecute, and some mistakenly only recognized cases involving cross-border movement as trafficking. Border police began screening irregular migrants at Albania's southern border with Greece for trafficking indicators but needed more training on migrant interviewing and translation assistance. During 2014, the government trained 333 judges, prosecutors, and police officers on investigation and prosecution of traffickers and victim identification and protection. High turnover rates hampered the efficacy of police training. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government continued to identify and assist victims but did not provide adequate funding for victim services. The government and NGOs identified 125 potential victims of trafficking in 2014, compared with 95 in 2013. Of these, 37 received official victim status after agreeing to undergo a formal interview with authorities required to obtain official victim status. The government identified 64 victims and NGOs identified 61. About half (62) of all identified victims were minors and 108 were female. Seventy-eight victims were subjected to forced prostitution, and one victim was subjected to forced labor. Twenty-three victims were forced to commit petty crimes, and 13 were forced to beg. Ten victims were subjected to both sex trafficking and forced labor, including forced begging. Victims could access assistance at four shelters comprising the National Shelter Coalition, three of which were operated by NGOs and one of which was state-run. NGO shelters assisted 74 victims, and the state-run shelter assisted 42. The government provided 19,770,000 lek (\$198,000) to the state-run shelter in 2014, compared with 18,240,000 lek (\$182,000) in 2013. The government did not provide adequate funding to NGO shelters, allocating 2,757,200 lek (\$27,800) strictly for food expenses, of which NGOs reportedly received 1,903,512 lek (\$19,000). NGO shelters operated under severe financial constraints throughout 2014. The government did not disburse funds from its Special Fund for Crime Prevention, which held at least 25 million lek (\$250,000), even though the law stipulated these funds be used to support trafficking victim service providers. The only shelter providing specialized services for child trafficking victims, run by an NGO, closed for several months due to lack of funds, though the government gave 1 million lek (\$10,000) in January 2015 to enable the shelter to reopen for three months. In March 2015, the government appropriated funds to pay for several staff member salaries at two NGO shelters. Observers noted the state-run shelter needed renovation and its staff provided inadequate psychological, medical, and reintegration services. Foreign victims had access to the same services as domestic victims, including legal assistance. Male victims were accommodated in apartments. The government amended the law in October 2014 to provide free healthcare to up to 200 trafficking victims per year and passed a decision in November 2014 to provide victims free mental healthcare. Victims did not yet benefit from the changes, however, because service providers awaited implementation guidelines from the government. The government ran a program that incentivized companies to hire former trafficking victims, but observers reported some companies forced former victims to work without proper compensation.

A law enacted in July 2014 explicitly gave police the responsibility to identify and refer victims to assistance. The government increased the number of law enforcement and social worker child protection units to 196 in 2014; the units had a direct role in identifying child victims and ensuring their protection, although they remained underfunded and understaffed. NGO-operated mobile units identified 57 potential trafficking victims in 2014, but two of the three units shut down due to lack of funding, while the third was scheduled to cease operations in April 2015. The government trained 75 police officers, social workers, healthcare practitioners, and labor inspectors on victim identification and referral. NGOs reported authorities did not proactively identify victims in general. Victims who testified against traffickers had access to the witness protection program, but no trafficking victims participated in the program. Eight victims testified against traffickers. Prosecutors outside Tirana lacked training on working with victim witnesses. Albanian law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years, though the government had yet to grant this status to a victim. Victims could obtain restitution from the government or file civil suits against traffickers, but no victims received restitution in 2014. Albanian law exempts victims from punishment for crimes committed as a result of their exploitation, but NGOs reported one victim was sentenced to six months' imprisonment for prostitution, while other victims were investigated for prostitution and theft.

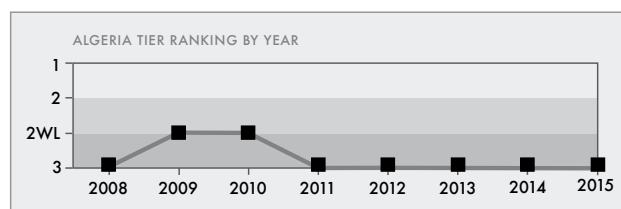
## PREVENTION

The government maintained considerable efforts to prevent trafficking. The government adopted a 2014-2017 national strategy and action plan to combat trafficking in November 2014. The government provided the national anti-trafficking coordinator's office 4.7 million lek in 2014 (\$47,000). The national coordinator published regular activity reports on its website and regularly convened stakeholders belonging to the national referral mechanism. However, a special taskforce formed in 2013 to improve anti-trafficking coordination between police, prosecutors, and judges did not meet. Twelve regional anti-trafficking committees comprised of local officials and NGOs worked on finalizing local action plans on prevention and victim assistance. The national coordinator's office, the state police, and the State Labor Inspectorate signed a memorandum of understanding to identify forced labor cases. Local NGOs and international organizations conducted a study of street children, one-third of whom said their parents forced them to work. Based on this study, the government launched a pilot program to combat child begging in Tirana, which led to the placement of 11 children in social care institutions; police charged five suspects with exploitation of children for begging, and two parents were prosecuted for child exploitation. The government co-established a free hotline and a mobile application for citizens to report suspected trafficking cases. The government conducted a week-long campaign on trafficking, including media and billboard ads and discussions with secondary and university students. The government co-sponsored two trainings to sensitize hotels and tour operators on sex and labor trafficking. The government did not demonstrate efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking guidance for its diplomatic personnel. The national coordinator briefed Albanian diplomats stationed in seven cities on human trafficking regulations.

## ALGERIA: Tier 3

Algeria is a transit and, to a lesser extent, destination and source country for women subjected to forced labor and sex trafficking and, to a lesser extent, men subjected to forced labor. Civil society groups report Algeria is increasingly becoming a destination for both undocumented migration and human trafficking. Criminal networks, which sometimes extend to sub-Saharan Africa and Europe, are involved in human trafficking and smuggling. Sub-Saharan African men and women, often *en route* to neighboring countries or Europe, enter Algeria voluntarily but illegally and frequently with the assistance of smugglers. Many of these migrants, unable to pay off smuggling fees once they arrive in Algeria, become indebted to traffickers. Female migrants may be forced into prostitution, domestic service, and begging. Diplomatic and NGO sources indicate that Nigerien female migrants begging in Algeria may be forced labor victims and often carry children sometimes rented from their mothers in Niger. Sub-Saharan African men endure domestic servitude; employers often confiscate their identification documents, coercing them to remain in the home to work. Illegal sub-Saharan migrants from Anglophone countries remain particularly vulnerable to forced labor and sex trafficking in Algeria, primarily due to poverty and language barriers. Foreign women and children, primarily sub-Saharan migrants, are forced into prostitution in bars and informal brothels; the traffickers are often the victim's co-nationals. Algerian women, and to a much lesser extent children, endure sex trafficking in Algeria. In 2014, the media and an international NGO reported Vietnamese migrants were forced to work on construction sites for Chinese contractors in Algeria.

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. The government did not vigorously investigate or prosecute sex trafficking or forced labor crimes. It continued to conflate human trafficking and smuggling, and some officials denied that trafficking existed in the country. The government reported its first conviction ever under the anti-trafficking law, but it did not provide any details other than the nationality of the victim. As in previous years, the government did not identify victims among vulnerable groups and did not provide or refer victims to NGO-run protection services. Due to lack of victim identification procedures, trafficking victims were frequently subject to arrest and detention.



## RECOMMENDATIONS FOR ALGERIA:

Investigate, prosecute, and convict sex and labor trafficking offenders, distinct from human smuggling, and punish them with imprisonment; establish formal procedures to guide officials in the identification of victims of forced labor, forced prostitution, and child prostitution, particularly among illegal migrant communities; train officials on these identification measures; establish a policy to ensure identified and suspected victims are not punished for unlawful acts committed as a direct result of being subjected

to human trafficking; establish and implement victim referral procedures, and provide appropriate protection services, including shelter, medical care, psychological care, legal aid, and repatriation assistance, to all trafficking victims; provide support to and establish strong partnerships with NGOs or international organizations that offer protection services to trafficking victims; collaborate with relevant organizations and source country missions to ensure the safe and voluntary repatriation of foreign victims; and raise public awareness of trafficking, including on the differences between human trafficking and smuggling.

## PROSECUTION

The government made minimal law enforcement efforts to address human trafficking. Algeria prohibits all forms of trafficking under Section 5 of its criminal code, enacted in February 2009. Prescribed penalties under this statute range from three to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law No. 14-01, adopted in February 2014, criminalizes the buying and selling of children under the age of 18 years, which provides prison terms of three to 20 years' imprisonment for individuals and groups convicted of committing or attempting to commit this crime; however, this law is overly broad and could be interpreted to include non-trafficking crimes such as human smuggling or illegal adoption. The government maintained that human trafficking was not a significant concern in Algeria, and some officials, including law enforcement officers, denied the crime occurred in the country; this sentiment and lack of knowledge severely hindered law enforcement efforts to combat trafficking. It is unclear if the government has an effective system to collect and report anti-trafficking law enforcement data, and officials had difficulty distinguishing between human trafficking and smuggling crimes. From September to December 2014, the government reportedly investigated one potential trafficking case involving 19 Vietnamese nationals allegedly forced to work on a Chinese-contracted construction site; however, the government reported it did not find evidence of trafficking. Though police reportedly conducted an unknown number of investigations of begging, prostitution, and illegal immigration offenses—that could include potential trafficking crimes—it did not arrest any suspected trafficking offenders. The government reported it convicted a trafficker under the anti-trafficking law in December 2014 with a sentence of 10 years' imprisonment; however, the government did not provide any details of the case except that the victim was an Algerian female. By law, Algerian courts must hear testimony from victims to convict suspected traffickers and are thus unable to secure a conviction if a victim has left the country. Despite reports of complicity, the government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. A local NGO reported police officers allegedly frequented establishments where women were forced into prostitution, yet there was no evidence to suggest the government investigated or prosecuted these officials. Though the General Directorate for National Security maintained six brigades of police officers specialized in illegal immigration and human trafficking, it was unclear whether they received adequate training on anti-trafficking measures.

## PROTECTION

The government made no progress in its efforts to identify or protect trafficking victims. With the exception of a female Algerian victim identified in the only prosecuted trafficking

case from December 2014, the government did not report identifying other trafficking victims during the reporting period. It also did not develop or employ systematic procedures for the identification of trafficking victims among vulnerable populations, such as undocumented migrants and foreign women arrested for prostitution. Because of a lack of identification procedures, authorities reported difficulty identifying victims among large, close-knit migrant populations. In September 2014, an NGO referred to the government a potential forced labor case involving 19 Vietnamese nationals forced to work on a Chinese-contracted construction site; however, it is unclear if the police ever referred the individuals for any type of protection services. Government officials relied on victims to self-report abuses to authorities; however, NGOs reported trafficking victims among the migrant populations did not report potential trafficking crimes to the police for fear of arrest and deportation. Civil society organizations reported police frequently arrested and temporarily jailed trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as engaging in prostitution or lacking legal immigration status. The government did not provide protective services, including shelter, to trafficking victims, nor did it have a formal mechanism to refer potential victims to protection services operated by civil society groups or NGOs. The government encouraged trafficking victims to participate in investigations or prosecutions of trafficking offenders. It is unclear if the government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

## PREVENTION

The government made no progress in its efforts to prevent human trafficking. While the government's inter-ministerial committee continued to meet monthly, it failed to take tangible anti-trafficking efforts, and some government officials continued to deny human trafficking existed in Algeria. Furthermore, the government did not conduct anti-trafficking public awareness or educational campaigns, and it did not attempt to forge effective anti-trafficking partnerships with civil society organizations. The government did not report taking measures to reduce the demand for child sex tourism among Algerians traveling abroad. The government took actions to reduce the demand for commercial sex acts, but it is unclear if it made efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

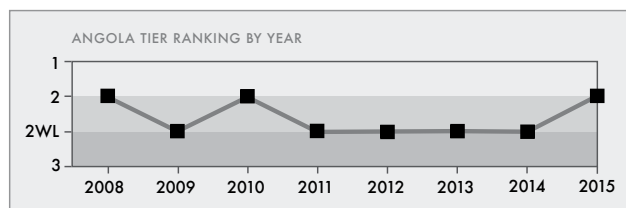
## ANGOLA: Tier 2

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans are forced to labor in the agricultural, fishing, construction, domestic service, and artisanal diamond mining sectors within the country. Chinese nationals in Angola exploit Angolan children in brick-making factories, construction, and rice farming activities. Girls as young as 13 years old endure prostitution. Angolan adults use children under the age of 12 for forced criminal activity, as children cannot be criminally prosecuted. 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 women and children are subjected to domestic servitude and sex slavery in South Africa, Namibia, and European countries, including the Netherlands and Portugal.



Women from Vietnam, Brazil, and potentially other countries involved in prostitution in Angola may be victims of sex trafficking. Some 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 into prostitution to pay back the costs of their travel. Chinese, Southeast Asian, Namibian, Kenyan, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; conditions include the withholding of passports, threats of violence, denial of food, and confinement. At times, workers are coerced to continue work in unsafe conditions, which at times reportedly resulted in death. Chinese workers are brought to Angola by Chinese companies that have large construction or mining contracts; some companies do not disclose the terms and conditions of the work at the time of recruitment. Undocumented Congolese migrants, including children, enter Angola for work in diamond-mining districts, where some endure forced labor or sex trafficking in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from Kasai Occidental in the Democratic Republic of Congo 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. During the reporting period, the government demonstrated increased interest in trafficking in persons issues and made efforts to improve its capacity to address the crime. In 2014, the government acceded to the 2000 UNTIP Protocol and established the Inter-Ministerial Commission to Combat Trafficking in Persons—both noteworthy accomplishments. The government increased its training and capacity-building among officials by holding several seminars, roundtables, and workshops, reaching over 400 officials, and conducted awareness campaigns in government media. During the year, the government shared increased information on its efforts to investigate and prosecute trafficking crimes, reporting its investigation of 18 suspected trafficking cases, five of which it sent for prosecution. The government maintained its modest protection efforts, identifying 17 potential child trafficking victims during the year. Nonetheless, it made inadequate efforts to identify and provide protective services to adult victims. In addition, the government has never convicted a trafficking offender, despite years of ongoing reports of construction companies engaged in forced labor. While it investigated the owner of a construction company in 2014, the government did not systematically investigate abuses in the Angolan construction sector or prosecute and hold accountable those allegedly responsible for forced labor of both Angolan and foreign nationals.



## RECOMMENDATIONS FOR ANGOLA:

Use revised penal code provisions to investigate and prosecute forced labor and sex trafficking offenses; continue to train law enforcement officials on these provisions; systematically investigate labor trafficking in the Angolan construction sector; develop

systematic procedures for the identification and referral of trafficking victims and train officials on such procedures; ensure provision of shelter, counseling, and medical care to both child and adult victims either directly or in partnership with NGOs; collect and analyze anti-trafficking law enforcement data; and organize nationwide anti-trafficking public awareness campaigns.

## PROSECUTION

The government continued to make minimal law enforcement efforts during the reporting period. The 1886 penal code, as amended in February 2014, prohibits all forms of trafficking in persons and prescribes penalties of eight to 12 years' imprisonment, which are both sufficiently stringent and commensurate with those prescribed for other serious crimes. Trafficking is criminalized in Chapter III, Articles 19, 20, and 23. Article 19 criminalizes the act of delivering, enticing, accepting, transporting, housing, or keeping of persons for the purposes of sexual exploitation, forced labor, or trafficking of organs, including by force, fraud, or coercion. Article 19 also makes the enticement, transport, or housing of a child for such purposes by any means a trafficking offense; in keeping with international law, it does not require the use of fraud, force, or coercion to prove a trafficking case when a child is the victim. This provision would appear, however, to overlap with Article 22, pimping of minors, which provides a lower penalty of two to 10 years' imprisonment for promoting, encouraging, or facilitating the exercise of the prostitution of children, with enhanced penalties for the use of force, threat, or fraud of five to 12 years' imprisonment; these penalties are not commensurate with those proscribed for other serious crimes, such as rape. Slavery and servitude are separately criminalized in Article 18 with sentences of seven to 12 years' imprisonment. The Law on the Protection and Integral Development of Children of August 2012 prohibits the exploitation of children under Article 7, and Article 33 prohibits the kidnapping, sale, trafficking, or prostitution of children; however, this law fails to define and prescribe penalties for these crimes, limiting its utility.

In 2014, the government reported on law enforcement efforts to address potential trafficking crimes, including its investigation of 18 potential trafficking cases, compared with two in the previous reporting period. Of these, the government initiated prosecution in five cases—the first anti-trafficking prosecutions initiated since 2011. These anti-trafficking law enforcement efforts appeared to focus on investigating potential child trafficking crimes involving transnational movement. The government did not report on progress to initiate prosecutions and convict suspected trafficking offenders from investigations during previous reporting periods, including the 2013 arrest of a Chinese national suspected of fraudulently recruiting children and young adults from Huila to Zaire province for construction work or the 2013 case involving 54 children intercepted *en route* from Huila to Namibe province, allegedly for work on tomato farms. It has never convicted a trafficking offender. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Due to a culture of corruption, law enforcement efforts were stymied in many areas, including counter-trafficking.

Capacity building was prominent throughout the reporting period, as the government worked aggressively to train its officials on the 2014 anti-trafficking law. The government, at times in partnership with international organizations, trained over 400 officials during the year, compared with 308 in 2013. For example, in November 2014 it organized and funded a two-day seminar for 120 magistrates

on combating trafficking. In July 2014, the police, in partnership with INTERPOL, organized a workshop for 34 police officials on combating trafficking; additional sessions were held for provincial police throughout the country. In addition, national police academy trainings continued to include human trafficking provisions; 144 officials received this training in 2014.

The government maintained a labor agreement with the Government of China that requires Chinese companies to follow Angolan labor laws. During the year, it collaborated with the Kenyan government on the investigation of an alleged trafficking network involving 11 Kenyan victims and a Kenyan-based construction company in Luanda; officials investigated the Luanda-based owner of the construction company, who remained under investigation but was not in police custody at the end of the reporting period. However, Angolan authorities have not sought to criminally prosecute construction companies and employers, including Chinese-run operations, for alleged forced labor abuses.

## PROTECTION

The government made minimal efforts to protect victims. The government identified and rescued 17 potential trafficking victims, compared with 21 potential trafficking victims identified the previous year. The National Institute of Children (INAC) assisted 15 child victims of sex and labor trafficking during the reporting period, providing food, shelter, education, and psychological assistance where available. In one case, the police removed a child forced to work on a farm and referred her to a child support center in Huila, which provided some legal and psychological assistance, as well as basic education to children. In a sex trafficking case, the Director of the Office Against Domestic Violence of the Department of Criminal Provincial Investigations in Cabinda provided shelter to a 14-year-old trafficking victim at her home. The child received psychological assistance and was able to go to school during her stay at the director's home. The government did not proactively identify any adult trafficking victims in 2014, including among the large number of Chinese and foreign laborers in the Angolan construction sector, where exploitation is prevalent.

INAC oversaw child protection networks in all 18 provinces that offered health care, legal and social assistance, and family reunification for crime victims under the age of 18. The Ministry of Social Assistance and Reintegration (MINARS), the Ministry of Family and Women's Promotion, and the Organization of Angolan Women operated 30 counseling centers, seven multipurpose shelters, and 52 children's shelters that trafficking victims could access. Vulnerable women in safe houses receive legal counseling and some receive training; however, it was unclear whether any of these services were provided to trafficking victims during the reporting period. All government-run assistance centers are intended to provide some level of legal and psychological assistance to victims. The government coordinated with an international organization to provide an additional 11 victims with support, including shelter and repatriation to Kenya; however, the government did not provide funding or resources to support such efforts.

Law enforcement, immigration, and social services personnel generally did not make systematic efforts to identify victims and lacked a mechanism for screening individuals in prostitution or undocumented migrants. Neither documented nor undocumented foreign workers, including among the Chinese population, were screened for trafficking victimization and may have been arrested

and deported for unlawful acts committed as a result of having been subjected to trafficking, including immigration and employment violations. For example, if during labor inspection workers were found to be without work permits, authorities fined employers and arrested and deported the workers. On occasions when authorities identified trafficking victims among Chinese laborers, the Angolan government routinely repatriated them to China without providing care or ensuring proper treatment upon their arrival in China. Angolan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution. The government did not actively encourage victims to participate in trafficking investigations during the reporting period.

## PREVENTION

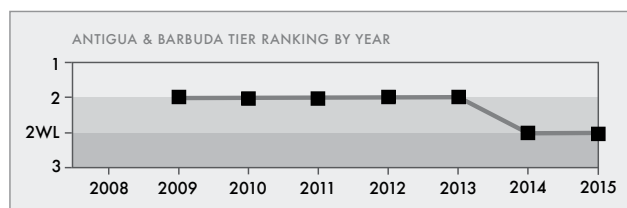
The government increased its efforts to prevent human trafficking. In December 2014, the government established the Inter-ministerial Commission to Combat Trafficking in Persons—under the direction of the Ministries of Justice and Human Rights and Social Assistance and Reintegration—which began oversight of national efforts to protect, assist, and reintegrate into society trafficking victims; the commission met biweekly and began development of a national action plan. In partnership with an international organization, the Ministry of Interior held an information campaign on trafficking in persons targeting border provinces. In July 2014, as part of the International Day to Combat Trafficking in Persons, the Ministry of Interior partnered with three international organizations to raise awareness among 70 representatives of government ministries, Parliament, civil society, and academia. In addition, the Female Police Officers' Association organized a trafficking seminar for over 100 participants. Further, government media included increased reporting on trafficking in persons crimes, characterized as a matter of national concern. The government provided anti-trafficking training or guidance for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. In September 2014, the government acceded to the 2000 UN TIP Protocol.

## ANTIGUA AND BARBUDA: Tier 2 Watch List

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 as well as from Southeast Asia comprise the population most vulnerable to trafficking. The Trafficking in Persons Committee has reported forced prostitution in bars, taverns, and brothels. Forced labor occurs in domestic service and the retail sector. UNICEF has documented children engaging in transactional sex with older men for material goods throughout the Eastern Caribbean; third-party prostitution of children under 18 is a form of human trafficking. Credible sources reiterated concerns of possible trafficking-related complicity by some off-duty police officers providing security at sex trade establishments, though the Royal Antigua and Barbuda Police Force established a policy prohibiting it.

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 these measures, the government did not demonstrate overall increasing

anti-trafficking efforts compared to the previous reporting period; therefore, Antigua and Barbuda is placed on Tier 2 Watch List. In November 2014, the High Court of Justice declared the criminal penalties of the 2010 Trafficking in Persons Act unconstitutional, impeding efforts to hold traffickers criminally accountable. The government did not report any convictions of traffickers but did charge two individuals with trafficking in persons in two separate prosecutions. Authorities identified and referred seven trafficking victims to an international organization to repatriate those victims who wished to return home and provide assistance to those who wished to stay in Antigua and Barbuda.



## RECOMMENDATIONS FOR ANTIGUA AND BARBUDA:

Amend the anti-trafficking law to allow human trafficking offenses to be tried on indictment in the high court, which would have jurisdiction to impose the maximum sentences of imprisonment; vigorously prosecute trafficking offenses and convict and punish traffickers, including officials complicit in trafficking; continue identifying and protecting trafficking victims; formalize procedures for law enforcement, child welfare officials, and other front-line responders to identify victims and refer them to appropriate services; develop and adopt a national anti-trafficking plan; provide anti-trafficking training to diplomatic personnel; and continue efforts to raise awareness among child protection specialists about child sex trafficking, underscoring that all prostituted children—regardless of whether they were moved from one place to another—are trafficking victims.

## PROSECUTION

The government made no discernible progress in convicting and punishing traffickers but charged two individuals with trafficking in persons in two separate cases. Antigua and Barbuda's Trafficking in Persons (Prevention) Act 2010 prohibits all forms of human trafficking, including bonded labor, and prescribes punishments of 20 to 30 years' imprisonment with fines of 400,000 to 600,000 Eastern Caribbean dollars (\$148,000 to \$222,000). These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law also includes extensive victim protection measures. However, the high court ruled the anti-trafficking act was unconstitutional because jurisdiction was vested in the Magistrate's Court rather than the high court, a problem noted since the law was initially passed in 2010. In its current form, the law impairs the prosecution's ability to successfully prosecute and convict traffickers. Authorities conducted two sex trafficking investigations, one involving a U.S. citizen charged with three counts of human trafficking and one involving a Dominican Republic national charged with four counts of trafficking in persons. In comparison, authorities investigated three sex trafficking cases in 2013. Barbuda's high court dismissed one prosecution from 2011 in December 2014; the government did not report any new prosecutions, convictions, or punishments of traffickers in 2014. Credible sources raised concerns of possible trafficking-related

complicity by government officials and an apparent conflict of interest in the practice of some off-duty police officers providing security for sex trade establishments, an arrangement that would appear to inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade and victims' willingness to report offenses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government made uneven progress in the protection of victims. The gender affairs department continued to provide assistance to victims such as counseling, health care, shelter, food and clothing, assistance to communicate with families, travel arrangements, and assistance with employment, work permits, and immigration relief. Law enforcement authorities screened 16 potential trafficking victims and identified seven adult female trafficking victims, an increase from one suspected sex trafficking victim identified in 2013. The government repatriated three Dominican victims and provided legal residency and work permits to one Dominican and three Jamaicans. The government provides modest financial assistance to NGOs to shelter victims. Gender affairs officials provided shelter and services to the potential victims identified in 2014. The government offered one identified foreign victim long-term residency and integration into Antiguan society as a legal alternative to removal to a country where the victim might have faced retribution or hardship. The government estimated its annual budget for victim protection and assistance at 70,000 Eastern Caribbean dollars (\$25,900), which was augmented by an international organization. The 2010 anti-trafficking act protects identified victims from punishment for unlawful acts committed as a direct result of having been subjected to trafficking. The anti-trafficking law establishes that trafficking victims should not be returned to their own countries or a country from which they have been subjected to trafficking without consideration of their safety and the possibility of harm, death, or being subjected to trafficking again.

## PREVENTION

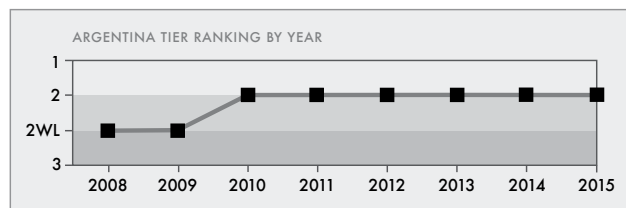
The government sustained prevention efforts. It continued to operate a gender affairs hotline with operators trained to identify and assist victims; the hotline received four trafficking-related calls in 2014. Authorities continued to distribute public awareness materials and posters in English and Spanish that targeted victims, as well as the general public, and shared information on radio and television. The gender affairs department partnered with other government officials and NGOs to raise awareness about trafficking indicators and available government services, including by visiting two secondary schools and distributing posters throughout the country. The government developed a national anti-trafficking action plan in consultation with an international organization. The Trafficking in Persons Committee included representatives from various government entities and two NGOs and met every six weeks. A separate anti-trafficking taskforce focusing on trafficking investigations and victim protection met at least twice per month in 2014. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government reported raiding two establishments 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 are subjected to sex trafficking within the country, as are women and children from other Latin American countries. To a more limited extent, Argentine men, women, and children are subjected to sex and labor trafficking in other countries. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Men, women, and children from Argentina, Bolivia, Paraguay, Peru, and other countries are subjected to forced labor in a variety of sectors, including sweatshops, agriculture, street vending, charcoal and brick production, domestic work, and small businesses. Chinese citizens working in supermarkets are vulnerable to debt bondage. Argentine officials report isolated cases of foreign victims recruited in Argentina and subjected to trafficking in third countries. Some officials, mainly at the provincial level, including police officers and mayors, protect brothels where trafficking occurred. NGOs and officials report that judges receive bribes from traffickers or do not adequately investigate signs of official complicity. A government entity has reported police were complicit in 40 percent of sex trafficking cases either as purchasers of commercial sex or as personal contacts of brothel owners; this serves as a disincentive for victims to report exploitation.

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. Authorities identified a significant number of potential trafficking victims, launched a national awareness campaign, and convicted an increased number of traffickers, including three government officials complicit in sex trafficking. Nevertheless, government funding for victim services was insufficient to assist the large number of potential victims identified during the year. Authorities did not report how many victims received specialized services or shelter in 2014, raising concerns that many trafficking victims—particularly in forced labor—might not have access to services beyond emergency assistance. Trafficking-related corruption, mainly amongst government officials at the provincial level, remained a serious concern.



### RECOMMENDATIONS FOR ARGENTINA:

Increase funding for specialized victim services, particularly for forced labor victims, in partnership with civil society, at the federal, provincial, and local levels; increase prosecutions and convictions with dissuasive sentences for government officials complicit in trafficking; increase availability of shelter, legal, medical, and employment services for victims; consistently offer foreign victims the opportunity to remain in the country and document how many do so; strengthen efforts to investigate, prosecute, convict, and punish traffickers with sufficiently stringent sentences; strengthen coordination among the federal and provincial governments and NGOs, including through establishing the federal council on human trafficking and implementing an anti-trafficking plan with a

budget; improve efforts to collect data on victim identification and assistance to verify that victims receive care beyond emergency services; and continue to train officials and provide guidance on victim identification and assistance.

### PROSECUTION

The government maintained law enforcement efforts. Law 26842 of 2012 prohibits all forms of human trafficking and prescribes penalties of four to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime, and defines facilitating or profiting from the prostitution of others and illegal sale of organs as human trafficking. The government issued implementing regulations for the law in January 2015; these regulations outline victim assistance procedures and mandate interagency collaboration, among other provisions. Although trafficking is a federal crime, some provincial authorities investigated or prosecuted trafficking cases under different statutes related to exploitation and pimping, making it difficult to collect comprehensive data. Confusion over whether federal or provincial governments had jurisdiction caused significant delays in trafficking investigations and prosecutions.

Authorities did not report the total number of anti-trafficking cases investigated by police in 2014. The anti-trafficking prosecutor's office, which monitored trafficking cases heard by courts in the country, opened investigations of 139 sex trafficking cases and 59 labor trafficking cases. Authorities prosecuted 66 individuals for sex trafficking and 26 for labor trafficking in 2014, a decrease from 249 individuals prosecuted for sex and labor trafficking in 2013. The government convicted 37 sex traffickers and 18 labor traffickers in 2014 and acquitted seven alleged sex traffickers in one case. Sentences ranged from one to 14 years' imprisonment. Authorities did not report how many sentences were suspended, although press reports indicated some traffickers served their sentences on probation, and at least one convicted trafficker continued to operate a brothel where sex trafficking had occurred. In comparison, authorities convicted 39 traffickers in 2013. The government provided anti-trafficking training to police, prosecutors, judicial officials, and other officials, including through a virtual training course. Some provincial judges had limited understanding of trafficking, which at times hampered efforts to hold traffickers criminally accountable. Some government materials and officials incorrectly stated that for the crime of trafficking to have occurred, the victims had to have been transported. In 2014, Argentine prosecutors coordinated with foreign governments on five new transnational trafficking investigations. Authorities initiated investigations and prosecutions for trafficking-related complicity, including charging four mayors in the La Pampa province with tolerating brothels where sex trafficking was suspected. The government convicted three police officers for trafficking in 2014; one received a two-and-a-half year suspended sentence while the other two officers were sentenced to four-and-a-half years' imprisonment. Prior investigations of trafficking-related complicity remained ongoing, including: two separate cases from 2013 in which deputy police chiefs allegedly provided protection to brothels where sex trafficking occurred; a 2010 investigation of over 70 Buenos Aires police officers accused of taking bribes to protect brothels; and a 2010 investigation of the former head of the anti-trafficking police unit accused of running brothels.

## PROTECTION

Government efforts to assist victims remained uneven. The Program for Rescue—a team of government officials in Buenos Aires responsible for coordinating emergency victim services nationwide—reported identifying 1,509 potential human trafficking victims in 2014 compared with 1,746 potential victims in 2013. This number may include the total number of individuals encountered during anti-trafficking law enforcement raids, some of whom were likely in exploitative labor without force, fraud, or coercion. Of the potential victims, 942 were women, 564 men, and three were transgender. Authorities did not report how many of these victims were adults or children, how many were Argentine citizens or foreign nationals, or how many were exploited in sex or labor trafficking. Some federal officials had formal procedures of victim identification and assistance, but implementation of systematic procedures to identify victims among vulnerable populations varied by province. Some front-line responders had limited understanding of trafficking. Efforts to identify and assist victims of domestic servitude were weak.

Authorities did not report how many victims they provided with comprehensive services in 2014 or how much funding federal, provincial, or local governments provided for services to trafficking victims. The Program for Rescue took initial victim statements and provided emergency post-rescue care after law enforcement operations to an unspecified number of victims. The Ministry of Social Development oversaw victim services, and each province had a designated government entity responsible for coordinating victim protection at the local level. The quality and level of victim care varied by province, and most provinces lacked dedicated resources to care for trafficking victims, particularly of forced labor. Federal and provincial authorities provided an unspecified amount of funding to one NGO for services for trafficking victims. Most government or NGO shelters provided care for trafficking victims along with gender-based violence or other populations, and authorities did report how many trafficking victims were assisted at shelters or lodged in hotels in 2014. The government announced a new initiative to improve the employment prospects of forced labor victims but did not report how many trafficking victims received employment assistance in 2014. Specialized services were limited, and NGOs reported an acute need for shelter, job training, legal services, and emergency care. The 2012 anti-trafficking law required the government establish a fund for trafficking victims, but this fund was not created in 2014. A new prosecutorial office provided victims assistance during trials and referrals to government services and *pro bono* legal services; this included 80 potential sex trafficking victims and 97 potential labor trafficking victims in 2014. There were no reports of identified victims jailed or penalized for unlawful acts committed as a direct result of their being subjected to trafficking. Authorities did not report how many foreign victims received temporary or long-term residency as authorized by law. It was unclear whether foreign victims were fully informed of residency and assistance options before repatriation. Authorities did not identify or assist any Argentine trafficking victims abroad in 2014.

## PREVENTION

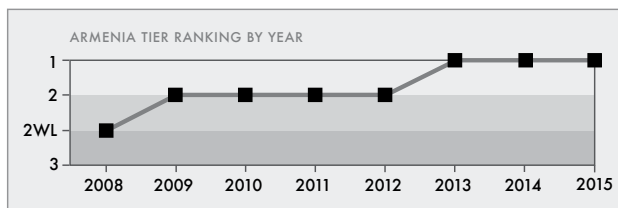
The government maintained prevention efforts. Authorities passed implementing regulations for the federal council on human trafficking in January 2015, a broad working group mandated by the 2012 law to include federal government entities, provincial officials, and NGOs, but the council did not exist in 2014. The

smaller executive council on human trafficking—mandated to implement the initiatives of the federal council—launched a national anti-trafficking awareness campaign in 2014. Authorities did not issue a national anti-trafficking plan as required by law; without a plan, no specific budget allocations could be assigned to new anti-trafficking structures. Some provincial governments undertook prevention efforts. NGOs and municipal authorities continued to express concern about child sex tourism, though there were no reported investigations or prosecutions related to this crime. The government continued proactive efforts to register informal workers and employers in rural areas and investigate non-compliance with labor laws. The national anti-trafficking campaign included efforts to reduce the demand for commercial sex acts, but authorities did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel. Argentine troops received anti-trafficking training prior to their deployment abroad on international peacekeeping operations.

## ARMENIA: Tier I

Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. The sex and labor trafficking of Armenian women and children within the country is an increasing problem. Women and girls from Armenia are also subjected to sex trafficking in the United Arab Emirates (UAE) and Turkey. Women from China subjected to sex trafficking in Armenia were identified for the first time in 2014. Armenian men are subjected to forced labor in Russia and, to a lesser extent, in Turkey. Armenian women and children are vulnerable to forced begging domestically. Some children work in agriculture, construction, and service provision within the country, where they are also vulnerable to labor trafficking. Men in rural areas with little education and children staying in child care institutions remain highly vulnerable to trafficking.

The Government of Armenia fully complies with the minimum standards for the elimination of trafficking. In 2014, Parliament approved a law establishing standard procedures for the identification, support, protection, and reintegration of suspected and identified trafficking victims across national and local government bodies, NGOs, international organizations, and civil society. The government, however, continued to lack formal victim-witness protection, and fewer victims were identified. Police successfully identified foreign victims subjected to trafficking in Armenia and referred them to care. The government maintained strong collaborative working ties with anti-trafficking NGOs, local media, donor organizations, and regional partners. Courts convicted fewer traffickers.



## RECOMMENDATIONS FOR ARMENIA:

Improve efforts to identify victims of forced labor, including

by strengthening victim identification training for officials and empowering labor inspectors to identify victims through unannounced visits, and increasing cooperation across law enforcement entities; provide sensitivity training to judges and lawyers to improve treatment of trafficking victims; work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers; work with NGOs to find ways to identify and assist Armenian victims in Turkey and reintegrate victims; effectively develop and implement new victim compensation mechanisms for trafficking victims; work with NGOs to improve the safety of victims and ensure their freedom of movement while receiving shelter and assistance; continue awareness-raising campaigns to rural and border communities and to children leaving child care institutions; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; and continue robust partnerships with civil society groups.

## PROSECUTION

The government demonstrated decreased law enforcement efforts, as authorities reported fewer prosecutions and convictions. Armenia prohibits both sex 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 10 new trafficking cases in 2014, the same amount as in 2013; four additional investigations were carried over from 2013. Authorities prosecuted seven defendants, compared with 12 in 2013; one case from previous years was reopened due to new circumstances. Armenian courts convicted seven traffickers in 2014—five for sex trafficking and two for labor trafficking—compared with 15 in 2013. Sentences ranged from six to 11 years' imprisonment. Prosecution of labor trafficking cases remained a challenge for Armenian investigators as most cases happened in Russia, where difficulties collaborating with law enforcement persisted. The Ministry of Social and Labor Affairs conducted trafficking-related training for over 270 civil servants; the government trained approximately 600 police employees and regular officers at the Police Academy, and the Ministry of Justice included trafficking topics in mandatory human rights training for 60 officers and 720 employees of corrections institutions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

The government enhanced efforts to protect identified victims. Parliament adopted the Law on Identification and Assistance to Victims of Human Trafficking and Exploitation, which was scheduled to come into force in June 2015, pending presidential ratification. The law outlines actions for national and local government bodies, NGOs, international organizations, and civil society to identify and support trafficking victims. The government certified two male and 11 female trafficking victims in 2014—one of whom was a child subjected to forced begging within the country—and offered assistance, including referrals to NGO shelters, to all of them. All certified victims were identified by police; the previous year the government certified 18 trafficking victims, of which 17 had been identified by police. Four victims identified in 2014 were Chinese nationals subjected to sex trafficking in Armenia by Chinese traffickers. Five of the 11 female sex trafficking victims identified by Armenian authorities had been subjected to trafficking

in Armenia, five in the UAE, and one in Turkey. The absence of diplomatic relations with the Government of Turkey and thus an Armenian Embassy in Turkey hindered the identification of Armenian trafficking victims in Turkey. The government partially funded one NGO that provided shelter to 16 victims, 10 of whom were identified in 2014. A short-term shelter provided support to 12 victims and a longer-term shelter provided assistance to 36 victims. The government and local NGOs jointly provided all victims legal, medical, and psychological assistance; housing; and access to social, educational, and employment projects. Due to security concerns, NGO shelters required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Services were available to female and male victims. There was no special shelter available for child victims; they could be housed in an adult trafficking shelter or referred to a child care institution. The four Chinese victims were provided the same assistance package as Armenian citizens; the four women returned to China in early 2015 with the assistance of the Chinese Embassy and a government co-funded NGO. The government spent 8,728,800 dram (\$18,600) for assistance and counseling of children leaving child care institutions, as well as approximately 950,000 dram (\$2,000) for scholarships and lump sum assistance. The government did not finalize reforms started in 2013 to address difficulties the Labor Inspectorate experienced in identifying victims of forced labor, including the unification of all state inspectorates. All victims officially recognized by the government assisted police with trafficking investigations. During the last several years, victims reported greater trust in law enforcement when assisting investigations and prosecutions. There were no reports in 2014 of identified trafficking victims being inappropriately detained; they were exempted from criminal prosecution for crimes they were forced to commit as a result of their victimization under law.

## PREVENTION

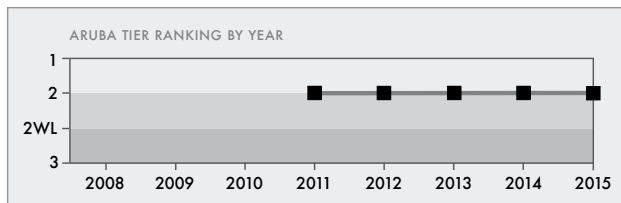
The government continued robust trafficking prevention efforts. The government disbursed 25,097,400 dram (\$53,400) to increase public awareness of trafficking and fund prevention projects. Government agencies used these funds to support a variety of prevention projects and activities, including an anti-trafficking media contest with a cash prize designed to improve professional journalism; awareness-raising workshops and seminars targeting youth, labor migrants, and community representatives; and anti-trafficking public service announcements on national and regional stations during peak viewing periods. The government provided trafficking awareness training to labor inspectors, law enforcement, civil servants, social workers, NGOs, educators, media, and students. The Ministerial Council to Combat Trafficking in Persons, chaired by the Deputy Prime Minister, and the Inter-Agency Working Group against Trafficking in Persons met regularly and continued to coordinate implementation of the government's anti-trafficking action plan in strong partnership with NGOs and international organizations. Two NGOs continued to operate hotlines to assist victims, which were advertised nationally through all forms of media, and hold awareness-raising campaigns at public events. The police continued to maintain a hotline for anti-trafficking and migration-related calls; this number was advertised on a daily television program. The government regularly published reports of its anti-trafficking activities. The government provided anti-trafficking training and guidance for its diplomatic personnel. The government provided anti-trafficking training to Armenian troops before their deployment overseas on international peacekeeping missions.



## ARUBA: Tier 2<sup>†</sup>

Aruba is a source and destination country for women, men, and children subjected to sex trafficking and forced labor. Foreign women, primarily from Colombia and the Dominican Republic, in Aruba's commercial sex trade and foreign men and women in the service and construction industries are vulnerable to trafficking. Chinese men and women working in supermarkets, Indian men in the retail sector and domestic service, and Caribbean and South American women in domestic service are also at risk. A 2013 international organization report identified women in Aruba's regulated and unregulated prostitution sectors, domestic workers, and employees of small retail shops as populations most susceptible to trafficking. This report also noted some children may be vulnerable to trafficking, including children from and/or resident in Aruba providing sexual favors and/or companionship for money and gifts; third party prostitution of children under the age of 18 is a form of human trafficking. Security for sex trade establishments was reportedly sometimes provided by off-duty police officers in the past.

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 increased the maximum jail sentence for human trafficking offenses, criminalized the receipt of services from a trafficking victim if the individual knows the victim is being forced or coerced to provide the services, and investigated a potential case of domestic servitude. Authorities did not formalize standard operating procedures to guide all front-line responders in the proactive identification of trafficking victims and their referral for care. The government's approach to trafficking victim identification and protection remained *ad hoc*. The government did not initiate any new prosecutions during the reporting period.



### RECOMMENDATIONS FOR ARUBA:

Proactively identify trafficking victims among all vulnerable groups, including domestic workers, migrants in construction, minimarkets, and retail shops, and women in the regulated prostitution industry and on adult entertainment visas; formalize standard operating procedures on the identification and referral of trafficking victims for all front-line responders; widely disseminate these procedures to encourage their use by staff in community-based youth programs, health workers, labor inspectors, and other officials; vigorously investigate and prosecute trafficking offenses, and convict and punish traffickers; systematically provide information to all immigrant populations upon their arrival in Aruba so they are familiar with their rights and where to go for help; provide the anti-trafficking committee with an independent budget and provide resources to enable the national coordinator to improve anti-trafficking efforts; and finalize and implement the action plan on human trafficking.

### PROSECUTION

The government made uneven progress in anti-trafficking law enforcement efforts. Aruba prohibits all forms of trafficking in persons through Articles 203a and 286a of its criminal code. In 2014, the government enacted amendments to the penal code, which increased penalties for trafficking offenses to eight to 18 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. The government investigated a potential case of domestic servitude involving an Indian man who worked as a cook and alleged his employer confiscated his passport, restricted his movements, and provided questionable living conditions. The public prosecutor, in coordination with police, determined that the case was not forced labor, despite indicators of trafficking. The government did not prosecute or convict any traffickers in 2014 compared with two convictions in 2013. In April 2014, a judge in Aruba denied a motion from a convicted trafficker for early release. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The national coordinator for anti-human trafficking and smuggling provided training on trafficking indicators to labor inspectors, physicians employed by the Ministry of Health, police officers and managers, and immigration officials.

### PROTECTION

The government made uneven progress protecting victims. Authorities identified one potential labor trafficking victim, a decrease from two potential victims in 2013. The government provided the potential victim with emergency shelter, food, temporary immigration relief, and financial and repatriation assistance. The government reported a policy of providing assistance to victims, including shelter, legal assistance, and medical care, and referring victims to services who called a hotline for victims. Authorities maintained informal, verbal agreements with local NGOs and private sector accommodations to shelter adult victims. Victims were permitted to leave shelters unchaperoned after conducting a risk assessment. 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. The government allowed victims whose employers were suspected of human trafficking to change employers and could grant temporary immigration relief for three to six months on a case-by-case basis; the government provided this relief to the potential labor trafficking victim. The Aruban criminal code enables trafficking victims to file for restitution not to exceed 50,000 Aruban florins (\$28,000) for financial and emotional damages or a civil suit against their traffickers. A multi-disciplinary government team conducted several inspections of construction sites on suspicions of human trafficking; however, no trafficking victims were identified. There were no reports of the government inappropriately punishing victims for unlawful acts committed as a direct result of being subjected to human trafficking.

### PREVENTION

The government sustained prevention efforts. The anti-trafficking taskforce, led by a national coordinator, coordinated Aruba's anti-trafficking efforts and prevention activities. Officials reported the taskforce lacked adequate staffing and a dedicated budget for

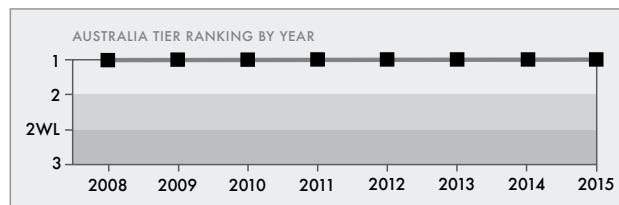
<sup>†</sup> Aruba is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, Aruba is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Aruba would be assessed if it were a separate, independent country.

training, shelter, and other forms of victim assistance. The taskforce continued drafting a 2014-2018 action plan on human trafficking. The government worked with Kingdom partners to update the memorandum of understanding about next steps in the anti-human trafficking effort. The government continued to promote a trafficking awareness campaign, which included posters and flyers in four languages targeting both victims and the general public and linked to a hotline staffed by the national coordinator trained to assist trafficking victims. In an effort to reduce the demand for commercial sex acts, 2014 amendments to the criminal code criminalized the receipt of services from a trafficking victim if the individual knows the victim is being forced or coerced to provide the services. The government did not report efforts to reduce the demand for forced labor. There were no known reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## AUSTRALIA: Tier I

Australia is primarily a destination country for women and girls subjected to sex trafficking and, increasingly, for women and men subjected to forced labor. Child sex trafficking occurs involving a small number of Australian citizens, primarily teenage girls, as well as foreign victims exploited within the country. Some women from Asia and—to a lesser extent—Eastern Europe and Africa migrate to Australia 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. Some foreign women—and sometimes girls—are 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 traffickers. Some victims of sex trafficking and some women who migrate to Australia for arranged marriages are subjected to domestic servitude. Unscrupulous employers and labor agencies subject some men and women from Asia and several Pacific Islands, recruited to work temporarily in Australia, to forced labor in agriculture, construction, hospitality, and domestic servitude. Traffickers often operate independently or are part of small organized crime networks that frequently involve family and business connections between Australians and overseas contacts. Many identified victims are foreign citizens on student visas who pay significant placement and academic fees. Unscrupulous employers coerce students to work in excess of the terms of their visas, making them vulnerable to trafficking due to fears of deportation for immigration violations. Some foreign diplomats allegedly subject domestic workers to forced labor in Australia.

The Government of Australia fully complies with the minimum standards for the elimination of trafficking. The government prosecuted more suspected traffickers than in the previous reporting period, though it failed to convict any offenders. The government increased the number of victims identified and referred to the government-funded support program. It continued awareness efforts to combat child sex tourism, but unlike in 2013, it did not prosecute or convict any Australian nationals for such crimes. The government also launched a five-year national action plan to combat human trafficking.



## RECOMMENDATIONS FOR AUSTRALIA:

Vigorously investigate and prosecute trafficking offenses, and convict and stringently sentence sex and labor traffickers; continue to increase efforts to train police and other front-line officers to recognize indicators of trafficking and respond to suspected cases of both sex and labor trafficking; strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants or workers filing civil grievances; require social service providers to be present when conducting initial screening interviews with victims; develop methods to expedite visas for victims; sustain and increase funding to NGOs for robust victim protection services; consider establishing a national compensation scheme for trafficking victims; implement the national action plan to combat trafficking, launched in December 2014; continue to implement or fund awareness campaigns, particularly among rural communities and migrant populations; increase efforts to prosecute and convict Australian child sex tourists; and develop a targeted campaign to raise awareness among clients of Australia's legal sex trade about the links between prostitution and trafficking.

## PROSECUTION

The government made modest anti-trafficking law enforcement efforts. 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 up to 197,000 Australian dollars (\$152,000). These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The criminal code, through the 2013 Crimes Legislation Amendment, prohibits forced labor and prescribes penalties of nine years' imprisonment, and the Migration Act of 2007 prohibits exploitation of migrant workers through forced labor, sexual servitude, or slavery and prescribes penalties of up to five years' imprisonment and various fines; these are sufficiently stringent penalties and commensurate with those prescribed for other serious crimes. State and territorial laws criminalize child prostitution.

The Australian Federal Police (AFP) investigated 87 alleged trafficking cases, an increase from 46 the previous year. The government prosecuted nine defendants in 2014, compared with six prosecuted in 2013; it did not report how many, if any, involved labor trafficking. It did not convict any traffickers in 2014, compared with one sex trafficker convicted in 2013. Judicial officials dismissed trials for three alleged traffickers and dropped a trafficking charge against one defendant for undisclosed reasons. The AFP maintained its use of specialized teams to investigate suspected trafficking offenses, and the majority of labor trafficking cases continued to be addressed through civil mechanisms. The government funded and facilitated training on trafficking investigations, legislation, and victim support for 25 police and immigration officers. In October 2014, the AFP and regional police officers began implementing a training module to strengthen front-line officials' capacity to identify and investigate trafficking offenses. The government did

not investigate, prosecute, or convict any government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained efforts to protect trafficking victims. Authorities identified 33 potential victims (including 14 for sexual exploitation, eight for forced labor, and 11 where the form of exploitation was unclear), an increase from 21 in 2013, and referred them to the government-funded support program. Only the AFP could identify and refer victims to the government's support program; NGOs provided services for additional victims who were either not recognized by the AFP or who chose not to communicate with law enforcement. Potential victims could typically access accommodation, living expenses, legal advice, health services, and counseling provided by the government. The government continued to provide approximately one million Australian dollars (\$775,000) annually to fund its victim support program. In 2014, one repatriated Australian trafficking victim was provided unspecified support through this program. There were no government-run shelters for trafficking victims and few trafficking-specific shelters in the country. In 2014, the government granted 14 Permanent Witness Protection (Trafficking) visas to victims and their immediate family members, which required victims to assist with an investigation or prosecution of a trafficking offense. Local organizations expressed concern that the lengthy delays in processing this type of visa could be a disincentive for victims to pursue the benefit. Victims identified by authorities were not detained, fined, or penalized for unlawful acts committed as a direct result of being subjected to trafficking.

The government's efforts to identify and refer victims of forced labor were limited. Authorities identified the majority of victims through immigration compliance actions, though some victims may have not self-identified out of a fear of detainment and deportation. The government did not ensure social service professionals were present during initial screening interviews, although procedures were in place for law enforcement officers to bring them in at their discretion. Victims could be eligible for compensation through general crime victim schemes at the state and territorial level, but benefits varied by region and could only be granted on the basis of trafficking-related crimes, as trafficking is not a crime in state and territorial law. NGOs reported concerns of victims not always adequately informed about legal avenues available to those who wish to remain in Australia to pursue compensation or civil remedies.

## PREVENTION

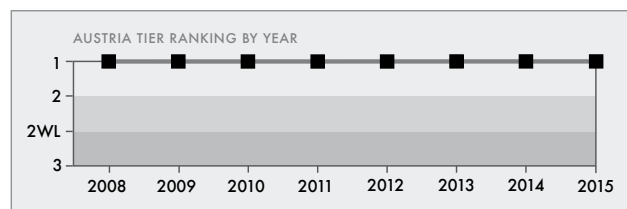
The government sustained efforts to prevent trafficking. It launched a five-year national action plan to combat trafficking in December 2014, but did not implement it during the reporting period. The government continued to fund the Australian Institute of Criminology to conduct research on human trafficking in the country. The Fair Work Ombudsman conducted awareness campaigns on migrant workers' rights and pursued civil cases through the courts for workplace violations, such as underpayment of wages; however, none of the cases it investigated were referred to the AFP or immigration officials for criminal investigation of potential forced labor. During the reporting year, the AFP facilitated training on all forms of trafficking for various NGOs and delivered a trafficking investigation workshop to officials from 11 countries in the Asia-Pacific region. The government continued to distribute materials to passport applicants outlining the application

of Australian child sex laws to Australians overseas. However, unlike in 2013, the government did not prosecute or convict any Australians for child sex trafficking offenses. The government did not take significant steps to reduce the demand for forced labor or commercial sex acts, but continued to demonstrate efforts to raise awareness of and prevent trafficking within its legal sex trade. It provided anti-trafficking training and guidance for its diplomatic personnel prior to being posted abroad.

## AUSTRIA: Tier I

Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. The majority of identified victims are girls and women subjected to sex trafficking. Victims primarily originate from Eastern Europe (Bosnia and Herzegovina, Serbia, Romania, and Bulgaria) and, to a lesser extent, China, Nigeria, the Middle East, North Africa, Southeast Asia, and South America. Traffickers sometimes lure women by offering fictitious positions, including over social media, as *au pairs*, cleaners, waitresses, or dancers. Forced labor occurs in the agricultural, construction, catering, restaurant, and cleaning sectors, and among domestic laborers in diplomatic households. Authorities are identifying trafficking victims among a growing population of unaccompanied minor asylum seekers, including children from Syria, Afghanistan, and North Africa forced into begging. Physically and mentally disabled persons from Eastern Europe and Romani children are victims of forced begging.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. The government more than doubled convictions and prosecuted more trafficking cases compared with 2013. The government continued to identify and refer victims in partnership with NGOs and increased funding for victim services. A counseling center for undocumented migrants that opened in May 2014 identified two trafficking victims, and a center for male trafficking victims began offering shelter in March 2015. The government continued its efforts to address and prevent domestic servitude in diplomatic households. The government supported a campaign to sensitize clients of prostitution about sex trafficking and a program to prevent child sex tourism.



## RECOMMENDATIONS FOR AUSTRIA:

Deliver sentences to convicted traffickers proportionate to the gravity of the crime; sensitize judges on the challenges trafficking victims face in testifying against their exploiters; enhance efforts to identify victims among irregular migrants, asylum seekers, and individuals in prostitution; review and revise procedures to allow for the issuance of residence permits to victims who agree to testify, particularly EU nationals who do not meet the criteria for residency; continue efforts to identify trafficking victims among children in prostitution and forced begging and men working in sectors vulnerable to labor exploitation; and conduct risk analyses



to ensure repatriated trafficking victims are not returned to countries where they face retribution or hardship.

## PROSECUTION

The Austrian government sustained vigorous law enforcement efforts. The government prohibits both sex trafficking and labor trafficking under Article 104(a) of the Austrian criminal code, which prescribes penalties ranging up to 10 years' imprisonment. Article 104 criminalizes "trafficking for the purpose of slavery" and prescribes penalties ranging from 10 to 20 years' imprisonment. The government also prosecuted suspected traffickers under Article 217, which prohibits the movement of people into Austria for prostitution and prohibits the use of deception, threats, or force in the transnational movement of persons for prostitution. Penalties prescribed in Article 217 range from six months' to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government investigated 147 trafficking suspects in 2014 (75 under Article 217, 69 under Article 104(a), and three under Article 104), compared with a total of 192 investigations in 2013. The government prosecuted 57 trafficking defendants in 2014 (29 under Article 217, 28 under Article 104(a), and none under Article 104), an increase from 40 defendants in 2013 (29 under Article 217, 11 under Article 104(a), and none under Article 104). Austrian courts convicted 49 traffickers in 2014 (26 under Article 217, 23 under Article 104(a), and none under Article 104), a large increase from 20 traffickers in 2013 (18 under Article 217, two under Article 104(a), and none under Article 104). Prison sentences ranged from two months to over five years in 2013, the most recent year for which sentencing data was available, though some sentences were partially or fully suspended by courts. The Austrian intelligence service prioritized investigating forced begging in 2014, which led to convictions of traffickers for this crime. The government continued efforts to address trafficking perpetrated by diplomats posted in Austria. Parties reached a settlement in the case of a foreign diplomat accused of labor exploitation of a household employee; a similar case was pending at the end of the reporting period. The government reported domestic workers intending to work for diplomats increasingly applied for tourist visas in an attempt to evade government scrutiny. Law enforcement, military, labor inspectorate, and judicial personnel received training on victim identification and prosecution of trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained strong protection efforts. Police, NGOs, and other government institutions identified and assisted 256 female and 12 male victims in 2014, compared with 242 victims in 2013. The government disbursed 838,740 euro (\$1.02 million) to a specialized anti-trafficking NGO to assist and house victims, an increase from 542,919 euro (\$660,000) disbursed in 2013. The government also disbursed 180,000 euro (\$219,000) to a counseling center for male trafficking victims and a counseling center for undocumented migrants opened in May 2014. Government donations comprised the bulk of these organizations' funding. The center for male victims offered secure accommodation beginning in March 2015, and the center for undocumented migrants identified and referred two trafficking victims in 2014. Trafficking victims received emergency shelter,

medical care, psychological care, and legal assistance. NGO workers helped victims prepare for court proceedings and helped foreign victims return to their countries of origin. Observers reported the government did not properly conduct return assessments and repatriated Nigerian victims to unsafe conditions. A center for unaccompanied minors assisted child trafficking victims and offered specialized psychological care.

The government granted five foreign victims temporary residence permits in 2014, which allowed them unconditional access to the Austrian labor market. However, victims who were EU citizens could not legally remain in the country unless they met a minimum income requirement; this was reportedly a challenge for most EU victims, and many had to leave though they would have preferred to remain in Austria. Police had special checklists for identifying trafficking victims and proactively screened women in prostitution for trafficking indicators. NGOs reported police identification was generally effective, but staff at health centers was unequipped to identify victims among individuals in prostitution. Asylum officers also had identification checklists, but experts reported they had little knowledge of trafficking and irregular migrants were not regularly screened for trafficking concerns prior to deportation. Victims were granted a 30-day reflection period to receive assistance and decide whether to participate in the prosecution of their trafficker. The justice ministry reported 157 victims assisted in prosecutions during 2014. Victims could testify via video conference and could provide anonymous depositions. Nevertheless, most trafficking victims declined to cooperate with authorities due to fear of retaliation by traffickers. Experts reported Austrian judges needed more sensitization training on dealing with trafficked persons as witnesses. Victims could file civil suits for compensation against traffickers, though it was unclear whether any victims collected judgment awards in 2014. There were no known cases of trafficking victims being punished for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

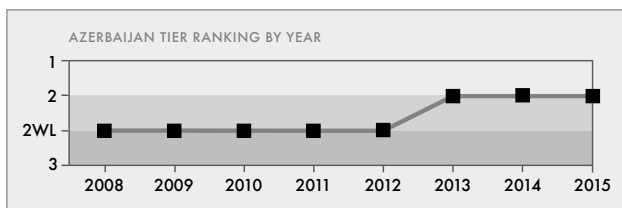
The government continued robust efforts to prevent trafficking. A national anti-trafficking coordinator headed a taskforce that coordinated the government's anti-trafficking efforts and included NGOs. The government published a report on the implementation of its 2012-2014 action plan on its website. The taskforce's labor exploitation working group developed victim identification guidelines for use by labor inspectors and raised awareness among businesses and labor organizations. The government subsidized several publications and television programs on trafficking and funded campaigns to inform women in prostitution and clients of the legal rights of women in prostitution. The government also continued school exhibitions to sensitize Austrian youth to trafficking. The exhibitions were supplemented by a handbook for teachers that contained information on identifying victims. The interior ministry continued to run a 24-hour trafficking hotline and email address. The taskforce distributed leaflets on child trafficking to government authorities and the military. The government continued to cooperate with Germany and Switzerland on the "Don't Look Away" campaign that placed ads against child sex tourism in public transportation. The government reissued the "Global Code of Ethics for Tourism" to tour operators, hotels, and restaurants to combat child sex tourism. The foreign ministry held an event for employees of diplomatic households that led to the identification of a trafficking victim. The government did not make efforts to reduce the demand for commercial sex acts, but did

conduct awareness campaigns to sensitize clients of prostitution about sex trafficking. Austrian troops received government-funded anti-trafficking training conducted by an NGO prior to their deployment abroad as part of peacekeeping missions. The government provided anti-trafficking training and guidance for its diplomatic personnel.

## 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 have been subjected to forced labor in Turkey, Russia, the United Arab Emirates (UAE), and Azerbaijan. Women and children from Azerbaijan have been subjected to sex trafficking within the country and in Turkey, Russia, and the UAE. Azerbaijan is a destination country for sex and labor trafficking victims from China, Russia, Turkey, and Uzbekistan. Some migrant workers from Turkey and other countries in Europe and South and Central Asia are subjected to forced labor in Azerbaijan. Azerbaijan was used as a transit country for victims of sex and labor trafficking from Central Asia to the UAE, Turkey, and Iran in previous years. Within the country, some children, particularly those of Romani descent, are subjected to forced begging and forced labor as roadside vendors and at tea houses and wedding facilities. Filipina victims subjected to domestic servitude in Azerbaijan is an emerging problem. In 2014, one police officer was implicated in a trafficking case.

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 the number of trafficking investigations and convictions, enacted a new national action plan, and introduced new legislation to provide reintegration assistance to vulnerable populations, especially children released from correctional facilities, orphanages, and state-run boarding schools. During the reporting period the government identified three foreign labor trafficking victims, but did not identify any Azerbaijanis subjected to trafficking within the country. The government failed to provide adequate and consistent financial support to NGO partners that provide rehabilitation and reintegration services to victims. Pervasive corruption limited the effectiveness of anti-trafficking regulations and mechanisms.



### RECOMMENDATIONS FOR AZERBAIJAN:

Vigorously investigate and prosecute government officials allegedly complicit in human trafficking, and sentence convicted offenders with dissuasive penalties; strengthen efforts to identify foreign and domestic victims of labor trafficking by law enforcement within the country by creating standard operating procedures; increase law enforcement efforts against traffickers, including individuals or companies that subject migrant workers to forced labor; and

increase the number of convicted offenders sentenced to time in prison; improve communication among government agencies, including about victim referrals and potential cases; formalize the role of NGOs and other stakeholders in the National Referral Mechanism; increase funding to victim service providers and expand the network of providers outside Baku; provide safe accommodation for victims who choose not to cooperate with law enforcement; provide sensitivity training to law enforcement officers, prosecutors, and the judiciary, including on how to work with trafficking victims who have experienced psychological trauma; strengthen the capacity of the State Migration Service to identify and refer foreign trafficking victims; and target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help.

### PROSECUTION

The government increased law enforcement efforts. Azerbaijan's 2005 Law on the Fight against Trafficking in Persons and Article 144 of the criminal code prohibit sex trafficking and forced labor and prescribe penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government reported investigating 23 sex or labor trafficking cases in 2014, a slight increase from four labor trafficking investigations and 17 sex trafficking investigations in 2013. The total number of prosecutions was unavailable. The government convicted 26 traffickers in 2014, compared with five in 2013; three cases were still pending at the end of the reporting period. Twenty-one traffickers were sentenced to prison: seven received a three to six-year sentence, and 14 received eight- to nine-year sentences. The government acknowledged difficulties in investigating and prosecuting child labor violations due to conflicting bureaucratic mandates and the lack of mechanisms for effective interagency cooperation.

Widespread corruption in Azerbaijan hindered anti-trafficking efforts. Civil society groups continued to report law enforcement bodies did not adequately investigate accusations of forced labor in the construction sector for fear of recrimination by influential figures, including government officials. During the reporting period, the Ministry of Internal Affairs (MIA) identified one criminal case in which a former police officer abused his authority by confiscating the identity documents of a foreign national, limiting his freedom, and subjecting him to forced labor. The officer was dismissed from his law enforcement position, and a criminal case was initiated. Local police were accused in a previous reporting period of accepting bribes from brothels, some of which had sex trafficking victims, to overlook illegal activities. In 2013, the government investigated one case of forced labor of a Filipina domestic worker in the home of a politically connected businesswoman, who was found guilty in May 2014 under the trafficking and forced labor statute and sentenced to eight-and-a-half years in prison. However, the court replaced the jail term with a suspended sentence of one year. Civil society contacts claimed the trafficking victim was deported from Azerbaijan in January 2015.

### PROTECTION

The government made some progress to protect and assist victims, although funding for NGOs was insufficient. The MIA Anti-Trafficking Department (ATD) fully renovated the MIA-run shelter in Baku to improve conditions in the shelter, which could accommodate 50 people; however, the shelter was heavily guarded and kept victims within the shelter at all times. Experts

reported the shelters lacked specialized care for victims. In 2014, the government certified 50 women and one girl as sex trafficking victims and three men as labor trafficking victims, compared with 40 sex trafficking victims and 16 labor trafficking victims in 2013. Of the 54 victims certified, 35 women and three men were referred to the MIA-run shelter, where they received legal, medical, and psychological support. The government provided 53 victims with a one-time allowance of 400 manat (\$380), 24 victims with jobs, and 35 victims with vocational training. Of the 54 victims, 36 were directed to NGOs, and 51 were directed to the state-run Victim Assistance Center (VAC) for additional social services. Two NGOs provided shelter and care for 48 potential and recognized victims without government funding. According to authorities, provision of these services was not contingent upon a victim's agreement to participate in a law enforcement investigation. The ATD reported allocating 314,330 manat (\$298,500) to victim assistance in 2014; however, the government did not provide any funding for victim assistance to the NGO partners that provided shelter and other services for victims. These institutions continue to be significantly underfunded, considering the frequency with which they are asked to provide vital housing, medical, employment, and legal assistance to victims.

The government identified three foreign national victims of trafficking. All three foreign victims received services from the ATD. Although the ATD has a list of indicators for identifying victims, it is unclear how the list is distributed or when it is referenced in the course of an inspection. Experts reported identification procedures were insufficient and expressed concern the government only acknowledged cases involving violent coercion and confiscation of passports to be forced labor. Experts widely reported flaws in the referral process, including the government's failure to officially acknowledge or provide services for victims identified by NGOs. Standard procedures instruct authorities to refer foreign victims to the State Migration Service, as opposed to domestic victims who are referred to the MIA; experts expressed concern the State Migration Service did not consistently identify foreign victims.

## PREVENTION

The government continued progress in prevention efforts. The ATD took the lead in drafting the National Action Plan (2014-2018), which was enacted in July 2014, in consultation with international organizations, NGOs, the public, and others. The plan stipulated that shelters be established for youth recently released from correctional facilities—a population vulnerable to trafficking—and that representatives of specified ministries and other government bodies attend anti-trafficking training. It also provided for increased protection of witnesses and included plans to expand shelter and victims' assistance facilities outside of Baku. Multiple civil society representatives praised the explicit implementation timeline and aligned their own work plans to the new national action plan, but some criticized a lack of evaluation metrics in the plan. The plan did not propose an independent evaluation of anti-trafficking efforts, despite GRETA's suggestions.

Most government-supported awareness campaigns targeted Azerbaijani citizens as potential trafficking victims, with an emphasis on international travel and migration. This focus may have perpetuated the government's tendency to inadequately address internal trafficking and Azerbaijan as a destination or potential transit country. The ATD conducted 65 awareness-raising activities in 60 cities and districts, distributed anti-trafficking posters and video clips, and maintained a hotline. The government did not

report any new measures to reduce the demand for commercial sex or forced labor. The new national action plan requires training diplomats to protect the rights and interests of Azerbaijani citizens who are discovered as victims abroad, but the training did not address the prevention of diplomats themselves from engaging in trafficking. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## THE BAHAMAS: Tier I

The Bahamas is a source, destination, and transit country for men, women, and children from other Caribbean countries, South and Central America, and Asia subjected to sex trafficking and forced labor, including in domestic servitude and construction. Vulnerable populations include migrant workers who arrive voluntarily to work as domestic employees and laborers, children born in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship, girls exploited in prostitution, and foreign nationals in prostitution and exotic dancing. Traffickers lure victims with false promises and fraudulent recruitment practices, and maintain victims in sex trafficking and forced labor by confiscating passports and restricting movements.

The Government of The Bahamas fully complies with the minimum standards for the elimination of trafficking. The government successfully convicted one trafficker and sentenced two traffickers from previous convictions in 2014, initiated three new prosecutions, adopted a four-year national anti-trafficking strategy and action plan, provided anti-trafficking training to officials, and continued to implement a victim-centered assistance protocol for identified trafficking victims. Victim identification among vulnerable populations in the country remained low, and the government identified no potential Bahamian victims.



## RECOMMENDATIONS FOR THE BAHAMAS:

Increase efforts to prosecute, convict, and appropriately punish traffickers; increase efforts to identify victims of sex and labor trafficking, especially among vulnerable groups, by implementing the victim identification and referral protocol; provide all identified victims with adequate protection and assistance; continue to implement protocols to take potential trafficking victims to a safe location while conducting victim identification interviews, as victims often first appear as immigration or prostitution violators and are reluctant to disclose details of their exploitation in a detention or post-raid environment; involve independent interpreters when conducting inspections of migrant worker labor sites, and conduct private interviews of workers; continue to build partnerships with NGOs to increase grassroots outreach with potential trafficking victims among vulnerable groups; and continue development of a nationwide public awareness campaign to educate the public and officials about human trafficking, as distinct from human smuggling, and its manifestations in The Bahamas.



## PROSECUTION

The government increased anti-trafficking law enforcement efforts. All forms of human trafficking are prohibited by the Trafficking in Persons (Prevention and Suppression) Act 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 13 new labor and sex trafficking investigations involving 50 potential victims from other Caribbean countries, South and Central America, and Asia, a decrease from 15 investigations in 2013. Authorities ultimately classified only seven of the 50 as victims of human trafficking, which highlighted ongoing concerns that officials often view foreign nationals first through the lens of illegal migration rather than as potential trafficking victims. Officials reportedly screened for trafficking indicators in all cases. One trafficker was convicted for sex trafficking, unlawful withholding of identification documents, and promoting prostitution and sentenced to four years' imprisonment. Another trafficker from a previous conviction under the trafficking act and other statutes, was sentenced to 15 years' imprisonment. In addition, the government initiated three new human trafficking prosecutions during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Government officials funded and delivered training on identifying and assisting victims and investigating and prosecuting traffickers for police, investigators, prosecutors, judges, and other officials. The government provided more than 300 employees of the Royal Bahamas Defence Force (RBDF), Royal Bahamas Police Force (RBPF), Department of Immigration, and Department of Public Health officials with training on human trafficking. All new RBDF and RBPF recruits were required to complete a human trafficking awareness training module.

## PROTECTION

The government sustained efforts to protect victims. Authorities continued to implement a formal victim-centered protocol to guide front-line responders in how to identify trafficking victims and refer them to services. In 2014, the government screened 48 potential adult victims—40 adult females and eight adult males—and two potential child victims, all foreign nationals, in connection with 13 new investigations, compared with 15 new investigations in the previous reporting period. Authorities identified seven sex trafficking victims and referred these victims for appropriate care and assistance including housing, medical assistance, psychological counseling, legal assistance, immigration services, and reintegration assistance. The government reported spending approximately 47,600 Bahamian dollars (\$47,600) on trafficking victims' care, including subsidies to three NGOs. Authorities placed victims in housing rented by the government and facilitated the repatriation of six identified victims, at their request, while making efforts to ensure their participation in ongoing prosecutions. The government provided foreign victims with legal alternatives to their removal to countries in which they would face retribution or hardship and granted temporary immigration relief. Authorities encouraged trafficking victims to assist in prosecutions and amended criminal procedure and evidence laws in 2014 to allow trafficking victims potential entry into witness protection programs and to make trafficking witnesses' testimony by video admissible. In addition, the Criminal Procedure Code allows trafficking victims to submit statements to the court prior to the sentencing of traffickers.

The 2008 anti-trafficking act also provides victims with immunity from prosecution for unlawful acts committed as a direct result

of being subjected to trafficking; however, there were no reports of such immunity being granted in 2014. The UN Rapporteur on Trafficking in Persons expressed concern over the small number of trafficking victims formally identified among vulnerable populations and the government's restrictive immigration policies, which made it difficult for individuals to obtain legal status, thus leaving them vulnerable to trafficking. In response to these concerns, the government mandated all foreign nationals apprehended or arrested be screened for trafficking indicators, developed standard operating procedures, and engaged the public to assist in victim identification. Some potential victims were interviewed while in police custody or in other detention-like settings.

## PREVENTION

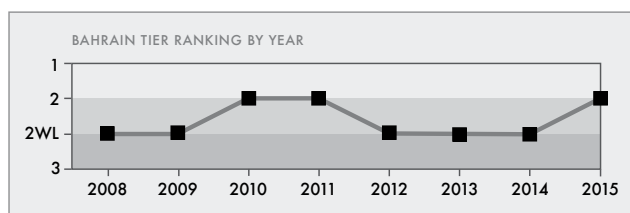
The government increased prevention efforts and took important steps to inform the public and potential victims about trafficking. The government's inter-ministerial committee to coordinate anti-trafficking policy met regularly, as did the government's anti-trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. The government conducted a nationwide public awareness campaign, which educated students about human trafficking, disseminated pamphlets in various public venues to inform potential victims of their rights and available resources, and continued to air public service announcements on television and radio throughout the country. The government, in partnership with NGOs, developed and approved a 2014-2018 national anti-trafficking strategy and detailed action plan with goals related to government infrastructure, prevention, victim and witness protection, investigation and prosecution, partnerships, an implementation timeline, dedicated financial and human resources, and indicators to evaluate progress. Labor inspectors reported using indicators to screen for trafficking when inspecting labor sites. The government provided anti-trafficking training or guidance for its diplomatic personnel. The government conducted awareness efforts targeted at potential clients of the sex trade or forced labor; it closed some sex trade establishments, conducted random inspections and conducted raids on strip clubs and bars to hold purchasers of commercial sexual services accountable. Authorities did not consider child sex tourism to be a problem in The Bahamas and reported no child sex tourism investigations.

## BAHRAIN: Tier 2

Bahrain is a destination country for men and women subjected to forced labor and sex trafficking. Men and women from South and Central Asia, and East Asia; East and West Africa, Uzbekistan, and other countries migrate voluntarily to Bahrain to work as domestic workers or as unskilled laborers in the construction and service industries. In recent years, NGOs observed a greater influx of workers from parts of East Africa. Some migrant workers face forced labor after arriving in Bahrain, experiencing unlawful withholding of passports, restrictions on movement, contract substitution, nonpayment of wages, threats, and physical or sexual abuse. Government and NGO officials report physical abuse and sexual assault of female domestic workers are significant problems in Bahrain; strict confinement to the household, withholding of workers' identity cards and passports, and intimidation by employers prevents some of these workers from reporting abuse. NGOs report male Bangladeshi unskilled workers are in high demand and are considered by employers to be exploitable as they typically do not 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. In recent years, reports of suicides among migrant workers have been associated with forced labor, debt bondage, and isolation. A Labor Market Regulatory Authority (LMRA) study in 2011 found 65 percent of migrant workers had not seen their employment contracts and 89 percent were unaware of their terms of employment. Additionally, the study revealed 70 percent of foreign workers borrowed money or sold property in their home countries to secure their jobs, increasing their vulnerability to debt bondage. Women from Asia, the Middle East, Russia, Ukraine, and other 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 continued to investigate, prosecute, and convict sex trafficking offenders in 2014. The government reported its first criminal prosecutions of forced labor offenses involving five suspected labor traffickers in 2014. In addition, it referred 63 labor violations for criminal prosecution, up from zero the previous year; however, among hundreds of reported labor violations in Bahrain, efforts to investigate and prosecute such cases as serious trafficking crimes or identify potential forced labor victims still remained modest. The LMRA assumed oversight of the national anti-trafficking committee and—in an attempt to better monitor the employment of domestic workers and the modest labor law protections for them—took on management of their visa processing. The government also identified an increased number of victims and continued to refer victims to protection services, including those offered at government-run shelters. It launched innovative awareness-raising efforts, including a social media competition for Bahraini youth to encourage respectful treatment of domestic workers among the general population. Nonetheless, potential trafficking victims—particularly domestic workers who ran away from abusive employers—continued to be arrested, detained, and deported for crimes committed as a direct result of being subjected to human trafficking. Despite past commitments and pledges, the government did not abolish the sponsorship system, which contributed greatly to forced labor and debt bondage in the country.



## RECOMMENDATIONS FOR BAHRAIN:

Significantly increase the investigation and prosecution of trafficking offenses—particularly those involving forced labor—including convictions and punishment of trafficking offenders, using the 2008 anti-trafficking law; vigorously investigate cases involving withholding of passports and nonpayment of wages; continue to institute and apply formal procedures to identify victims of trafficking among vulnerable groups, such as domestic workers and women in prostitution; ensure identified victims of trafficking are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as illegal migration or prostitution; institute a formal victim referral mechanism for law

enforcement and other government officials to refer identified victims to protection services; expand labor law protections to include domestic workers and actively enforce them; expand government-run shelters to provide protection services to 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; amend labor laws to eliminate obstacles to migrant workers' access to legal recourse for complaints of forced labor; continue to train officials on the anti-trafficking law and victim identification; 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 notable progress in its efforts to investigate, prosecute, and convict trafficking offenses. Bahrain's anti-trafficking law, Law No. 1 of 2008, 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. Although withholding a worker's passport is illegal and carries a financial penalty under a ministerial order, a worker is required to file a complaint with the police, who have no authority to enforce this law and can only refer a complaint to the court if the employer refuses to return the passport. According to NGO sources, employers often claimed a worker's passport was lost. A Royal Decree enacted in September 2014 expanded authorities' ability to prosecute Bahraini companies that illegally obtain work permits and aimed to prohibit and penalize the falsification of immigration documents.

The government reported it investigated and prosecuted 21 trafficking cases, involving 51 suspects and 56 victims during the reporting period; according to the public prosecutor, five of these cases involved forced labor offenses and 16 included sex trafficking crimes. Additionally, the public prosecutor pursued 46 cases in which employers had withheld payment. Nonetheless, cases of unpaid or withheld wages, passport retention, and other abuses—common indicators of trafficking—were often still treated as labor violations and taken to labor court where offenders received no punishments unless cases were identified as particularly egregious and referred to the public prosecutor. For example, in 2014, the Ministry of Labor (MOL) closed 600 cases of labor law violations; 377 of these cases involved nonpayment of wages and 223 cases involved passport withholding. The MOL employed nearly 40 safety and health inspectors who carried out visits to work and accommodation sites. When a violation was found, the inspector wrote a report on the violation and arbitrated between the site owner and laborer. If arbitration failed, the MOL could refer the case to the prosecutor for criminal trial; in 2014, the MOL referred 63 out of 427 of these pending labor violations to the prosecutor—a significant improvement from the previous reporting period where none of the cases were investigated under the criminal law as potential forced labor offenses. Most of the cases taken to the labor court involved wage payment delays of one to two months. According to the MOL, embassies could also inspect their nationals' living situations, and all workers had the right to file complaints with the MOL. In August 2014, authorities detained and investigated the chief inspector at the LMRA for accepting a bribe in exchange for waiving legal action against an Indian restaurant accused of trafficking its employees; prosecutors dropped this prosecution after the victims recanted their testimony.

against the employer and acquitted the inspector in January 2015. Bahraini government officials indicated there was a general lack of awareness of trafficking crimes among working-level police.

## PROTECTION

The government made some progress in improving identification and protection of trafficking victims. The government identified 50 suspected trafficking victims in 2014, a significant increase from the 21 victims identified in 2013. Of these victims, 40 were identified as sex trafficking victims and 10 as forced labor victims. The Ministry of Social Development (MOSD) managed a 120-bed domestic violence shelter, which also offered services to female trafficking victims and their children. In 2014, the shelter assisted and provided some medical services to 45 women while their cases were pending in court. Shelter residents could only leave the shelter with a chaperone. The majority of trafficking victims in Bahrain continued to seek shelter at their embassies or at an NGO-operated trafficking shelter. The government provided very limited shelter services to male trafficking victims; however, the MOSD began efforts in 2014 to construct a shelter dedicated to men.

When investigating claims of abuse from domestic workers that ran away from their employers, some police stations reportedly followed up immediately, while others let days or weeks lapse between attempts to contact the employer by phone. This failure to immediately investigate claims of abuse and potential trafficking crimes left victims at risk of further exploitation and without protection services. The Labor Law No.36 provides some protection to domestic workers, which includes requiring domestic workers be provided a labor contract specifying working hours, annual leave, and bonuses; it also requires the employer pay the worker at least once a month. Nonetheless, the government did not issue guidance on implementation of the law. Police officials did not systematically and proactively identify victims—especially victims among the domestic worker population—in stations across the country. NGO sources reported many domestic workers entered the country illegally or under false pretenses, so they did not benefit from protections in the law. NGO sources assessed punishment of trafficking victims had significantly decreased in comparison to the previous reporting period. Nonetheless, the government did not have policies to protect trafficking victims from punishment for crimes committed as a direct result of being subjected to human trafficking; trafficking victims were punished for employment or immigration violations and subjected to detention and deportation. It continued to lack systematic procedures to identify victims among vulnerable groups, such as domestic workers who fled abusive employers or women arrested for prostitution. The Ministry of Interior's anti-trafficking division used criteria, developed in partnership with an international organization, to assist law enforcement officials to identify trafficking victims. NGOs stated victim identification efforts by police were improving, but remained inconsistent across different stations.

Bahraini officials stated they encouraged victims to participate in the investigations and prosecutions of their traffickers and the public prosecutor was responsible for protecting victims of trafficking crimes during preliminary investigations and court proceedings. While the labor law stipulates foreign workers may change sponsors during investigations and court proceedings, victims were unable to change sponsors while their complaints were being adjudicated by the court. It was unclear how many trafficking victims whose cases were not being adjudicated were

able to change sponsors, if any. Workers typically did not file complaints against employers due to distrust of the legal system and lengthy court procedures, inability to afford legal representation, lack of interpretation and translation services, concern over potential loss of residence permits during proceedings, and fear of additional maltreatment at the hands of the employer. In addition to staffing, counselling, and legal support, the government funded the repatriation of third-country nationals to their home countries, but did not report how many victims were provided this assistance during the reporting period. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship, including assistance in finding legal work and a new sponsor.

## PREVENTION

The government increased efforts to prevent human trafficking by reforming its National Committee to Combat Trafficking in Persons and expanding its awareness campaigns targeting both migrant workers and Bahraini employers. In March 2015, leadership of the committee transferred to the LMRA, the level of participation was raised to the undersecretary level for each ministry, and representatives from the Bahrain News Agency and three human rights-focused NGOs joined. In addition, the government established the Protection of Migrant Workers' Rights Unit within the LMRA to staff the committee, tasked with serving as an information hub and service center for trafficking victims and potential victims, as well as coordinating with other relevant ministries on all cases as they move through the system. The committee met once a month during the reporting period and focused primarily on increasing prosecution, expanding victim assistance, broadening training for government personnel, and raising awareness.

In September 2014, the government transferred its management of domestic worker visa processing to the LMRA, which allowed the government to better monitor domestic workers' places of employment and labor law violations. To ensure timely payment of wages, the LMRA piloted a partnership with a private company to provide employers the ability to set up regular money transfers to debit cards to receive payment. The government did not report how many workers were included in this pilot or whether they would make this a mandatory requirement. The LMRA created an awareness-raising competition targeting Bahraini youth aged 16 to 26 years, calling for either a photo, drawing, short movie, or a poster for the general public submitted *via* social media, to encourage respect for the rights of domestic workers. It distributed pamphlets in English and 13 other languages to foreign workers; it also placed advertisements on public transit, which explained workers' rights and advised victims to contact their embassies or call the LMRA hotline if their rights had been violated. The LMRA also distributed SIM cards containing credit to each foreign employee upon their arrival at the Bahrain Airport. Despite past commitments and pledges, the government did not abolish the sponsorship system, which contributed greatly to forced labor and debt bondage. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.



## BANGLADESH: Tier 2

Bangladesh is primarily a source, and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor and sex trafficking. Some Bangladeshi men and women who migrate willingly to work in the Middle East, East Africa, South and Southeast Asia, Europe, and the United States subsequently face conditions indicative of forced labor. 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 at risk of 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. Women who migrate for domestic work are particularly vulnerable to abuse. Some women and children are subjected to commercial sexual exploitation and forced labor in India and Pakistan. Some NGOs allege instances of officials on both sides of the India-Bangladesh border allowing human traffickers to operate.

Within the country, some children and adults are subjected to sex trafficking, domestic servitude, and forced and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the terms of employment. Street children are sometimes coerced into criminality or forced to beg; begging ringmasters sometimes maim children to increase their earnings. In some instances, children are sold into a form of bondage by their parents, while others are induced into labor through fraud and physical coercion, including in the domestic fish processing industry, or exploited in prostitution. According to an international expert on debt bondage, Bangladeshi families and Indian migrant workers are subjected to bonded labor in some of Bangladesh's brick kilns, some kiln owners sell bonded females into prostitution, purportedly to recoup the families' debts, and some Bangladeshi families are subjected to debt bondage in shrimp farming. Some ethnic Indian families are forced to work in the tea industry in the northeastern part of the country. The Burmese Rohingya community in Bangladesh is especially vulnerable to human trafficking.

The Government of 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 continued to prepare, but did not finalize, the implementing rules for the 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) during the year. The government lacked a formal mechanism to refer trafficking victims to protective services; authorities rescued 2,621 victims and placed nine in government-operated shelters. The government continued to fund nine multipurpose shelters, drop-in centers, and safe homes for victims, including victims of trafficking. While the government reached a labor export agreement with Saudi Arabia requiring employers to pay certain recruitment costs, legal recruitment fees continued to be extremely high.



### RECOMMENDATIONS FOR BANGLADESH:

Finalize, adopt, and disseminate the implementing rules for the PSHTA, and train government officials on its implementation; take steps to eliminate all recruitment fees charged by licensed labor recruiters, and enforce violations with criminal sanctions; increase prosecutions and convictions, particularly of labor trafficking, while strictly respecting due process; establish standard operating procedures for the referral of victims to protection services; thoroughly investigate credible allegations of government complicity in trafficking and prosecute offenders who are complicit; enhance the training provided to officials, including law enforcement, labor inspectors, and immigration officers, on methods to proactively identify trafficking cases and refer victims to protection services; expand the support services available to victims within Bangladesh and at Bangladesh's embassies abroad; use the PSHTA to prosecute fraudulent labor recruiters; 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; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2012 PSHTA generally prohibits and punishes all forms of human trafficking although it prohibits the fraudulent recruitment of labor migrants only if the recruiter knows the recruited worker will be subjected to forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) (\$640), 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. The government continued to prepare the implementing rules for the PSHTA but did not finalize them, and some NGOs reported PSHTA provisions had not been circulated widely among district and local officials. The government provided some anti-trafficking training at the police training academy. The government investigated 146 cases of sex trafficking and 12 cases of forced labor in 2014, compared with 84 sex and two labor trafficking cases in 2013. Authorities prosecuted 449 trafficking cases in 2014, compared with 215 in 2013. All cases were prosecuted under the 2012 PSHTA. The government convicted 15 traffickers in 2014, compared with 14 in 2013. The courts sentenced 12 of the convicted traffickers to life, two to 10 years, and one to seven years' imprisonment.

Alleged official complicity remained a problem. According to one report, politicians, police, and border security forces on both sides of the India-Bangladesh border allegedly used a token system to allow traffickers to evade arrest. In 2014, a Bangladeshi national filed a suit in New York against his former employers, a Bangladeshi consular official and his wife, alleging violations of the Trafficking Victims Protection Act, among other forms of exploitation; the case remains ongoing, and the official has since assumed another diplomatic post. The government reported it charged one public official in 2014 with visa fraud to facilitate human trafficking; however, no additional details were provided on any other efforts to address allegations of official complicity.

### PROTECTION

The government made limited efforts to protect victims of trafficking. The government reported the rescue of 2,621 victims in 2014, an increase from 1,090 in 2013; of those rescued in 2014,

2,218 were men, 227 women, and 176 children. Because the government continued to lack a formal mechanism for authorities to refer victims to care, only nine of the 2,621 victims identified were placed in government-operated shelters. The government did not provide services specifically designed for trafficking victims, but victims could access support services for vulnerable people through nine multipurpose shelters, drop-in centers, and safe homes administered by the Ministry of Social Welfare. NGOs provided shelter and services specifically for trafficking victims; police sometimes referred victims to these services on an *ad hoc* basis. The government continued to operate shelters in its embassy in Riyadh and consulate in Jeddah for female Bangladeshi workers fleeing abusive employers; however, overall, officials lacked resources in destination countries to adequately assist labor trafficking victims. Bangladeshi migrant workers could lodge complaints and seek government arbitration on labor and recruitment violations, including allegations of forced labor, with the Bureau for Manpower, Education, and Training (BMET). The arbitration process provided victims with remediation, but rewards were often minimal and did not adequately address illegal activities, including alleged fraud by licensed recruitment agencies.

The PSHTA provided for victim protection during judicial proceedings, including police security and the ability to testify *via* video, but it is unclear how frequently officials employed such protections. NGOs noted insufficient protection resulted in fewer investigations and prosecutions overall. The governments of Bangladesh and India coordinated the rescue and repatriation of child trafficking victims through established standard operating procedures; however, the PSHTA did not provide legal alternatives to the removal of foreign victims of trafficking to countries where they might face hardship or retribution. Unregistered Rohingya refugee trafficking victims may have been at risk of indefinite detention because of their lack of documentation.

## PREVENTION

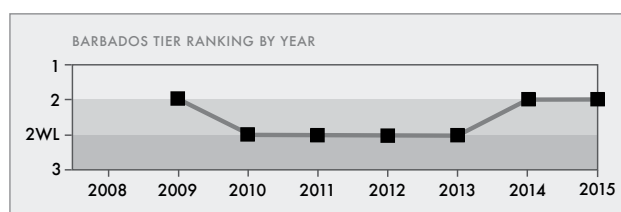
The government made limited efforts to prevent trafficking, and continued to allow BAIRA to set extremely high and legal recruitment fees and did not exercise adequate oversight to ensure BAIRA's licensing and certification practices did not facilitate debt bondage of Bangladeshi workers abroad. In 2014, BMET canceled four recruitment agencies' licenses, the same number as in 2013, and awarded compensation of 1,393,500 BDT (\$17,800) to seven trafficking victims who received legal support to file against the recruitment agencies from a foreign government. In February 2015, the government signed a labor export agreement with Saudi Arabia dictating employers should cover migration costs, including plane fare and medical tests; however, the government did not stipulate the maximum cost or eliminate the processing fee that remained the responsibility of the migrant. The Ministry of Expatriate Welfare's Vigilance Task Force continued to operate with a mandate to improve the oversight of Bangladesh's labor recruiting process. The government continued to facilitate the migration of willing Bangladeshi workers to Malaysia under a government-to-government agreement that aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices. The government continued to require a 21-day pre-departure training course for Bangladeshi women going abroad to work as domestic servants; the training focused on learning practical skills such as using household appliances, but also included modules on trafficking awareness and self-protection.

The government drafted, but did not finalize and launch, the 2015-2017 national plan of action. The Ministry of Home Affairs published its annual report on human trafficking. The government did not fund anti-trafficking awareness campaigns. The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions. The government did not demonstrate efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel. Bangladesh is not a party to the 2000 UN TIP Protocol.

## BARBADOS: Tier 2

Barbados is a source country for children subjected to sex trafficking and destination country for men, women, and children subjected to sex trafficking and forced labor. Authorities and NGOs report foreign women have been forced into prostitution in Barbados. Foreigners are subjected to forced labor in Barbados, most notably in domestic service, agriculture, and construction. Legal and undocumented immigrants from Jamaica, the Dominican Republic, and Guyana are especially vulnerable to trafficking. Child sex trafficking occurs in Barbados. Authorities and NGOs also report parents or caregivers subject local and foreign children of both sexes to commercial sex.

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 acceded to the 2000 UN TIP Protocol in October 2014, drafted amendments to its anti-trafficking law to prohibit all forms of human trafficking, and began developing a government-wide anti-trafficking manual. The government did not identify any new trafficking victims, but assisted previously identified trafficking victims during the reporting period. The government did not convict any traffickers; however, police investigated a government official for alleged complicity in sex trafficking crimes.



## RECOMMENDATIONS FOR BARBADOS:

Enact and implement amendments to the anti-trafficking law to prohibit all 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; convict trafficking offenders, including complicit officials, and provide appropriate sentences for their crimes; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; train and encourage government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as Barbadians and foreigners in prostitution and migrant workers; provide adequate funding to organizations that assist trafficking

victims; continue to enhance partnership with Barbados' NGO community to combat human trafficking; provide anti-trafficking training to its diplomatic personnel; and make efforts to reduce the demand for commercial sex acts or forced labor.

## PROSECUTION

The government made some efforts to prosecute traffickers, including a government official complicit in human trafficking, and acceded to the 2000 UNTIP Protocol; however, there were no convictions of traffickers in 2013 or 2014. Barbadian law does not prohibit all forms of human trafficking, in particular internal domestic trafficking, and does not prescribe penalties for prohibited forms of trafficking that are sufficiently stringent or commensurate with the prescribed penalties for other serious crimes, such as rape. Articles 18, 20, 33, and 34 of the Offenses against the Person Act and Article 8 of the Transnational Organized Crime (TOC) Act of 2011 all address trafficking in persons. Compelling prostitution under Article 20 of the Offenses against the Person Act is punishable by five years' imprisonment, while the transnational trafficking of an adult under the TOC Act is punishable by a potential fine with no jail time, both of which are not commensurate with Barbados' prescribed penalty for rape, which is life imprisonment. The government drafted amendments to the TOC Act to criminalize internal domestic trafficking and indicated amendments would be introduced in 2015. Authorities investigated eight new potential trafficking cases during the reporting period, but only one of the eight suspected cases was determined to be trafficking, and other cases were determined to be fraud or prostitution without all the elements of sex trafficking. The one trafficking case did not result in a prosecution because prosecutors were unable to proceed without the victim's testimony against the alleged trafficker. Authorities continued investigating an immigration official for alleged complicity and misconduct in public office as a result of an April 2013 raid of a local brothel and expected the case to go to trial in 2015. By comparison, authorities initiated three new investigations and no prosecutions the previous year.

## PROTECTION

The government made minimal progress in the protection of victims. Officials did not identify any new victims, a decrease from identifying five victims during the previous reporting period. The government continued to shelter the five previously identified victims for part of the reporting period prior to four of the victims' return to Guyana. The government continued to shelter the remaining victim, who received basic education and occupational training, and cooperated with the police to provide evidence against the alleged traffickers in the case. Law enforcement generally referred victims to the gender affairs bureau, which coordinated assistance with local NGOs; the NGOs reported the mechanism worked, but the government is developing a written referral procedure. The government had an agreement with an NGO to provide shelter for male victims of trafficking, though this NGO did not assist any male trafficking victims. Authorities provided some funding to an NGO crisis center that provided shelter and psychological, medical, and occupational services to female victims of violence, including potential trafficking victims, but this funding did not cover costs. This organization and the government's gender affairs bureau cooperated with other NGOs to offer additional services. The government maintained an informal policy allowing foreign victims to receive temporary legal alternatives to their removal to countries where they would face hardship or

retribution and provided one victim with temporary residency in 2014. NGOs did not report any trafficking victims detained, deported, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

The government made progress in efforts to prevent trafficking. The attorney general led the government's anti-trafficking taskforce, which met monthly and included permanent secretaries from several ministries and NGOs. The taskforce began developing a government-wide anti-trafficking manual, which officials indicated would include details on how authorities should treat victims. The government developed and implemented its annual national action plan to address trafficking in collaboration with various government agencies and NGOs, which resulted in improved cooperation among various agencies. An NGO, with support from the attorney general's office, sponsored a public education campaign on trafficking that included radio public service announcements and community meetings in several churches. Additionally, authorities mounted a poster at the international airport listing elements of trafficking and a hotline victims could use for assistance. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

## BELARUS: Tier 3\*

Belarus is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Each year since 2011, more identified victims have been exploited in Belarus than abroad. Belarusian victims exploited abroad are primarily subjected to trafficking in Germany, Poland, Russia, and Turkey, but are also exploited throughout Europe, the Middle East, and in Japan, Kazakhstan, and Mexico. Some Belarusian women traveling for foreign employment in the adult entertainment and hotel industries are subjected to sex trafficking. Since 2006, the government has identified Belarusian, Moldovan, Russian, Ukrainian, and Vietnamese victims exploited in Belarus.

State-sponsored forced labor continues to be an area of concern. In 2014, the government continued the practice of *subbotniks*, which requires employees of the government, state enterprises, and many private businesses to work on occasional Saturdays and donate their earnings to finance government projects. State employers and authorities intimidated and fined some workers who refused to participate. Authorities sent university and high school students to help farmers during the harvesting season without paying them for their labors, in addition to other forced community service projects. Authorities reportedly forced military conscripts to perform work unrelated to military service. A presidential decree effective January 1, 2015, enables authorities to force Belarusians to perform unpaid community service if they are deemed to be "parasites" on the tax base. Belarusians accused of alcoholism or drug dependencies are interned at "medical-labor centers," where they are subjected to compulsory labor. Belarusian parents who have had their parental rights removed are subjected to compulsory labor, and the government retains 70 percent of their wages. Senior officials with the General Prosecutor's Office and the interior ministry stated at least 97 percent of all work-capable inmates worked in jail as required by law, and labor in jail was important and useful for rehabilitation and

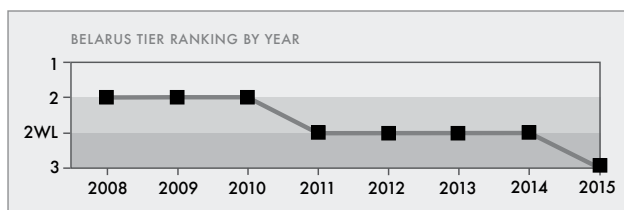


reintegration of inmates. Inmates of Belarusian prisons—including political prisoners—cannot choose the work they perform, nor can they refuse to undertake work. Former inmates stated their monthly wages were as low as 30,000 to 40,000 rubles (less than \$3). Students who receive their education for free are assigned to an obligatory one- or two-year work placement, as chosen by a state body upon graduation; students cannot appeal their job placements.

A presidential decree issued in December 2012 coerces workers in state-owned wood processing factories and construction workers employed in modernization projects at those factories from leaving their jobs. The decree—which applies to thousands of employees—mandates employees not quit without their employers' consent. The decree provides monthly bonuses to these employees that must be paid back if the employees resign, and failure to return this money could result in a court order obligating employees to work for the original employers under law enforcement supervision. Employees are permitted to appeal a refusal to leave the job with the government-appointed provincial governor, but not to a judge. Since the decree came into force, there have been reports of a very limited number of workers who attempted and were barred from quitting. Belarusian officials have noted managers can also use the decree to talk employees out of quitting. The government has explained the decree is temporary in nature and workers are free not to sign new contracts required under the decree. However, the government also noted it could not remove the decree because it is necessary during the period of implementation of investment projects in the woodworking industry.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking and was placed on Tier 2 Watch List from 2012 to 2014. The Trafficking Victims Protection Act (TVPA) provides that a country may remain on Tier 2 Watch List for only two consecutive years, unless that restriction is waived because the government has a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. In the 2013 and 2014 TIP Reports, Belarus was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of the government having a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The TVPA authorizes a maximum of two consecutive waivers. A waiver is no longer available to Belarus, 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 government continued to be active in multilateral efforts to combat trafficking and hosted trafficking-specific training for foreign and domestic law enforcement officials through the interior ministry's academy. However, government efforts were inadequate to repeal state-sponsored forced labor policies and address trafficking within Belarus. The government retained a decree forbidding thousands of workers in the wood processing industry from leaving their jobs in state-owned factories without their employers' permission. Other forms of state-sponsored forced labor continued. Authorities did not convict any traffickers under the trafficking statute in 2013 or 2014. The number of investigations progressively declined in each of the past nine years, from 95 in 2006 to one in 2014. Of significant concern, Belarusian officials have cited the lack of trafficking investigations and convictions as justification that trafficking has been permanently eliminated from Belarus.



## RECOMMENDATIONS FOR BELARUS:

Revoke the December 2012 presidential decree forbidding wood processing workers' resignation without their employers' permission; cease all forms of state-sponsored forced labor; significantly increase efforts to investigate and prosecute cases of forced labor and sex trafficking; finalize and train officials on a national identification and referral mechanism; increase resources devoted to victim assistance and protection within Belarus, including in state-owned territorial centers for social services; provide funding through the January 2013 law allowing public funding for NGOs offering critical victim protection services in private shelters; cultivate a climate of cooperation with NGO partners; refer all identified victims to care facilities; refer identified child victims of sexual exploitation to the education ministry's centers for vulnerable children; and proactively screen individuals in prostitution for indicators of trafficking.

## PROSECUTION

The government decreased law enforcement efforts. Belarus prohibits both sex and labor trafficking through Article 181 of its criminal code, which prescribes penalties ranging from three to 15 years' imprisonment in addition to the forfeiture of offenders' assets. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported one trafficking investigation in 2014 under Article 181, compared with six in 2013. The one investigation in 2014 was later determined to be a case related to promoting prostitution rather than trafficking. Belarusian authorities did not convict any traffickers under Article 181 in 2013 or 2014. The absence of convictions under Article 181 reflected a continuing decrease in law enforcement efforts, as authorities convicted one trafficker in 2012, seven in 2011, and 12 in 2010. The number of investigations progressively declined in each of the past nine years, from 95 in 2006 to one in 2014. Three individuals were charged for potential trafficking offenses under other articles in the criminal code in 2014, compared with two individuals in 2013. The interior ministry's academy continued to provide trafficking-specific training to Belarusian and foreign law enforcement officials.

## PROTECTION

The government sustained inadequate victim protection efforts. The government did not identify any trafficking victims under Article 181 in 2014, compared with six in 2013 and 12 in 2012. The government identified 19 potential trafficking victims from investigations under other statutes, including 16 Vietnamese victims of labor exploitation and three victims of sexual exploitation. In 2013, authorities identified 14 child victims of sex trafficking under other statutes. NGOs reported assisting 215 trafficking victims in 2014. The government reported law enforcement officials referred 32 of the victims cared for by NGOs. The government continued to lack a formal national victim identification and referral mechanism, though it indicated plans to finalize one in mid-2015. The lack of a formal mechanism may have led to some

sex trafficking victims being punished for acts directly resulting from being subjected to trafficking. In 2014, authorities detained 358 individuals in prostitution, 120 of whom were arrested for up to 15 days' imprisonment. There were past reports of individuals convicted of prostitution offenses receiving punishments of compulsory labor, including street cleaning.

The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 105 "crisis rooms" for vulnerable male and female adults, including victims of natural and manmade disasters, domestic violence, and human trafficking, which offered temporary shelter, including beds, meals, and personal hygiene products. The government did not report how many victims of trafficking-related crimes received assistance at these facilities. Observers reported the majority of victims sought assistance at private shelters because the government's centers were poorly equipped and lacked qualified caregivers. The government offered free medical services and psychiatric consultations to victims. The education ministry maintained centers that could provide vulnerable children with shelter and basic provisions; however, no child trafficking victims received services at these facilities, despite the government identifying sexually exploited children in 2013 and 2014. A January 2013 law authorized the provision of government funding to NGOs running social welfare programs, though no NGOs providing trafficking-specific assistance had applied for funding. The government provided in-kind assistance to NGOs in the form of discounted rent on office space, lower taxes, and placement of awareness-raising materials on state-owned television and billboards.

## PREVENTION

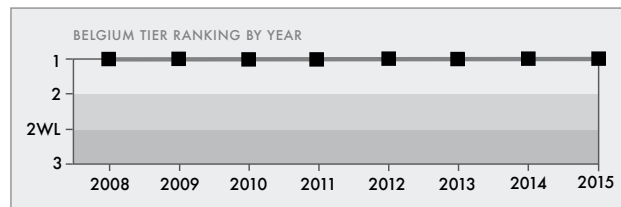
The government maintained efforts to prevent trafficking. The government conducted public awareness campaigns through television, radio, and print media. The interior ministry continued to operate a hotline for safe travel abroad to inform potential labor migrants and identify illegal recruitment practices. The government published lists of licensed companies for employment and marriage abroad. Authorities investigated 52 administrative offenses related to illegal employment abroad and companies failing to obtain licenses, compared with 157 in 2013. The government continued to implement the 2013-2015 State Program on Countering Crime and Corruption, which included anti-trafficking activities. The government did not demonstrate efforts to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## BELGIUM: Tier I

Belgium is a destination, transit, and limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims primarily originate in Eastern Europe, Africa, East Asia, and South America, notably Bulgaria, Romania, Albania, Nigeria, China, and India, as well as Brazil. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture sites, fruit farms, construction sites, cleaning businesses, and retail shops. Belgian girls, some of whom are recruited by local pimps, and foreign children—including Roma—are subjected to sex trafficking within the country. Some Belgian women have been subjected to sex trafficking in Luxembourg. Forced begging within the Romani community in Belgium also occurs. Foreign workers are subjected to forced domestic servitude, including in

the diplomatic community assigned to Belgium.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government continued to fund shelters providing specialized assistance to trafficking victims. The government continued to prosecute and convict traffickers, but sentences often were suspended, and most traffickers received no prison time. The Belgian definition of trafficking remained overly broad in comparison with the definition in the 2000 UN TIP Protocol and did not require demonstration of coercive means to prove a case of human trafficking, which risked diluting the effectiveness of trafficking prosecutions. Victim identification continued to be a challenge for the government.



## RECOMMENDATIONS FOR BELGIUM:

Enhance training of law enforcement, prosecutors, and judges to improve the conviction rates of traffickers; enhance training of relevant professionals to increase the number of trafficking victims identified, including child victims; improve victim assistance and protection services; harmonize procedures for providing legal aid to minors subjected to human trafficking in an effort to limit the number of stakeholders in contact with them; provide repatriation assistance to victims from other EU countries; revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol; and, in light of the expanded legal definition of trafficking in Belgium and in line with Article 2 of the 2011 EU Directive on Human Trafficking, provide disaggregated prosecution and conviction data for those cases that involved force, fraud, or coercion to demonstrate that traffickers are vigorously prosecuted.

## PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Belgium prohibits all forms of trafficking through a 2005 amendment to the 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed penalty—20 years' imprisonment—is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Belgium's definition of trafficking in persons is broader than the definition in the 2000 UN TIP Protocol. The failure of an employer to meet prevailing wage, hours, and working conditions can constitute "exploitation" under Belgian law, and these cases are included in the government's prosecution data. Contrary to the definition of trafficking under international law, coercion is considered an aggravating factor under Belgian law rather than an integral part of the base offense for adults. Belgian law does not require evidence of any form of coercion to secure a trafficking conviction. Although these provisions reportedly were intended to facilitate prosecutions, GRETA reported the overbroad definition may lead to confusion between trafficking and other criminal offenses and possible difficulties in mutual legal assistance with foreign governments that use a definition more consistent with the UN TIP Protocol.

The government initiated prosecutions against 259 defendants in 2014, compared with 432 in 2013; it prosecuted 112 defendants for sex trafficking offenses and 115 for labor trafficking or economic exploitation offenses (196 and 184 in 2013, respectively). The government also prosecuted 16 defendants for coerced criminality and 14 for forced begging. Authorities convicted and sentenced at least 47 traffickers in 2014 with charges including 94 counts of aggravating circumstances, compared with 70 traffickers in 2013. Most convicted traffickers received no prison time or a partially or fully suspended prison sentence. The government sentenced 42 convicted traffickers to prison terms (of which 19 were suspended or partially suspended), compared with 63 prison sentences (28 of which were suspended or partially suspended) in 2013. Most prison sentences ranged from one to five years' imprisonment; four offenders were sentenced to one year, 19 were sentenced to between one and three years, 12 were sentenced to three to five years, and seven were sentenced to five years or more. The government continued efforts to prosecute eight family members of the Abu Dhabi royal family for allegedly subjecting 17 girls to forced servitude while staying at a Brussels hotel in 2008. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government continued efforts to protect trafficking victims. 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 at least 162 new adult victims in 2014 (including 93 victims of labor trafficking and 43 victims of sex trafficking), compared with 152 new victims assisted in 2013. NGOs referred more than 20 victims to the shelters; most victims were identified by law enforcement, social workers, and medical professionals. The shelters were open to all victims regardless of gender, status, or nationality. The government also funded three shelters for minors; trafficking victims shared these facilities with victims of other crimes. The government continued to employ systematic procedures to identify and refer victims for care. The government reportedly did not penalize identified victims for unlawful acts committed as a direct result of being subjected to trafficking; however, victims who were not properly identified were vulnerable to such penalization. The most recent report of the government's trafficking rapporteur noted that, despite the use of formal procedures, victim identification continued to be a challenge for authorities, particularly in cases of labor exploitation, where victims were often mistaken for undocumented migrants and in forced prostitution. It also noted the government lacked a list of offenses typically linked to trafficking, whereby charges would be dropped immediately if the suspects were actually victims. The government organized trainings and awareness campaigns for front-line professionals, such as law enforcement, hospital and social workers, military trainers, magistrates, and other stakeholders to improve identification efforts and circulated administrative notices to prosecutors. The government also funded specific training on child victims for chaperones working in institutions for unaccompanied minors.

The government granted most foreign trafficking victims residence and employment permits and protective services; many services were conditional on the victim assisting in the prosecution of his or her trafficker. To qualify for victim status, victims must have broken off all contact with traffickers and agreed to counseling at a

specialized trafficking shelter. Victims who were not citizens of EU member states were only able to obtain permanent residency upon the successful prosecution and sentencing of traffickers, although residence permits for indefinite periods of time were available without conviction if authorities established a formal charge of trafficking. During the year, the government issued or renewed an unknown number of residence permits to trafficking victims.

## PREVENTION

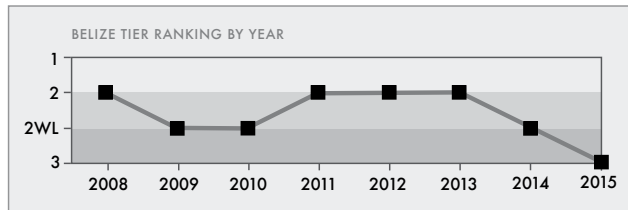
The government continued efforts to prevent trafficking. The Inter-Department Coordination Unit continued to lead an awareness campaign. Flyers were available in the consular sections of Belgian embassies and consulates abroad. The government's previous anti-trafficking action plan expired in 2014, and the government was in the process of drafting a new plan at the end of the reporting period, for which it sought input from stakeholders, shelters, and NGOs. The government co-sponsored the "I Say Stop" campaign, launched in November 2014, to raise public awareness about child sex tourism and encourage reporting of possible cases to Belgian authorities. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government co-hosted a conference with OSCE on trafficking prevention within the diplomatic community, with a focus on preventing trafficking for the purpose of domestic servitude in diplomatic households. There were no efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide specific anti-trafficking training in 2014 to Belgian troops prior to their deployment abroad on international peacekeeping missions.

## BELIZE: Tier 3

Belize is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The UN Special Rapporteur on Trafficking in Persons reported Belizean women and girls were subjected to sex trafficking by family members, but the government has not arrested family members engaged in this form of trafficking. Child sex tourism, involving primarily U.S. citizens, is an emerging trend, concentrated in areas where tourism is important to the local economy. Sex trafficking and forced labor of Belizean and foreign women, girls, and LGBT persons, primarily from Central America, occurs in bars, nightclubs, brothels, and domestic service. Underage girls are reportedly present in bars that function as brothels. 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 in restaurants, shops, agriculture, and fishing. Traffickers often recruit through false promises of relatively high-paying jobs and subsequently subject victims to forced labor or sex trafficking. Trafficking-related complicity by government officials, including allegations of involvement of high-level officials, remains a problem.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Authorities did not initiate any new investigations or prosecutions in 2014. Victim identification efforts significantly declined, and the lack of proactive victim identification resulted in the arrest, detention, and deportation of potential victims based on immigration violations. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking-related offenses.





## RECOMMENDATIONS FOR BELIZE:

Proactively implement the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers; publicly acknowledge and condemn instances of official complicity and take steps to hold officials complicit in trafficking accountable; significantly improve victim identification efforts by involving Spanish-speaking social workers, NGOs, or victim advocates in the process to ensure trafficking victims are not penalized and re-victimized for crimes committed as a direct result of being subjected to human trafficking; finalize draft formal procedures to guide officials in the identification and referral of victims of sex and labor trafficking, particularly among groups vulnerable to trafficking such as children, people in prostitution, and migrant laborers; implement procedures to take trafficking victims to a safe location while conducting victim identification interviews, as victims often first appear as immigration violators and are reluctant to disclose details of their exploitation in a detention setting or post-raid environment; take steps to ensure the effective prohibition of the commercial sexual exploitation of children, including those aged 16 and 17; increase partnerships with NGOs to reintegrate victims and to deliver specialized victim care; and update and implement the national anti-trafficking plan.

## PROSECUTION

The government decreased efforts to investigate and prosecute trafficking offenses and convict traffickers. The Trafficking in Persons (Prohibition) Act 2013 prohibits all forms of trafficking and prescribes penalties of one to eight years' imprisonment for the trafficking of adults and up to 12 years' imprisonment for the trafficking of children. The prescribed maximum penalties are sufficiently stringent and commensurate with other serious crimes. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalizes the facilitation of prostitution of children under 18 years of age. This law, however, allows for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits if there is no third party involved. Such children remain vulnerable to commercial sexual exploitation and human trafficking. The government did not initiate any new prosecutions or convict any traffickers, including complicit government officials, in 2014, a decline from convicting one trafficker in 2013 and two in 2012. A prosecution from the previous reporting period, in which a suspect was arrested and charged with one count of trafficking involving a child, remained pending. Investigations of five human trafficking cases from previous years remained pending. Many off-duty police officers provide security for sex trade locales, which risks inhibiting victims from coming forward and law enforcement's willingness to investigate allegations of trafficking in the sex trade.

## PROTECTION

The government made minimal efforts to protect trafficking victims. It proactively identified 10 new potential trafficking victims among vulnerable groups in 2014, compared with three identified

in 2013 and 13 in 2012. Law enforcement and other government officials employed informal mechanisms to guide them in identifying and referring victims; however, the procedures were not well implemented. Police did not systematically inspect brothels or bars for indications of trafficking during the year, and there were reports that front-line responders carrying out brothel raids generally looked for immigration violations instead of trafficking indicators. In June 2014, law enforcement arrested and imprisoned 12 women after a raid on a bar without screening the women for trafficking indicators, a practice that denied potential victims an opportunity to disclose exploitation.

Authorities provided assistance to 10 identified victims, compared with six victims assisted in 2013 and seven victims assisted in 2012. The government had yet to finalize draft procedures to guide officials and NGOs in referring trafficking victims to available services, as outlined in its 2012-2014 strategic plan. The government provided 275,000 Belizean dollars (\$138,000) for anti-trafficking efforts in 2014, including victim care through placements in safe houses and NGO domestic violence shelters. Officials could place child victims in foster care, but experts questioned the appropriateness of such placements due to the lack of education about human trafficking for foster parents, uneven coordination and communication between the foster parents and government agencies, and limited psycho-social care for the victims. Court delays discouraged victims and often led them to cease cooperation with law enforcement and return to their home countries. The government did not provide temporary residency to formally identified foreign trafficking victims, despite the ability to do so. Victims could apply for work permits, but the cost of 500 Belizean dollars (\$425) to obtain such permits imposed a significant barrier. An existing agreement between the Belizean and Cuban governments requiring the return of all Cubans who enter Belize may have also placed potential trafficking victims at risk for further exploitation. Belize's anti-trafficking law exempts trafficking victims from punishment for crimes committed as a result of being subjected to human trafficking; however, NGOs reported the government more commonly arrests, jails, and deports trafficking victims as opposed to providing assistance and immigration relief.

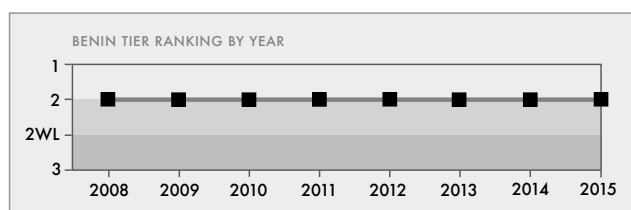
## PREVENTION

The government demonstrated minimal prevention efforts. Its anti-trafficking committee did not make meaningful progress in implementing the 2012-2014 anti-trafficking national strategic plan. The UN Special Rapporteur on Trafficking in Persons visited Belize to assess progress and challenges in combating human trafficking and issued a report in June 2014 citing concerns ranging from the absence of comprehensive victim identification protocols to the criminalization of immigrants leading to the detention and deportation of potential victims. Authorities completed a survey in 2014 to assess trafficking vulnerabilities in bars and nightclubs, particularly for women in prostitution, and reported providing the information to police for further action. The government, in partnership with an NGO, continued its awareness campaign in English, Spanish, Mandarin, and Hindi. Authorities disseminated public service announcements on child sexual exploitation, tourism, and the demand for commercial sex acts. The government did not make efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

# BENIN: Tier 2

Benin is a source, transit, and destination country for women, children, and men subjected to forced labor and sex trafficking. The majority of identified victims are Beninese girls subjected to domestic servitude or sex trafficking in Cotonou. The practice of *vidomegon*, which traditionally provided educational or vocational opportunities to children by placing them in the homes of wealthier families, is sometimes 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. A 2013 study cited over 7,800 children subjected to labor exploitation in the markets of Cotonou, Porto-Novo, and Parakou. Children from neighboring countries 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 in Mono and on the shores of the Bight of Benin have been reported in previous years. In northern Benin, children in Koranic schools, known as *talibe*, are exploited in forced begging by Koranic teachers known as *marabouts*. The majority of child trafficking victims are from the northern regions, and many are recruited and transported to neighboring countries, where they are forced to labor in homes, mines, quarries, restaurants, markets, and on cocoa farms. The majority of child victims intercepted in Benin, either from Benin or other West African countries, are exploited within the country. Benin is the largest source country for trafficking victims in the Republic of the Congo. West African women are exploited in domestic servitude and forced prostitution in Benin, and Beninese women are victims of sex trafficking in Lebanon.

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. The government continued to prosecute and convict child traffickers and to identify and provide protective services to child victims. During the reporting period, the government identified 220 potential child trafficking victims and convicted ten offenders for the illegal movement of these children. However, authorities continued to focus on intercepting traffickers and victims in transit rather than rescuing persons from exploitation in the country. Anti-trafficking legislation—including prohibitions and penalties for the trafficking of adults—remained pending review by the Ministry of Justice for the third consecutive year. The government failed to systematically investigate instances of trafficking of adults and provide protective services to adult victims. It also did not investigate or prosecute any sex trafficking or forced labor offenses that did not involve the movement of victims within Benin or across borders. Anti-trafficking progress continues to be hindered by the lack of adequate funding and staffing for the Office for the Protection of Minors (OCPM), the Ministry of Family (MOF), and the Ministry of Labor (MOL). During the year, allegations of official complicity resurfaced.



## 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 complicit officials, *via* existing statutes to prosecute sex and labor trafficking of adults and children; adequately sentence convicted trafficking offenders; 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 OCPM, MOL, and MOF 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 it 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, continuing its investigation and prosecution of potential child trafficking cases. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (act 2006-04) criminalizes all forms of child trafficking, prescribing penalties of 10 to 20 years' imprisonment. However, act 2006-04 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; these penalties are not sufficiently stringent. The country's penal code outlaws procuring or offering someone for prostitution and the facilitation of prostitution and prescribes punishments of six months' to two years' imprisonment. The labor code prohibits forced labor and prescribes punishments of two months' to one year's imprisonment or a fine. These punishments are neither sufficiently stringent nor commensurate with punishments prescribed for other serious crimes, such as rape. Comprehensive anti-trafficking legislation that includes prohibitions and penalties for the trafficking of adults has remained pending review by the Ministry of Justice since the draft was completed in September 2012.

During the year, the Ministry of the Interior's OCPM—a specialized unit responsible for all criminal cases involving children—investigated 102 cases of child trafficking, in addition to four cases of exploitative child labor. The government continued to fail to systematically investigate the trafficking of adults. OCPM referred 19 suspects to the courts for prosecution. The government convicted 10 offenders for child trafficking and the illegal movement of children under act 2006-04, an increase compared with six convicted in 2013, but a decrease from 20 convicted in 2012. Sentences ranged from six months' to three years' imprisonment; however, traffickers were held in pre-trial detention until sentenced and then released on suspended sentences. Two cases were dismissed for insufficient evidence; the judge returned three cases to the prosecutor for re-qualification. Prosecutions in 21 cases remained ongoing in courts at the close of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In partnership with an international organization and NGOs, the government trained law enforcement officials, judges, social workers, foster families, and market vendors. The government, with the assistance of an international organization, extended OCPM child protection services to Benin's 12 geographical departments; prior to 2015, OCPM was only present in Cotonou and did not

maintain personnel nationwide. The government put a plan in place to create local offices throughout the country and to provide *gendarmes* and police with specialized training for addressing abuses against children.

During the year, allegations of official complicity involving Beninese diplomatic personnel resurfaced. Instead of assisting in the placement of child trafficking victims among care providers, consular staff colluded with complicit officials in a destination country to return victims to a trafficking network. Immigration officials in Cotonou also allegedly supplied falsified travel documents to facilitate the illegal movement of children as adults.

## PROTECTION

The government sustained efforts to protect potential forced child labor victims during the year. OCPM identified 220 potential trafficking victims in 2014, compared with 173 in 2013. Of the 220, 136 were girls and 84 were boys. OCPM provided the children temporary shelter, as well as legal, medical, and psychological services. OCPM then transferred victims to long-term NGO shelters; however, the government failed to provide financial or in-kind support to NGOs providing such care. Officials with the Ministries of Family, Justice, and Interior worked in partnership with an international organization 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 MOF, offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce, and reintegration of victims into their home communities. Officials and NGO stakeholders in destination countries noted re-trafficking was an issue once victims returned to Benin, with the child or their siblings often sent back to the trafficker by their parents to uphold their initial agreement to send children. The government failed to carry out joint investigations or extraditions of charged defendants in cooperation with Congolese authorities—a key component of their anti-trafficking cooperation agreement. In August 2013, Beninese officials met with Gabonese authorities to finalize an agreement for cooperation on child trafficking, although this remained incomplete at the end of the reporting period. The government did not make systematic efforts to identify adult trafficking victims or employ any mechanism to screen individuals in prostitution for trafficking victimization, which may have left victims unidentified in the law enforcement system.

## PREVENTION

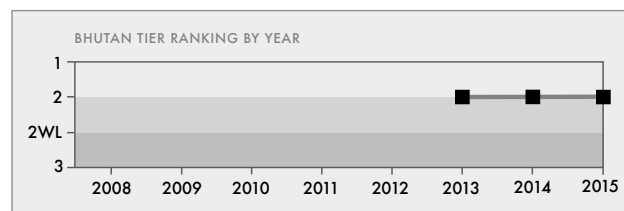
The government made modest efforts to prevent trafficking in persons. The anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—met twice during the year and organized awareness campaigns on human trafficking; however, its six affiliated working groups did not meet during the reporting period. The government engaged local authorities and traditional leaders in child trafficking prevention. With support from a foreign donor, the MOF held a one-day session to educate the general population on the root causes of human trafficking, which was attended by law enforcement, social workers, and other relevant officials. In November and December

2014, the MOL held educational sessions on the legal framework for the prevention of child labor in Benin for 150 stakeholders, including vendors and merchants, in the markets of Cotonou, Parakou, and Port-Novo. Labor inspectors generally imposed administrative penalties, resulting in fines, even for serious labor violations, some of which likely included trafficking crimes. The government took no systematic steps to reduce the demand for commercial sex acts or forced labor both within the country and abroad during the reporting period. It provided Beninese troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though a foreign donor conducted the training. The government did not provide anti-trafficking training for its diplomatic personnel.

## BHUTAN: Tier 2

Bhutan is a destination country for men, women, and children vulnerable to forced labor and sex trafficking, and a source country for Bhutanese children subjected to forced labor and sex trafficking within the country and in India. Bhutanese girls—working as domestic servants and entertainers in drayungs, or karaoke bars—may be subjected to sex trafficking and labor trafficking coerced by debt and threats of physical abuse. Rural Bhutanese are transported to urban areas, generally by relatives, for domestic work, which at times involves forced labor. Most domestic workers in Bhutan are young girls from poor, rural areas of the country, though some Indian women and girls also seek employment in this sector. An expanding construction sector has increased demand for low-skilled foreign labor, primarily men from India, who are vulnerable to trafficking.

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 continued to fund an NGO whose services were available to trafficking victims and, in partnership with an international organization, launched a three-year project designed to enhance its response to trafficking. However, the government did not employ formal procedures for the identification and referral of trafficking victims, or fund or conduct any specialized anti-trafficking training for its officials.



## RECOMMENDATIONS FOR BHUTAN:

Amend Section 154 of the penal code to refine the definition of human trafficking so the purpose of the crime is “exploitation” rather than “any illegal purpose;” formalize standard operating procedures to proactively identify trafficking victims and refer them to protection services; proactively investigate potential cases of trafficking and, if there is enough evidence, prosecute those cases; train officials on the implementation of anti-trafficking laws and victim identification and referral procedures; undertake and publish a comprehensive assessment of all forms of human trafficking, including labor trafficking of men; continue to fund



NGOs that provide protective services to trafficking victims; continue to conduct human trafficking awareness raising events among vulnerable populations; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government did not make anti-trafficking law enforcement efforts during the reporting period. Article 154 of the penal code criminalizes 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 2000 UN TIP Protocol definition because it requires the purpose be otherwise “illegal,” rather than for the purpose of engaging in “exploitation,” such as forced labor or prostitution. Bhutan also defines trafficking to include buying, selling, or transporting 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. It also prohibits all forms of child trafficking “for the purpose of exploitation” in Article 224 of the Child Care and Protection Act of 2011. The punishments for these offenses range from three years’ to life imprisonment. The Labor and Employment Act of 2007 prohibits most forms of forced labor, with penalties from three to 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 trafficking cases during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The government did not train officials during the year, and a lack of widespread awareness and understanding of the crime continued to limit the government’s response to human trafficking.

## PROTECTION

The government made modest efforts to protect trafficking victims; however, it did not employ systematic procedures for the identification and referral of victims and it did not report its discovery of any victims during the reporting period. An international organization and a government-funded NGO began to develop standard operating protocols for anti-trafficking law enforcement procedures; the government formed an interagency group that reviewed procedures from other countries and agreed on intervention priorities. The government funded an NGO to provide shelter and rehabilitation to women and child victims of crime, including human trafficking; it is unclear whether trafficking victims utilized its services during the year. There was no equivalent facility for men. The government continued to deport undocumented migrant workers without screening them for trafficking victimization. The law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

## PREVENTION

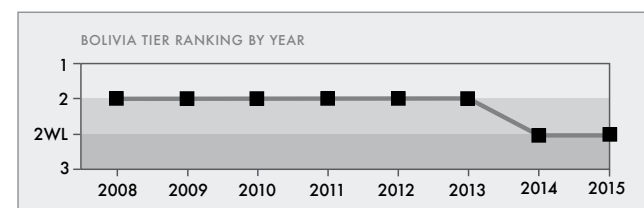
The government undertook some efforts to prevent human trafficking. The government did not have a national action plan to combat trafficking, nor did it appoint an agency to coordinate its anti-trafficking action; however, in July 2014, the government, in partnership with an international organization, launched a three-year project designed to enhance government and civil society responses to trafficking. The Bhutan Labor and Employment Act of 2007 required employment recruiters to abide by the same

labor laws as employers and required recruiters to be licensed. The government registered migrant laborers and monitored working conditions. The government funded an NGO’s activities to raise awareness on human trafficking at industrial sites in border districts. The police monitored businesses potentially offering commercial sexual services, such as massage parlors. The government did not report whether it took steps to reduce the demand for forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. Bhutan is not a party to the 2000 UN TIP Protocol.

## BOLIVIA: Tier 2 Watch List

Bolivia is principally a source country for men, women, and children exploited in sex trafficking and forced labor within the country and abroad. To a more limited extent, women from neighboring countries, including Brazil and Paraguay, have been identified in sex trafficking in Bolivia. Rural and poor Bolivians, most of whom are indigenous, are particularly vulnerable to sex and labor trafficking. LGBT youth are also particularly vulnerable to sex trafficking. Bolivian women and girls are found in sex trafficking within Bolivia and in neighboring countries such as Argentina, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic service, mining, ranching, and agriculture. Press report cases of children forced to commit crimes, such as robbery and drug production, and others exploited in forced begging. A significant number of Bolivians are found in forced labor in Argentina, Brazil, and other countries in sweatshops, agriculture, domestic service, and the informal sector. Authorities and an international organization report some foreign nationals engage in child sex tourism, and some migrants transiting to neighboring countries are vulnerable to human trafficking. Some law enforcement officers reportedly frequent brothels, which may serve as a disincentive for sex trafficking victims to report their exploitation.

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. Authorities reported convicting 12 traffickers and issued a public policy on human trafficking and smuggling. Despite these efforts, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bolivia is placed on Tier 2 Watch List. Bolivian authorities did not allocate adequate funding for specialized victim services as required under the 2012 anti-trafficking law. Government funding for specialized services for adult and labor trafficking victims was nonexistent. Poor data collection made it difficult to assess government efforts to identify and assist trafficking victims and to investigate and prosecute trafficking cases. Authorities did not adequately distinguish between human trafficking and human smuggling.



## RECOMMENDATIONS FOR BOLIVIA:

Increase resources designated for specialized assistance for

trafficking victims across the country, including for victims of forced labor; strengthen efforts to prosecute trafficking offenses, and convict and punish traffickers and fraudulent labor recruiters; implement formal procedures for officials to identify trafficking victims among vulnerable populations and refer victims to care services; increase resources for prosecutors and police and direct dedicated human trafficking units to focus on human trafficking as opposed to other crimes, such as missing persons; implement systematic, victim-centered anti-trafficking training for government officials, including police, prosecutors, judges, and social workers; intensify law enforcement efforts against the forced labor of adults and children, including domestic servitude, and the forced prostitution of adults; improve data collection on anti-trafficking efforts, adequately distinguishing human trafficking from other crimes and reporting length of traffickers' sentences; provide returning Bolivian trafficking victims reintegration services; and designate one government entity to be in charge of anti-trafficking efforts.

## PROSECUTION

Government efforts to hold traffickers criminally accountable remained weak. Law 263 of 2012 prohibits all forms of trafficking and establishes penalties of 10 to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The law diverges from the 2000 UN TIP Protocol, however, by penalizing non-trafficking crimes, such as illegal adoption and the removal or sale of organs, as human trafficking. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. Some police and prosecutors investigated trafficking cases as non-trafficking crimes, such as pimping; this was sometimes due to a belief that trafficking cases were difficult to prove in court.

The government did not provide reliable or comprehensive data on the number of trafficking investigations or prosecutions initiated in 2014. Authorities reported convicting 12 traffickers and acquitting five individuals of trafficking in 2014 but did not report sentence length, specify the form of trafficking, or provide court documentation to confirm convictions. Press reports indicated one Bolivian trafficker was sentenced to 17 years' imprisonment for abducting and forcing a Moroccan child resident of Spain to work in coca cultivation and at markets in Bolivia, in addition to sexually abusing the child. In comparison, in 2013 the government prosecuted and convicted two traffickers. The government operated anti-trafficking and anti-smuggling police units. These units investigated other crimes such as missing persons and domestic violence, limiting officers' ability to focus on human trafficking cases. Some police conflated trafficking with other issues, such as missing persons. Frequent rotation of law enforcement officials and insufficient resources hampered anti-trafficking efforts. Police relied heavily on civil society organizations' donations to conduct law enforcement operations, and research published in 2014 found anti-trafficking law enforcement operations in recent years were almost exclusively limited to brothel inspections and identification of child sex trafficking victims. The office for prosecution of human trafficking and other crimes coordinated national prosecution efforts. The government provided some anti-trafficking training to police and members of the military. Some officials reported traffickers could bribe prosecutors to avoid being charged. There was no information available regarding a 2013 report from the ombudsman's office that two police officers allegedly forced female inmates into prostitution. The government

did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking.

## PROTECTION

The government made inadequate victim protection efforts. Authorities approved but did not implement an early detection protocol for police and social service providers to identify trafficking and smuggling cases. Officials lacked formal procedures for identifying trafficking victims among vulnerable populations, such as people in prostitution or child laborers. Authorities did not report the number of trafficking victims identified or referred to care services in 2014. In comparison, prosecutors reported identifying 253 trafficking victims in 2013. Based on press accounts, experts, and government data, most victims identified were girls in sex trafficking. Efforts to identify forced labor victims or adult trafficking victims were more limited. The Ministry of Labor (MOL) had nine inspectors to investigate child and forced labor but did not report how many labor trafficking victims they identified, if any, in 2014.

Specialized victim services were lacking in most of the country. NGOs provided the majority of specialized care without government funds. Police and prosecutors referred victims to services and shelters on an *ad hoc* basis. The government did not report the total number of victims assisted in 2014 or the kinds of services these victims received. Law 263 required regional governments to create specialized care centers for trafficking victims, but the government did not fund specialized shelters for trafficking victims in 2014. Police were often unable to secure safe accommodation for trafficking victims identified in raids and reportedly used personal funds at times to assist victims. The government provided insufficient funds to existing government shelters for other populations, such as victims of child sexual abuse and children in conflict with the law, which provided only basic services. Specialized services for adult women or male victims were virtually nonexistent. Some departmental governments operated special victims units, which focused on providing legal and psychological services to victims of gender-based violence but did not report how many trafficking victims these units assisted in 2014. Officials reported the state airline repatriated some Bolivian trafficking victims from neighboring countries, but authorities did not report how many of these victims, if any, were given reintegration services upon return. Many victims chose not to participate in trafficking investigations and prosecutions out of fear of reprisal from traffickers and lack of faith in the judicial system. Bolivian law allowed victims to seek civil damages, but there were no reports of trafficking victims doing so in 2014. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. The government could provide foreign victims with humanitarian visas to remain in Bolivia temporarily, but it did not report how many visas were issued in 2014.

## PREVENTION

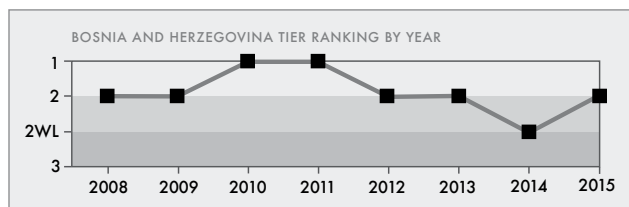
The government made uneven prevention efforts. The national council against trafficking and smuggling released an anti-trafficking and smuggling policy in January 2015. A national action plan created with NGO input in 2013 remained in draft form. Two separate government entities were responsible for coordinating anti-trafficking efforts, and experts noted a lack of interagency coordination, in part due to overlapping mandates. All departments had anti-trafficking councils of varying effectiveness and activity and

were responsible by law for implementing anti-trafficking efforts; however, no departments had approved anti-trafficking plans or budgets. Authorities conducted some anti-trafficking awareness events. Law 263 requires the MOL to create a national registry of employment agencies—often involved in trafficking cases—to monitor for trafficking activity. However, authorities did not establish this mechanism in 2014, and experts noted many employment agencies operated informally and were difficult to regulate. There were no reported investigations, prosecutions, or convictions for child sex tourism in 2014. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. It did not report providing anti-trafficking training to its troops before they deployed on international peacekeeping missions. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## 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. Romani boys and girls are subjected by family members and local organized criminal groups to forced begging and involuntary domestic servitude in forced marriages. Foreign women and girls from European countries are subjected to sex trafficking within the country. Bosnian victims are subjected to sex trafficking and forced labor in construction and other sectors in countries across Europe including Azerbaijan, Montenegro, Croatia, Serbia, and Austria. Police corruption creates an environment enabling some trafficking crimes. Observers report some local police accept bribes or sexual services in exchange for notifying brothel and nightclub owners in advance of police raids, while others work at establishments where forced prostitution takes place.

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 State Prosecutor's Office issued the biggest indictment for trafficking in the country's history against 13 Bosnian nationals accused of subjecting 672 individuals to labor trafficking in Azerbaijan in a case originating in 2009. However, law enforcement efforts at the sub-state level decreased. Authorities tripled the number of victims identified but acknowledged the need to increase efforts to identify victims of forced begging and labor trafficking. The government began training labor inspectors on human trafficking and integrated them into regional monitoring and referral networks. The sub-national entity of the Federation of Bosnia and Herzegovina did not amend its criminal code to prohibit all forms of trafficking consistent with national and international law, which hampered the country's ability to prosecute trafficking crimes.



## RECOMMENDATIONS FOR BOSNIA AND HERZEGOVINA:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and deliver sentences that are sufficiently stringent; harmonize Federation government legislation to explicitly criminalize all forms of trafficking consistent with state law and the 2000 UN TIP Protocol; train judicial authorities on a victim-centered approach to prosecution; train front-line officers on proactive identification of victims, particularly those subjected to forced labor and forced begging; standardize victim assistance throughout the country and develop specialized assistance for male and child trafficking victims; adequately protect victims from threats during the investigation and prosecution of trafficking cases, particularly child victims; integrate Romani groups into decision-making processes regarding victim protection; allow trafficking victims to leave shelters at will without a chaperone; and adequately assist all victims regardless of whether their cases go to trial.

## PROSECUTION

The government demonstrated mixed progress on anti-trafficking law enforcement efforts. Bosnia prohibits sex trafficking and forced labor through Article 186 of the criminal code, which prescribes penalties of three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During 2014, the State Prosecutor's Office launched an investigation against one trafficking suspect under Article 186, compared with six suspects in 2013. In June 2014, the State Prosecutor's Office issued the biggest indictment for trafficking in the country's history against 13 Bosnian nationals accused of subjecting 672 individuals, almost all of whom were Bosnian nationals, to labor trafficking in the construction industry in Azerbaijan in 2009; this represents an increase from the five defendants prosecuted by the state in 2013. However, the state did not convict any traffickers, compared with two in 2013.

Bosnia 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 Federation's parliament failed to adopt legislation criminalizing all forms of trafficking in harmony with state, Republika Srpska, and Brcko District laws and the 2000 UNTIP Protocol. In the absence of such a law, Federation authorities continued to prosecute sex traffickers under a dated Enticement to Prostitution statute, Article 210 of the Federation's criminal code. Federation authorities investigated three suspects and prosecuted four defendants under Article 210, compared with 14 suspects and eight defendants in 2013. Federation courts convicted five offenders, the same number convicted in 2013, but suspended two sentences; the remaining three offenders received prison sentences totaling five years and seven months. Republika Srpska authorities did not investigate or initiate prosecutions of any suspected traffickers, compared with one investigation and one prosecution in 2013. However, Republika Srpska courts convicted three traffickers, compared with one in 2013; the courts replaced two prison sentences with a fine and delivered a 10-year prison sentence to one trafficker. The Brcko District decreased law enforcement efforts overall, investigating only one suspected trafficker; prosecuting no suspected traffickers, and convicting no traffickers, compared with investigating three suspects, prosecuting two defendants, and convicting one trafficker in 2013.



The state government provided basic training for judges and prosecutors on prosecuting trafficking crimes. The government provided in-kind support for one training on investigation of trafficking cases for 60 law enforcement personnel. The country's three police academies institutionalized courses on trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year.

## PROTECTION

The government significantly increased efforts to protect victims of trafficking after victim identification dropped to its lowest point ever during the previous reporting period. The government identified 48 victims of trafficking in 2014, triple the 16 victims identified in 2013. Thirty-seven of the identified victims were minors. Thirty-five victims were subjected to forced begging, 10 victims were subjected to sex trafficking, and three were subjected to forced labor. The state coordinator acknowledged there were likely to be additional victims that did not come to the attention of authorities. Sub-state laws against enticement to prostitution permitted law enforcement to treat minors 14 years and older as juveniles engaged in prostitution instead of victims of rape or trafficking in persons. Bosnian law enforcement used a screening questionnaire to evaluate potential victims, and authorities followed a formal referral mechanism for assisting victims. Authorities referred 14 victims to three NGO-run shelters and one victim to an orphanage for assistance; government-run social welfare centers assisted 21 victims, and 13 victims did not receive any assistance because they did not request it. Authorities provided assistance to victims only if they proactively requested it. Decisions regarding assistance to child trafficking victims were made by the respective guardians or social welfare officials, depending on the circumstances. The Ministry of Human Rights and Refugees distributed small grants totaling 60,000 marks (\$37,200) to two NGOs for assistance to domestic trafficking victims, including shelter, clothing, counseling, education, and job training. Domestic victims did not have to stay at the shelters to receive reintegration assistance. The security ministry provided 120,000 marks (\$74,400) to two NGOs to assist foreign victims, including shelter, medical and psychological support, and repatriation services. Shelters accommodated male trafficking victims but did not offer them specialized services. Shelters did not permit victims to leave without a chaperone.

Foreign victims were eligible for a humanitarian visa that allowed them to temporarily live and work in Bosnia. The government issued one trafficking victim a residence permit in 2014. Victims were permitted a 30-day reflection period to determine whether they wanted to request a visa, though in practice temporary residence permits were granted only to victims whose cases were prosecuted. Observers reported when prosecutors determined a victim's testimony was not needed, or when they closed a case, the government often initiated deportation procedures without providing adequate assistance or arranging for the victims' safe repatriation. The government rarely referred foreign victims to legal service providers, despite agreements with an NGO to do so. Experts expressed concerns about interview techniques used with child trafficking victims, noting a victim was interviewed in front of the suspected exploiter. Furthermore, GRETA documented child victims were intimidated during trials, and authorities did not use available legal protections to shield them from threats. Officials acknowledged the need to strengthen continuity of victim

care throughout trials and improve protection of marginalized populations, such as Roma. Trafficking victims could seek restitution, and an NGO filed the first lawsuit for non-material compensation on behalf of four trafficking victims in September 2014. There were no reports of victims detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Only Brcko District contains a provision exempting trafficking victims from prosecution for such acts.

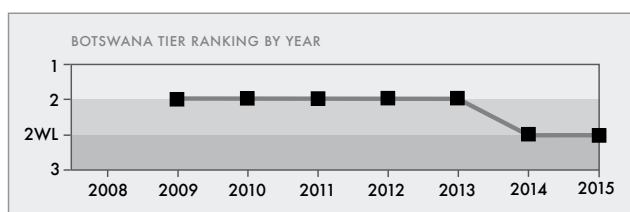
## PREVENTION

The government continued efforts to prevent trafficking. The government had in place a 2013-2015 national anti-trafficking action plan and a team of national, sub-state, and Brcko District officials, and NGOs monitored its implementation. A nationwide interagency investigative taskforce met monthly and adopted a 2015-2017 work program. The national anti-trafficking coordinator published its annual trafficking report during the reporting period. The government allocated 10,000 marks (\$6,200) for activities associated with the 2014 European Anti-Trafficking Day, including a public awareness campaign aimed at preventing child labor. The government trained labor inspectors on trafficking and integrated them into the regional monitoring teams that coordinated implementation of the national referral mechanism. The government continued public prevention campaigns targeting the demand for commercial sex acts, although a 2013 GRETA report concluded these efforts were inadequate. The government did not make efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## BOTSWANA: Tier 2 Watch List

Botswana is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. There has been no comprehensive international or domestic study of trafficking trends within the country. Residents of Botswana most susceptible to trafficking are unemployed women, those living in rural poverty, agricultural workers, and children. Some parents in poor rural communities might send their children to work for wealthier families as domestic servants in cities or in agriculture and cattle farming in remote areas. Young Botswana serving as domestic workers for extended family may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—conditions indicative of forced labor. Botswana girls and women are exploited in prostitution within the country, including in bars and along major highways by truck drivers. Experts in Botswana believe a significant minority of persons in prostitution are children. Some women are subjected to trafficking internally or transported from neighboring countries and subjected to sexual exploitation. One previous NGO report indicated members of the Botswana civil service, including police officers, soldiers, and teachers, were among the clients of children in prostitution. NGOs report labor conditions on private farms and cattle posts in Botswana's rural west might rise to the level of forced labor for both adults and children of the San ethnic minority group, and labor inspectors investigated rural farms for child labor in 2014. While labor inspections on rural farms found no instances of children working in 2014, the inspections were not comprehensive. Undocumented migrant children might be vulnerable to trafficking in Botswana.

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. During the reporting period, the government enacted the 2014 Anti-Human Trafficking Act, which came into effect on January 1 and included specific penalties for trafficking and created an inter-ministerial committee to serve as a national coordinating body. Despite these efforts, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous year; therefore, Botswana is placed on Tier 2 Watch List. The government investigated potential incidents of human trafficking and sexual exploitation of adults and children under existing laws. However, the government has not yet criminally prosecuted or convicted a trafficking offender under the new law. During the reporting period the government continued to conflate transnational movement with trafficking, thereby undermining its capacity to vigorously investigate potential trafficking cases and implement the new anti-trafficking law. The government also conducted one anti-trafficking awareness campaign and continued its training of law enforcement officials.



## RECOMMENDATIONS FOR BOTSWANA:

Increase efforts to investigate and criminally prosecute suspected traffickers using the new law for both internal and transnational trafficking cases, including those involving any allegedly complicit officials; develop and implement a robust system to proactively identify trafficking victims and refer them to social services; train law enforcement, immigration, and social welfare officials on these identification procedures to screen vulnerable populations, including women in prostitution and undocumented migrants, for potential trafficking victimization; encourage victims to participate in the investigation and prosecution of traffickers; develop guidelines for specific protective services for trafficking victims, to be provided either directly or in partnership with NGOs; launch a national human trafficking awareness campaign; institute a unified system for documenting and collecting data on anti-trafficking law enforcement and protection efforts; and provide anti-trafficking training or guidance to diplomatic personnel to prevent their engagement or facilitation of trafficking crimes.

## PROSECUTION

The government increased its capacity to make anti-trafficking law enforcement efforts. It enacted the 2014 Anti-Human Trafficking Act, which prohibits all forms of trafficking, although the law's definition of "trafficking" is overly broad and encompasses crimes such as rape, pornography, and child labor. The penalties prescribed for sex and labor trafficking under the new law include up to 30 years' imprisonment and a fine of 1 million pula (\$111,000), which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape, except in cases that include only a fine. 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 fails to define child trafficking, potentially limiting its utility. The 1998 penal code prohibits most forms of trafficking in Sections 150-158 (forced prostitution), Section 256 (kidnapping for slavery), and Sections 260-262 (slavery and forced labor). 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.

The government continued to report on law enforcement efforts to address potential trafficking crimes during the year, including its investigation of some trafficking-related offenses under existing provisions in the 1998 penal code. However, it maintained its focus on transnational movement, often conflating illegal migration and human trafficking crimes. The government did not make use of the anti-trafficking law, which came into effect on January 1, or the existing penal code to prosecute trafficking offenses during the reporting year. The government did not initiate any investigations or prosecutions of trafficking cases involving Botswana victims subjected to trafficking internally, including children exploited in prostitution and domestic servitude. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking or trafficking-related offenses. In 2014, the government facilitated four workshops for law enforcement, through which roughly 300 police were trained on both labor and sex trafficking. Judicial authorities lectured at the Botswana Police College to sensitize incoming recruits on trafficking issues. While the government developed a national action plan to train officials on the new anti-trafficking law, it failed to implement this plan in 2014, perpetuating a general lack of understanding of trafficking among officials.

## PROTECTION

The government sustained limited efforts to protect trafficking victims. The government identified 26 Zimbabwean children as potential trafficking victims after they were initially detained for immigration violations. Law enforcement officials, in partnership with an international organization, coordinated with the Department of Social Services to refer the 26 children to a NGO-run shelter until their repatriation to Zimbabwe. The 2014 anti-trafficking act outlined victim referral measures, but the government has not yet operationalized such procedures or those for victim identification. The 2014 anti-trafficking law mandates the government budget an unspecified amount of funding for victim shelter and transportation assistance; however, it was unclear if it allocated funding for these purposes during the reporting year. The new law permits the government to grant foreign national victims extended stay in Botswana for an undetermined period; however, the government did not utilize this provision during the reporting period. The anti-trafficking law does not include provisions to protect trafficking victims from punishment for unlawful acts committed as a direct result of their being subjected to trafficking; the lack of formal identification procedures for trafficking victims likely resulted in victims remaining unidentified in the law enforcement system. The government remained without measures designed to encourage victims to assist in the investigation and prosecution of traffickers.

## PREVENTION

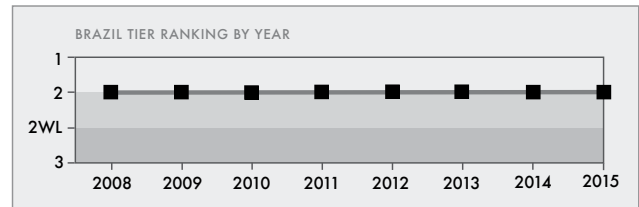
The government made some efforts to prevent trafficking during the year. The government sponsored a radio campaign to familiarize the general public with the issue of trafficking, coupled with

information on cross-border movement and illegal migration. The government did not make efforts to reduce the demand for commercial sex acts or forced labor during the reporting year. It did not provide anti-trafficking training or guidance for its diplomatic personnel in 2014.

## BRAZIL: Tier 2

Brazil is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Brazilian women and children are exploited in sex trafficking within the country, and federal police report higher child prostitution rates in the north and northeast regions. Brazilian women are found in sex trafficking abroad, often in Western Europe. Women and girls from other South American countries, including Paraguay, are exploited in sex trafficking in Brazil. Transgender Brazilians are forced into prostitution in Brazil. 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; many child sex tourists are from Europe. Brazilian law defines *trabalho escravo*, or slave labor, as forced labor or labor performed during exhausting work days or in degrading work conditions. While not all individuals in *trabalho escravo* are forced labor victims, many are. Some Brazilian men, and to lesser extent women and children, are subjected to *trabalho escravo* and debt bondage in rural areas, including in ranching, agriculture, charcoal production, logging, and mining. Exploitation of workers is sometimes linked to environmental damage and deforestation, particularly in the Amazon region. Brazilians are also found in *trabalho escravo* in urban areas in construction, factories, and the restaurant and hospitality industries. Labor inspectors have identified *trabalho escravo* used by sub-contractors constructing subsidized housing for a government program. Brazil is a destination for men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—exploited in forced labor and debt bondage in many sectors, including construction; the textile industry, particularly in Sao Paulo; and small businesses. Brazilian women and children—250,000 children are employed as domestic workers in Brazil—as well as girls from other countries in the region are exploited in domestic servitude. Some Brazilian trafficking victims are forced to engage in criminal activity in Brazil and neighboring countries, including drug trafficking. Brazilian forced labor victims have been identified in other countries, including in Europe. NGOs and officials report some police officers tolerate child prostitution, patronize brothels, and rob and assault women in prostitution, impeding proactive identification of sex trafficking victims. Government officials and former officials have been investigated and prosecuted for *trabalho escravo*.

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. The government improved data collection on victim identification, strengthened penalties for child sex traffickers, and continued awareness-raising efforts. Brazilian statutes prohibiting trafficking do not align with international law, making it difficult to accurately assess government efforts. Most cases took many years to progress to final convictions, and the number of reported convictions was low given the scale of the trafficking problem. Government funding and provision of specialized services for victims was inadequate; authorities confirmed providing services to only a small portion of potential victims identified.



### RECOMMENDATIONS FOR BRAZIL:

Increase efforts to investigate and prosecute trafficking offenses, and convict and sentence traffickers, including those engaged in internal sex trafficking not involving movement, and complicit officials; in partnership with civil society, increase funding for specialized services and shelters for victims of sex trafficking and forced labor; vigorously investigate, prosecute, and sentence those who engage in the prostitution of children, including in child sex tourism; amend legislation to harmonize the definition of trafficking with the 2000 UN TIP Protocol and establish sufficiently stringent sentences for traffickers; verify through ongoing oversight that victims of both sex and labor trafficking are referred to comprehensive services and that officials working at social service centers have funding and training to provide specialized care, such as employment assistance; increase oversight of local guardianship councils so child trafficking victims receive specialized services and case management; enhance timely data collection on prosecutions, convictions, and victim identification and care; increase staff dedicated to proactively identifying victims of sex trafficking and domestic servitude; fund the replication of the Mato Grosso job training program for freed laborers in other states; and increase collaboration between government entities involved in combating different forms of trafficking.

### PROSECUTION

Brazilian authorities maintained law enforcement efforts against trafficking, although the lack of a unified anti-trafficking law and comprehensive data made efforts difficult to evaluate. Brazilian laws prohibit most forms of trafficking in persons. Articles 231 and 231-A of the penal code respectively prohibit international and domestic sex trafficking but only if it involves 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 but not commensurate with those prescribed for other serious crimes, such as rape. The laws are inconsistent with international law as the crime of trafficking includes movement as a necessary element and also prohibits moving a person for the purposes of prostitution. Officials investigated and prosecuted cases of sex trafficking not involving movement under other statutes, such as those related to pimping or sexual exploitation. Authorities increased penalties for commercial sexual exploitation of children in 2014. Article 149 of the penal code prohibits *trabalho escravo*, or reducing a person to a condition analogous to slavery, prescribing penalties of two to eight years' imprisonment. Article 149 goes beyond situations in which people are held in service through force, fraud, or coercion to criminalize other treatment, including subjecting workers to exhausting work days or degrading working conditions. Article 149 does not adequately criminalize non-physical coercion, such as threatening foreign victims with deportation unless they continue work. Draft legislation to harmonize the definition of trafficking with the 2000 UN TIP Protocol was before Congress.



Since Brazilian laws related to trafficking also criminalize non-trafficking crimes, and other laws may have been used to prosecute and convict trafficking offenders, the total number of trafficking investigations, prosecutions, and convictions was unknown. In 2014, authorities reported police investigations of 75 cases and five new prosecutions under Article 231; nine investigations and two new prosecutions under Article 231-A; and 290 new or existing investigations under Article 149, but did not report the number of prosecutions initiated under Article 149. In comparison, in 2013 authorities reported police investigations of 77 cases and 16 prosecutions under Article 231; 12 investigations and eight prosecutions under Article 231-A; and 185 investigations and 101 prosecutions under Article 149. Most sex and labor traffickers convicted by lower courts appealed their convictions while out of jail. These judicial processes lasted years and delays made holding traffickers accountable difficult. Sentences issued under trafficking statutes were leniently implemented. Based on incomplete data, in 2014 federal appeals courts upheld the convictions of nine international sex traffickers in two cases and four labor traffickers, compared with seven sex traffickers and five labor traffickers in 2013. Officials reported no final convictions for cases involving child victims. Sex traffickers convicted in 2014 had sentences ranging from one year to eight years and 10 months' imprisonment; however, most convicted traffickers served these sentences under house arrest or by spending only nights in prison while being free during the day. Imposed sentences for convicted labor traffickers were not reported. Research in Sao Paulo state found only three *trabalho escravo* lower court convictions and none for sex trafficking out of 171 trafficking-related cases registered with criminal prosecutors as of September 2014. In 87 percent of cases, criminal charges were dropped.

Anti-trafficking law enforcement efforts were disjointed due to different laws and government entities involved. Law enforcement units required more funding, expertise, and staff to investigate trafficking, and awareness of trafficking among law enforcement was low. Officials reported bureaucratic hurdles, such as the inability to investigate businesses for sex trafficking without official complaints. Authorities established national and state judicial committees to improve the judiciary's trafficking response. Training for law enforcement remained uneven, especially for state police, though officials reported launching mandatory anti-trafficking training for new federal police. The Ministry of Labor (MOL)'s anti-*trabalho escravo* mobile units freed workers and required those responsible for their exploitation to pay fines. Labor inspectors and prosecutors could only apply civil penalties, and many *trabalho escravo* cases were not criminally prosecuted. Local political pressure, threats from landowners, a shortage of labor inspectors or police, and the remoteness of properties hampered some investigations. Officials found domestic servitude particularly difficult to identify and investigate.

Authorities did not report any new investigations of complicit officials in 2014. An ex-mayor from Amazonas state was convicted by a lower court of promoting child prostitution and incarcerated as he appealed his conviction. Authorities did not report taking action against judges who intentionally delayed investigating this ex-mayor in 2013. The government did not report progress on 2013 cases involving a judge in Bahia state allegedly involved in sex trafficking and police officers in Rio de Janeiro allegedly involved in operating a brothel. A supreme labor court found one congressman guilty of *trabalho escravo* and fined him for collective damages but absolved another congressman of the same crime. The federal supreme court dropped criminal *trabalho escravo* investigations

of several Congress members after they were not re-elected.

## PROTECTION

The government made uneven progress in victim protection efforts. A government publication provided guidance on how to identify and assist potential trafficking victims, but many officials did not have or did not implement this guidance and lacked guidelines for screening vulnerable populations for trafficking indicators. Government entities used different definitions for trafficking, making it difficult to assess victim identification and assistance efforts. State governments operated 16 state-level anti-trafficking offices, which varied in effectiveness. These offices improved data collection efforts, though unreliable data remained a problem. The anti-trafficking offices and three offices helping migrants at airports reported a total of 85 potential sex trafficking and 844 potential labor trafficking victims in the first half of 2014, and 81 potential sex trafficking and 1,185 potential labor trafficking victims in the latter half; in some cases the same victims were counted twice. Many of the potential labor trafficking victims were identified by MOL mobile inspection units, which identified and freed 1,509 laborers in situations of *trabalho escravo* in 2014. Officials did not report the total number of victims of domestic servitude or commercial sexual exploitation of children identified in 2014.

The federal government did not fund specialized shelters or services for trafficking victims. General victim services and shelters varied in quality from state to state and generally remained underfunded and inadequate. Anti-trafficking offices were responsible for referring victims to services, but authorities did not report how many victims these offices referred to services. The government operated specialized social service centers across the country where psychologists and social workers provided assistance to vulnerable people. Only 557 centers, or 23 percent, were certified to assist trafficking victims, and many centers were underfunded. Officials generally did not refer individuals in *trabalho escravo* to these centers. In 2013, the last year for which statistics were available, these centers reported assisting 292 trafficking victims; authorities did not report the age or gender of 228 of these victims, but reported assisting 12 girls, 10 women, 10 boys, and 32 men. There were no specialized services for male and transgender sex trafficking victims. The government did not fund long-term shelter for trafficking victims. Sao Paulo state opened a temporary shelter for refugees and trafficking victims in October 2014 but did not report how many victims stayed at the shelter. Authorities did not report how many child victims were referred to social service centers in 2014, and specialized shelters for child sex trafficking victims were lacking. NGOs and officials reported local guardianship councils often did not have the expertise or resources to correctly identify child victims and refer them to services.

The government provided individuals removed from *trabalho escravo* with unpaid wages plus three months' minimum wage salary and transportation home, a benefit sex trafficking victims did not receive. While labor prosecutors awarded some workers compensation from fines levied against employers, in some cases officials did not file for these indemnities, and in other cases victims did not receive them due to nonpayment by employers. Authorities did not report the amount of back-pay owed to rescued workers in 2014. Mato Grosso was the only state to provide funds to a program offering vocational training to freed slave laborers. Most rescued slave laborers remained vulnerable to re-trafficking due to few employment alternates and lack of adequate assistance.

Some victims were reluctant to testify due to fear of reprisals from traffickers. Sex trafficking victims were eligible for short-term protection under a program for witnesses, but authorities did not report how many victims received protection in 2014. There were no reports victims were penalized for unlawful acts committed as a result of being subjected to human trafficking, though in past years police officers deported foreign citizens in *trabalho escravo*. The government ombudsman recommended foreign victims should be offered refugee status, although authorities did not report how many victims, if any, received this status in 2014.

## PREVENTION

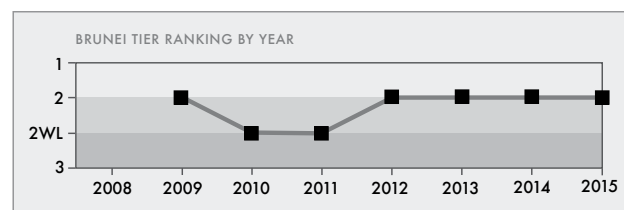
The government continued prevention efforts, but coordination among initiatives focused on different forms of trafficking was uneven. The national committee on trafficking included selected NGOs, and officials maintained a separate commission to eradicate *trabalho escravo*. Authorities issued two reports in 2014 on efforts to implement the 2013-2016 plan for movement-based trafficking. Most federal ministries reported reduced budgets limited their ability to implement the plan. State anti-trafficking offices often lacked adequate human resources and budgets, and interagency coordination was weak in several states. Federal, state, and municipal entities undertook anti-trafficking initiatives and awareness efforts. The MOL published a public list identifying individuals and businesses responsible for *trabalho escravo*; some companies sued to be removed from the list. The July 2014 list cited 609 employers who were denied access to credit by public and private financial institutions because of this designation. The federal supreme court issued a preliminary ruling to ban the publication of the list in December 2014, and reports indicated in early 2015 major banks and other institutions that would previously not extend credit to companies on this list began to do so. Sao Paulo state law penalized companies using *trabalho escravo* in their supply chain. Authorities continued awareness campaigns in an effort to reduce the demand for commercial sexual exploitation of children. Officials did not report any new investigations, prosecutions, or convictions of child sex tourists in 2014. There was no reported progress on an ongoing prosecution of a case initially investigated in 2007 involving a fishing tour company that brought U.S. citizens to engage in child sex tourism with indigenous girls in Amazonas state. Brazilian military troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## BRUNEI: Tier 2

Brunei is a destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Men and women from countries in Asia such as Indonesia, Bangladesh, China, the Philippines, Thailand, and Malaysia migrate to Brunei primarily for domestic work, or on social visit passes or tourist visas; some are subjected to conditions of involuntary servitude upon their arrival. Some migrants who transit through Brunei become victims of sex or labor trafficking upon arrival in Malaysia or Indonesia. Some women and girls are subjected to sex trafficking. Some victims are subjected to debt bondage, nonpayment of wages, passport confiscation, physical abuse, or confinement. Although it is illegal for employers in Brunei to withhold wages of domestic workers, some employers withhold wages to recoup labor broker or recruitment fees or to compel the continued service of workers.

Though prohibited by law, retention of migrant workers' travel documents by employers or agencies remains a common practice. Government officials have been investigated for complicity in trafficking offenses, including domestic servitude.

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. The government continued national campaigns to raise trafficking awareness among government officials, foreign diplomatic missions, and members of the public. Authorities identified two suspected sex trafficking victims, but did not prosecute or convict any traffickers. The government did not investigate any cases of forced labor compelled through debt bondage or threats of deportation, though these practices continued to occur. It fined one employer for failing to pay the salary of a domestic worker—a violation known to contribute to trafficking.



## RECOMMENDATIONS FOR BRUNEI:

Increase efforts to investigate and prosecute trafficking offenses and convict and punish both sex and labor traffickers, including complicit government officials; increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by allowing adult victims in government shelters to come and go freely and by issuing work permits to all victims; enforce laws prohibiting acts which facilitate trafficking, such as retention or confiscation of migrant workers' identity documents; do not arrest, deport, or otherwise punish trafficking victims for crimes committed as a direct result of being subjected to trafficking; train officials on proactive procedures to identify victims of trafficking among vulnerable groups, with a focus on psychological coercion as a technique used by traffickers; allocate government resources to the fund established by the 2004 law, and allow this to be paid directly to victims as restitution; train judges on Brunei's anti-trafficking laws; provide anti-trafficking training to Bruneian diplomatic personnel; continue comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of the sex trade; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government did not prosecute or convict any traffickers for the second consecutive year. 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. The penal code includes a prohibition on traveling outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. In 2014, the government screened for suspected trafficking offenses among 81 cases involving labor complaints or prostitution, but it did not prosecute or convict any traffickers. One case of suspected sex

trafficking was investigated and remained pending at the close of the reporting period, and an investigation from the previous reporting period remained ongoing. Officials referred cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers to the Human Trafficking Unit (HTU) of the Royal Brunei Police Force (RBPF) for investigation of potential trafficking. Some referred cases were prosecuted for other offenses. The government continued to provide anti-trafficking training to police officers in the RBPF. Judicial officials, who did not receive anti-trafficking training, sometimes interpreted Brunei's laws to require deception at the recruitment stage; authorities did not effectively prosecute and convict suspects under human trafficking laws when victims migrated willingly and were not deceived about the sector of work they would be entering in Brunei. Officials cited the lack of incentives for victims to remain in Brunei and participate in investigations as an impediment to effective law enforcement. There were no investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government made limited efforts to protect victims. HTU officers implemented a standardized procedure of screening questions when apprehending persons in prostitution and others suspected of being trafficking victims. These efforts led to the screening of potential victims in 81 cases and the identification of two sex trafficking victims. Authorities did not identify any victims compelled into sex or labor exploitation through debt bondage or threats of deportation; some officials considered physical abuse or confinement as necessary factors for trafficking, raising concerns about the effectiveness of the government's identification efforts. Officials apprehended foreign women during brothel raids and detained and deported many for immigration violations; though authorities screened for potential trafficking, misconceptions among some officials may have resulted in some victims remaining unidentified and being subjected to punishment. Similarly, some immigration authorities actively identified and charged violators of immigration laws without reporting identification of or assistance to any trafficking victims among this population. Some trafficking victims, particularly those whose documents had been confiscated or those who had been forced to violate other laws in the course of being subjected to trafficking, may have been fearful of communicating with law enforcement officers. The government maintained a general-purpose shelter that could be used to assist female trafficking victims, but it only permitted them to leave under special circumstances, and then only when accompanied by shelter staff. One victim received assistance in the shelter and two chose to reside at their respective embassies. A mixed-use shelter was available for male child victims, but no facilities were available for men. There were no identified male victims that required such a facility during the reporting period. The 2004 law established a fund to pay the cost of victims' repatriation and compensate individuals helping to prevent or suppress trafficking; however, court judgments—of which there have been none—were intended to be the primary source of funding, and the fund lacked resources. During the reporting period, the Ministry of Home Affairs requested a financial allocation from the government's budget for the fund; negotiations were ongoing at the close of the reporting period. The lack of incentives to remain in Brunei often led foreign victims to decline participation in investigations and elect immediate repatriation. The government reported certain labor trafficking victims who had been legally employed when

subjected to trafficking could be eligible on a case-by-case basis to receive employment passes to temporarily work in Brunei while assisting in investigations, though no such passes were issued for a third consecutive year. The government offered no long-term alternatives to removal for victims who may face hardship or retribution upon return to their home countries.

## PREVENTION

The government continued efforts to prevent trafficking. The government's interagency committee met regularly and coordinated implementation of a national action plan to combat trafficking, though the plan was not formally approved during the reporting period. The government conducted a national roadshow to raise awareness among the public, and briefings for representatives of foreign diplomatic missions in Brunei on the dangers of trafficking and the process for reporting cases to authorities. Government-influenced media regularly published articles related to trafficking. The government disseminated information telling the public that employers should not withhold workers' passports and closed three employment agencies for operating without a license, but it did not prosecute any employers or agencies for passport confiscation. The government fined an employer for failing to pay the wages of a domestic worker—an act known to facilitate forced labor—and awarded the worker compensation for unpaid wages. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. It did not take discernible measures to decrease the demand for forced labor or commercial sex acts. Brunei is not a party to the 2000 UN TIP Protocol.

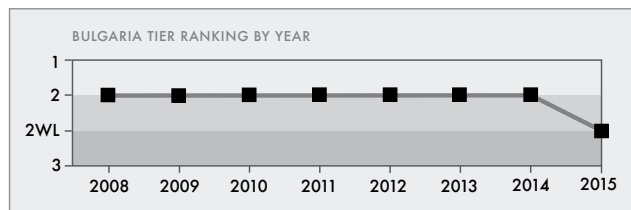
## BULGARIA: Tier 2 Watch List

Bulgaria is a source and, to a lesser extent, a transit and destination country for men, women, and children subjected to sex trafficking and forced labor. Bulgaria remains one of the primary source countries of human trafficking in the EU. Bulgarian women and children are subjected to sex trafficking within the country, as well as in Europe, Russia, the Middle East, and the United States. Several NGOs assert internal trafficking is increasing. Bulgarian men, women, and children are subjected to forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, Italy, Lithuania, the Netherlands, Norway, Spain, Sweden, the UK, and Zambia, predominantly in agriculture, construction, and the service sector. Bulgarian children and adults with disabilities are forced into street begging and petty theft within Bulgaria and also in Austria, Greece, Italy, Sweden, and the UK. Romanian girls are subjected to sex trafficking in Bulgaria. Government corruption creates an environment enabling some trafficking crimes.

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. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bulgaria is placed on Tier 2 Watch List. During the reporting period, governmental anti-trafficking efforts in prosecution, protection, prevention, and coordination all declined. Bulgaria remained one of the largest source countries of trafficking victims in the EU, yet the government did not fund specialized trafficking victim services. Two state-owned trafficking shelters for women ceased to operate. While a municipality opened one apartment for post-shelter accommodation in November 2014, the country's overall



capacity to shelter and provide services was minimal relative to the number of victims identified. Specialized services for child and adult male victims of trafficking were nonexistent. National coordination was marked by inactivity due to the absence of a key leader; staff turnover; structural changes, and overall political instability. Authorities prosecuted and convicted considerably fewer traffickers and issued suspended sentences for the majority of those convicted. Law enforcement action against public officials and police officers complicit in trafficking offenses increased significantly.



### RECOMMENDATIONS FOR BULGARIA:

Enhance efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, and hold convicted traffickers accountable with prison sentences; provide for specialized assistance, including shelter care, to men, women, and children subjected to trafficking; enhance national coordination through an active national commission and secretariat and development of a current national action plan; proactively target, investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison sentences; provide all male victims with services, including reintegration assistance and legal services; provide sensitivity training to prosecutors and judges working with sex trafficking victims; implement a comprehensive database of trafficking crimes and victims identified, referred, and assisted; and allocate government funding for awareness campaigns, including outreach activities to Romani communities.

### PROSECUTION

The government did not make progress in law enforcement efforts, as the government prosecuted and convicted considerably fewer traffickers and issued suspended sentences to the majority of those convicted. Bulgaria prohibits all forms of trafficking through Article 159 of its criminal code, which prescribes penalties of between two and 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Authorities launched 81 sex trafficking and six labor trafficking investigations in 2014, compared with 82 sex trafficking and 12 labor trafficking investigations in 2013. Authorities charged 43 defendants with sex trafficking and four with labor trafficking in 2014, compared with 114 and five, respectively, in 2013. The government convicted 53 sex traffickers and one labor trafficker in 2014, compared with 85 sex traffickers and five labor traffickers convicted in 2013. Consistent with previous years, only 18 of the 53 convicted sex traffickers—34 percent—received a prison sentence. In contrast with previous years, the government was unable to report the range of sentences imposed on convicted traffickers that resulted in imprisonment; observers noted the need for improved police and judicial statistics. The specialized court for organized crime, established only in 2012, became more active on human trafficking cases. In June 2014, the court sentenced the leader of a trafficking ring and his two accomplices to prison. Observers reported judges prescribed lesser penalties to sex traffickers if their victims had initially entered prostitution willingly,

despite Bulgarian and international law deeming past experience in prostitution irrelevant when there is subsequent exploitation. An almost yearlong period of inactivity at the directorate for combating organized crime resulted in fewer trafficking cases reaching prosecution. Parliament, in February 2015, reversed the reorganization and reinstated the directorate to the Ministry of Interior. Bulgarian authorities cooperated with nine foreign governments on transnational investigations. The government provided some specialized training for police officers, investigators, prosecutors, and judges.

The government demonstrated efforts to combat trafficking-related complicity of public officials. In August 2014, authorities began investigating seven police officers accused of bribery and blackmail, due in part to soliciting bribes from pimps; comparatively, authorities did not launch investigations of police officers in 2013, following five investigations in 2012. Investigations of other police officers in recent years included allegations of recruiting victims, forcing a woman into prostitution, and warning traffickers of planned police raids. Observers alleged police and prosecutors rarely pursued high-profile traffickers, and action against traffickers exploiting Bulgarian victims within the country was minimal. In addition, observers alleged some prosecutors arbitrarily dropped charges against defendants. In January 2013, a court imposed a 10-year sentence on a former municipal councilor charged with leading an organized crime group involved in human trafficking; an appeal of the sentence is still pending.

### PROTECTION

The government decreased victim protection efforts and did not adequately provide for victim services. The prosecution service identified 409 victims of sex trafficking and 27 victims of labor trafficking in 2014, compared with 428 sex trafficking and 56 labor trafficking victims identified in 2013. The government identified two foreign child victims in 2014. Observers alleged law enforcement could not effectively identify victims, particularly among the vulnerable refugee population, and noted the border police, refugee authority officials, and consular officials have not referred victims to care providers. Reports indicated police did not proactively search for signs of trafficking among women detained for prostitution, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. Victims were often required to give testimony in the presence of the alleged trafficker, and alleged traffickers were permitted to confront victims in court and question them through the judge, including inquiries into victims' previous sexual relationships.

From January to September 2014, the government allocated 69,000 lev (\$40,100) to NGOs to operate the two state-run shelters, a decrease from 116,313 lev (\$67,679) allocated in 2013. Each shelter had capacity to house six adult females at a time, and in 2014 the two shelters accommodated 16 female victims in total, a decrease from 29 victims assisted in 2013. Funding for the two shelters lapsed in September 2014. Prior to the funding lapse, NGOs provided victim services in the two national shelters, including medical and psychiatric services and assistance in reintegration, such as preparation for job interviews. In November 2014, the municipality of Burgas opened one apartment as part of its reintegration plan; victims could stay at the apartment rent-free, though no trafficking victims did so during the reporting period. The government operated 15 crisis centers for child victims of violence that could provide shelter and generalized psychological and medical assistance to child victims of trafficking in 2014. The

government provided a fixed sum per victim assisted in any of the crisis centers which, according to the State Agency for Child Protection, was insufficient to cover victims' needs, maintain the centers' premises, and attract qualified staff. Despite a 2012 government ordinance prescribing crisis centers to be specialized per type of violence, none of these centers were specialized for trafficking victims. The government did not offer male victims specialized services, including legal aid, reintegration assistance, and shelter. Bulgarian law allows foreign victims who cooperate with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation. Foreign victims who choose not to assist in trafficking investigations are permitted to remain in Bulgaria for 40 days for recovery before repatriation; the recovery period for foreign child victims is 70 days. No victims received compensation during the reporting period; observers reported the process for seeking compensation continued to be overly bureaucratic and authorities did not always inform victims of their right to apply for compensation and legal aid.

## PREVENTION

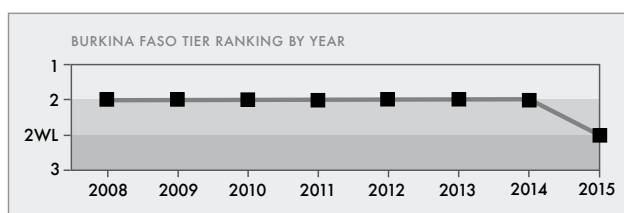
The government decreased efforts to prevent trafficking. National coordination was marked by inactivity as the inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, experienced staff turnover and the long-term absence of a key leader. In stark contrast with previous years, the commission held only one awareness campaign in 2014. Nine local commissions continued to run awareness campaigns targeting vulnerable communities, including schoolchildren. The government adopted a national action plan for combating human trafficking, as it has done annually in previous years; however, the 2014 plan was not approved until July 2014, and the government did not approve a plan for 2015 by the close of the reporting period. In March 2015, UNHCR called for Bulgarian authorities to investigate allegations of Bulgarian border authorities routinely pushing back asylum seekers, often with violence, including members of the Yazidi minority who were particularly vulnerable to human trafficking in Syria and Iraq. The government provided anti-trafficking training for its diplomatic personnel, aimed at preventing their engagement or facilitation of trafficking crimes. The government demonstrated efforts to reduce the demand for commercial sex.

## BURKINA FASO: Tier 2 Watch List

Burkina Faso is a source, transit, and destination country 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 unscrupulous Koranic school teachers. Girls are exploited in the commercial sex trade. Burkinabe children are transported to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon, Qatar, Saudi Arabia, and various countries in Europe, and subsequently subject them to forced prostitution. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire, and is a destination for children subjected to trafficking from neighboring countries, including Ghana, Guinea, Mali, and Nigeria. Women from other West African countries are fraudulently recruited for

employment in Burkina Faso and subsequently subjected to forced prostitution, forced labor in restaurants, or domestic servitude in private homes. In 2014, two Tibetan women were subjected to forced prostitution in Burkina Faso by Nepalese traffickers.

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. In November 2014, a transitional government was formed following the resignation of the former president and the dissolution of the government. The government continued to identify and provide services to a large number of child trafficking victims, as well as two Nigerian women subjected to forced prostitution. The government also continued to provide anti-trafficking training and conducted several national awareness-raising efforts throughout the country. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Burkina Faso is placed on Tier 2 Watch List. The government reported two prosecutions and no convictions during the reporting period—a significant decrease from the 22 prosecutions and 18 convictions reported in the previous year. Additionally, the national anti-trafficking committee did not meet, and the government did not take steps to address unscrupulous Koranic school teachers subjecting children to forced begging.



## RECOMMENDATIONS FOR BURKINA FASO:

Reinvigorate efforts to prosecute and convict trafficking offenders, and apply appropriate penalties as prescribed by the 2008 anti-trafficking law; strengthen the system for collecting anti-trafficking law enforcement and victim identification data, and ensure that authorities responsible for data collection are supplied with adequate means for accessing and compiling this information; continue to 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 to provide victims with long-term care in coordination with NGOs.

## PROSECUTION

The government decreased law enforcement efforts. The country's 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. In April 2014, the government passed law No. 11-2014/AN, which criminalizes the sale of children, child prostitution, and child pornography and prescribes a penalty of five to 10 years'

imprisonment or fines between 1,500,000 West African CFA francs (CFA) (\$2,780) and CFA 3,000,000 (\$5,570), or both. A provision allowing offenders to pay a fine *in lieu* of serving prison time is disproportionate to the gravity of the crime and inadequate as a potential deterrent. In January 2015, the government arrested a Burkinabe woman for allegedly subjecting more than 30 women to trafficking in Lebanon, Qatar, and Saudi Arabia; the investigation was ongoing at the end of the reporting period. The government reported two prosecutions and no convictions for 2014; this is a significant decrease compared with the 22 prosecutions and 18 convictions reported in 2013. There were no prosecutions or convictions involving forced begging by unscrupulous Koranic school teachers, despite the prevalence of this form of trafficking in the country. The government provided anti-trafficking training to 200 police officers, social workers, judges, teachers, labor inspectors, and traditional and religious leaders, which included information on trafficking victim identification, victim assistance, investigation procedures, and prosecution of trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, law enforcement efforts remained hindered by general corruption in the judiciary.

## PROTECTION

The government sustained efforts to identify and provide protective services to a large number of child trafficking victims. In 2014, the Ministry of Social Action (MSA) reported identifying 280 child victims of trafficking; 211 were victims of internal trafficking, and 69 were victims of transnational trafficking. The majority of these children were intercepted while being transported, sometimes in large numbers on trucks or buses, and were rescued prior to reaching 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. Due to severe data collection constraints, the government was unable to determine how many of these children were identified by the government versus NGOs and how many were referred to protective services. The government also identified two Nigerian women subjected to forced prostitution in Burkina Faso; the government provided basic services to the victims and worked with Nigerian officials to facilitate their safe repatriation. It is unclear what steps the government took to assist the 30 women subjected to forced labor in the Middle East.

The government, in collaboration with a variety of local NGOs and international organizations, continued to operate 23 multipurpose transit centers, which provided limited food, medical care, and counseling before reuniting victims with their families. To complement funding from other donors, the government allocated CFA 6,000,000 (\$111,100) to support protection activities, including funding for these transit centers; this is a decrease from 2013, when the government allocated the equivalent of approximately \$20,000. During the reporting period, the MSA also contributed CFA 15,210,000 (\$28,200) to provide nine-month employment training scholarships for 130 vulnerable children, some of whom were trafficking victims. 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. There were no reports trafficking victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

The government sustained moderate efforts to prevent trafficking. The MSA conducted a number of nationwide awareness-raising activities, including lectures, counseling sessions, trainings, and open-forum discussions for the general public. The national anti-trafficking committee did not meet during the reporting period; however, 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. Regional bodies remained severely underfunded and lacked sufficient resources.

In response to previous cases involving Burkinabe women subjected to forced labor and forced prostitution in Lebanon, the government offered counseling on the potential risks of trafficking to all women who applied for work visas to travel to Lebanon. However, the government did not make any discernible efforts to reduce the demand for forced labor during the reporting period. The government continued its failure to address the issue of traffickers posing as Koranic school teachers who force children to beg in the streets. The government, in partnership with foreign donors, provided Burkinabe troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## 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. Some Burmese men, women, and children who migrate for work abroad—particularly to Thailand and China, as well as other countries in Asia, the Middle East, and the United States—are subjected to forced labor or sex trafficking. Men are subjected to forced labor in the fishing, manufacturing, forestry, and construction industries abroad, while women and girls are primarily subjected to sex trafficking, domestic servitude, or forced labor in garment manufacturing. NGOs report an increase in the number of Burmese males transiting Thailand *en route* to Indonesia and Malaysia, where they are subsequently subjected to forced labor, primarily in the fishing industry. Some Burmese men in the Thai fishing industry are subjected to debt bondage, passport confiscation, or fraudulent recruitment; some are also subjected to physical abuse and forced to remain aboard vessels in international waters for years. Reports indicate some Rohingya asylum seekers transiting Thailand *en route* to Malaysia are sold into forced labor on Thai fishing boats, reportedly with the assistance of Thai civilian and military officials. Burmese women are transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; Burmese government officials are reportedly occasionally complicit in this form of trafficking.

Government officials are complicit in trafficking within Burma. Men, women, and children from ethnic areas, including the estimated 98,000 persons displaced by conflict in Kachin and northern Shan States and the estimated 146,000 displaced persons in Rakhine State, are particularly vulnerable to trafficking. Reports indicate some Rohingya women are subjected to sex trafficking in Rakhine State. Local traffickers use deceptive tactics to recruit men into forced labor on palm oil and rubber plantations or in jade and precious stone mines. Children are subjected to sex trafficking or

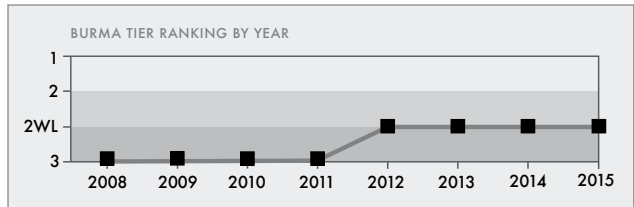


to forced labor in teashops, the agricultural sector, and in begging. Children and adults are subjected to domestic servitude. A small number of foreign child sex tourists exploit Burmese children.

Some military personnel and ethnic armed groups continue to be involved in the recruitment and use of child soldiers, particularly in conflict-prone ethnic areas. Although monitoring groups, including ILO and UNICEF, report the incidence of forced conscription is decreasing, men and boys continue to be forced to serve in the Burmese army and in ethnic armed groups through intimidation, coercion, threats, and violence. Children of the urban poor are at particular risk of conscription. Reports from the UN and former child soldiers indicate army recruiters, including civilian brokers, target orphans and children alone on streets and in railway stations; sometimes recruiters trick children into joining the army and or threaten them with jail or physical abuse if they do not agree to join.

The Burmese military, and to a lesser extent, civilian officials, and some ethnic armed groups use various forms of coercion, including threats of financial and physical harm, to compel victims to provide forced labor. In areas with active conflict, local populations—mostly men, but also women and children—remain at risk for forced labor. International organizations report this practice remains common in conflict regions, particularly in Rakhine State.

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 to investigate and prosecute cross-border sex trafficking offenses and cooperate with international partners to identify and demobilize children forcibly recruited into the military's ranks. During the reporting period, the government released 376 child soldiers from its armed forces and provided some assistance to civil society groups in their reintegration. The government continued to support a nationwide awareness raising campaign to prevent the recruitment of child soldiers. To better coordinate on combating human trafficking offenses committed by members of the Burmese military, the government designated the deputy minister of defense as a permanent member of its anti-trafficking coordinating body. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Burma is placed on Tier 2 Watch List for a fourth consecutive year. Burma 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 it has committed to devoting sufficient resources to implement that plan. Authorities did not make progress in investigating and prosecuting cases of internal trafficking. Victim identification and protection remained inadequate, and the majority of victims continued to be identified through international repatriations. The government took disciplinary action against an unknown number of military officials for the recruitment and use of child soldiers, but did not prosecute or convict any government officials for forced labor of civilians or forced recruitment of child soldiers. The military did not grant complete, unfettered access for monitors to military bases to inspect for the presence of children.



## RECOMMENDATIONS FOR BURMA:

Proactively initiate investigations of both sex and labor trafficking offenses, including trafficking occurring within Burma, and prosecute and convict offenders; increase coordination between specialized anti-trafficking police units, general police units, and prosecutors and provide more resources to prosecutors for trafficking cases; increase efforts to investigate and sanction—including through criminal prosecution—government and military perpetrators of internal trafficking offenses—including forced labor and child soldier recruitment—and make data about these efforts public; cease all recruitment of children into the armed forces and actively identify and demobilize all children currently serving in the military's ranks; develop and implement formal procedures for the proactive identification of victims among vulnerable groups and their referral to service providers; continue to bolster training and resources for consular officials and labor attachés in countries with significant populations of Burmese migrant workers; through partnerships with local and international civil society organizations, prioritize and significantly increase proactive victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; do not punish victims for acts committed while being subjected to trafficking or those fleeing forced labor, including children attempting to leave the army; strengthen age verification procedures for new military recruits; take necessary action to clarify roles and responsibilities of law enforcement and authorize the anti-trafficking taskforce (ATTF) police to proactively initiate, investigate, and support prosecution of trafficking cases; reform military policies—including high recruitment targets and the practice of civilian portering—that drive the demand for forced labor and child soldier conscription; grant international monitors unhindered access to inspect any and all recruitment centers, training centers, and military bases for the presence of children; and appoint a case manager to facilitate victims' involvement in criminal proceedings and to maintain a victim-centered approach to investigations and prosecutions.

## PROSECUTION

The government continued law enforcement efforts to address cross-border sex trafficking, but did not make progress in holding significant numbers of traffickers, including public officials, criminally accountable for trafficking within the country. 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 Wards and Village Tracts Administration Act, passed in March 2012, and penal code Section 374; violations can 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. During the reporting period, the government initiated a legal review to develop recommendations to strengthen the 2005 law.

The government reported investigating 98 cases involving 291 suspects, and prosecuting and convicting 143 traffickers in 2014, compared with 100 cases investigated and 183 traffickers prosecuted and convicted in 2013. As in previous years, the government's law enforcement efforts focused primarily on the sex trafficking or forced service of Burmese women through forced marriages to Chinese men, with the majority of cases pursued by the ATTF in Muse. The government reported investigating 26 suspected cases of internal trafficking and 18 cases of labor trafficking, though it did not provide additional information about the nature of these cases or whether they resulted in any prosecutions or convictions. There were no prosecutions or convictions of civilians for child soldier recruitment. Authorities have never used the 2012 Wards and Village Tracts Administration Act to prosecute a forced labor offense committed by a public official or private entity. Lack of transparency in the justice system, coupled with police and justice officials' limited understanding of trafficking offenses and poor police-prosecutor cooperation in prosecuting complex crimes, made it difficult to verify court statistics provided by the government. Local experts reported general (non-ATTF) police perceived they did not have the authority to pursue investigations proactively and primarily opened investigations only in response to complaints. The Anti-Trafficking in Persons Division (ATIPD) provided both basic introductory and on-the-job training for police, and international organizations funded additional anti-trafficking training for Burmese officials. The ATIPD maintained dedicated ATTF police throughout the country, but a lack of clarity between the roles and responsibilities of ATTF officers and general police investigators, as well as a lack of established channels of communication among law enforcement officials in Burma, continued to hamper the success of investigations and prosecutions. In addition to poor coordination among police units, an acute lack of basic policing equipment and resources was a major obstacle for police to undertake proactive investigations into trafficking crimes.

Corruption and impunity remained pervasive in Burma and hindered the enforcement of human trafficking laws. Police limited investigations in cases with alleged involvement of well-connected individuals. The power and influence of the Burmese military limited the ability of civilian police and courts to address cases of forced labor and the forced recruitment of child soldiers by the armed forces; there was no evidence any soldiers accused of trafficking crimes have ever been prosecuted in civilian courts. The government cooperated with ILO, which received and investigated more than 100 complaints of forced labor and child soldier conscription committed by members of the military or civilian administrators. The Ministry of Defense undertook efforts to investigate and punish military personnel for child soldier recruitment as a result of these complaints, but the government did not provide additional data on the number and type of punishments during the reporting period. There were no other investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

## PROTECTION

The government's victim protection efforts, including modest efforts to provide temporary shelter to Burmese victims repatriated from abroad, remained inadequate. The majority of victims were identified through international repatriations, including 65 male and female victims identified and returned by officials in Thailand, 108 female victims returned from China, and 144 male victims returned from Indonesia; the latter were

assisted by an international organization after escaping forced labor on Thai fishing vessels. Police and border officials identified an additional 45 cases, involving 68 victims at border crossings, compared with 47 such cases in 2013. During the reporting period, the government identified and released 322 children from the military through implementation of its UN-backed action plan on child soldiers, an increase from 206 children the previous year. While law enforcement officials in northern Burma continued to identify suspected victims *en route* to China for forced marriages likely to result in sex or labor exploitation, front-line officers throughout the country generally lacked adequate training to identify potential victims in Burma. The government did not make efforts to screen for indicators of trafficking among vulnerable groups, such as individuals deported from neighboring countries, returning migrant workers filing complaints regarding employment abroad, or individuals in prostitution. Military officials were often cooperative in cases of child soldiering brought to their attention by civil society organizations, but were unlikely to proactively identify or investigate such cases. The government often granted UN monitors access to battalion-level military installations to inspect for the presence of children, but occasionally refused to grant access despite a formal commitment to provide unhindered access. The Ministry of Education issued a rule requiring schools to expedite reacceptance for former child soldiers and 200 children received modest reintegration support from the Department of Social Welfare (DSW) and civil society partners, but overall government support to demobilized children remained minimal, with most service provided by civil society organizations.

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. Local experts reported modest improvement in working-level cooperation between DSW and the police during the year. The government continued to operate five centers for women and children, including trafficking victims, and one dedicated to female victims of trafficking. During 2014, it opened two facilities funded by a foreign donor that could serve both men and women. The government did not report the total number of victims receiving services in these facilities, or whether shelters housed any men. NGOs and foreign donors largely funded and facilitated delivery of the rudimentary services available to victims. DSW lacked the capacity to provide individualized services. Longer-term support was limited to vocational training for women in major city centers and in border areas; the lack of adequate protective measures for victims—particularly males—left them vulnerable to re-trafficking.

Authorities encouraged victims to assist in investigations and prosecutions, but the lack of victim protection or compensation programs, exacerbated by a lengthy trial process and victims' mistrust of the legal system, caused many victims to decline cooperation. A cumbersome investigation process required victims to give statements multiple times to different officials, increasing the possibility of re-victimization. The government made efforts to include victims' perspectives in training sessions with police and during government meetings. Inadequate efforts to screen for indicators of trafficking in thousands of anti-prostitution interventions may have led to the treatment of sex trafficking victims as criminals. Children who fled military service or were demobilized by civil society organizations continued to face arrest and imprisonment on charges of desertion. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

## PREVENTION

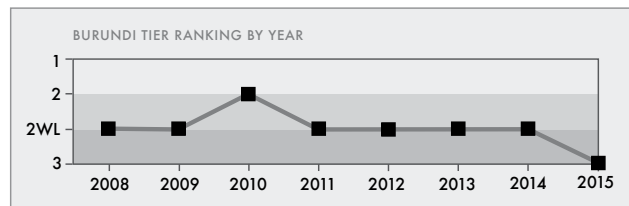
The government sustained efforts to prevent trafficking. The Central Body for the Suppression of Trafficking in Persons coordinated anti-trafficking programs and policies in line with the five-year national action plan. In December 2014, the deputy minister of defense joined the committee as a permanent member. In August 2014, the military issued a proclamation to all regional commands banning the recruitment and use of child soldiers and establishing a centralized recruiting structure to enable greater oversight; local experts observed this policy was not fully adopted by field commanders. The government did not sufficiently strengthen age verification procedures for military recruits or change military policies—including high recruitment goals, which could not be met through voluntary enlistments, and a requirement that early retirees bring in a new recruit to fill their place—that continued to make children vulnerable to recruitment, including through deception and force. The government continued to deny citizenship to an estimated 800,000 men, women, and children in Burma—the majority of whom were ethnic Rohingya living in Rakhine State. The lack of legal status and access to identification documents significantly increased this population's vulnerability to trafficking. The government conducted awareness campaigns in print, television, and radio media and trained members of community-based watch groups on trafficking. It increased efforts to train members of the military on prohibitions against the recruitment of children. It did not make efforts to punish labor recruiters or brokers for illegal practices that increase migrants' vulnerability to exploitation abroad. The government provided anti-trafficking training for its diplomatic personnel. Anti-trafficking police provided training to new tourism police units to stem child sex tourism. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

## BURUNDI: Tier 3

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 throughout Burundi, in gold mines in Cibitoke, for informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, or in the fishing industry. Traffickers include victims' family members, neighbors, or friends who recruit them under false pretenses, only to later exploit them in forced labor and sex trafficking. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children endure domestic servitude in private homes, experiencing nonpayment of wages and verbal and physical abuse. Children in domestic servitude or working in guest houses and entertainment establishments may also be exploited in prostitution. At times, children are fraudulently recruited from rural areas for domestic work and later exploited in prostitution, including in rented houses in Bujumbura. Young women offer vulnerable girls room and board within their homes, eventually pushing some into prostitution to pay for living expenses. These brothels are located in poorer areas of Bujumbura, along the lake, on trucking routes, and in other urban centers such as Ngozi, Gitega, and Rumonge. Some orphaned girls are exploited in prostitution, with boys acting as their facilitators, to pay for school, food, and shelter. 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, as well as Burundian government employees including teachers, police officers and *gendarmes*, military, and prison officials, are among the clients of Burundian girls in prostitution. Business people recruit Burundian girls for prostitution in Bujumbura, as well as Rwanda, Kenya, Uganda, and the Middle East. They also recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. In December 2014, an armed group of primarily Burundian rebels invaded the northwestern province of Cibitoke. The estimated 150 rebels reportedly included child soldiers as young as 15 years old.

The Government of Burundi does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government's efforts to combat trafficking continued to be hindered by rampant corruption and limited political will, with limited resources devoted to combating the crime. Though it enacted an anti-trafficking law and validated its national anti-trafficking action plan in 2014, the government did not inform judicial and law enforcement officials of the enactment of the law or how to implement it. The government continued its failure to proactively identify trafficking victims and provide adequate protection services specifically for such victims. The government initiated the prosecution of some suspected traffickers and convicted one trafficker in 2014; however, it continued to focus on transnational trafficking crimes and largely failed to address the country's systemic internal child trafficking problem. Some government officials, including those involved in missions abroad, perpetrated trafficking crimes.



## RECOMMENDATIONS FOR BURUNDI:

Implement the anti-trafficking law and significantly increase investigations, prosecutions, and convictions of traffickers, including complicit officials; institutionalize anti-trafficking training to include implementation of the 2014 anti-trafficking law for all police, prosecutors, judges, and border guards; establish standardized procedures for government officials to proactively identify trafficking victims, including children and adults, and refer them to appropriate care; increase provision of protective services to victims, possibly through partnerships with NGOs or international organizations; and institute a unified system for collecting trafficking case data, as distinct from other crimes, for use by all stakeholders.

## PROSECUTION

The government made limited law enforcement efforts and failed to prosecute government officials allegedly complicit in trafficking crimes. The government enacted an anti-trafficking law in October 2014. However, by the end of the reporting period, the Ministry of Justice had not made efforts to inform the country's judicial personnel about the law and how to apply it. The anti-trafficking law prohibits the trafficking of adults and children for the purpose of forced labor or services and sex trafficking. The definition of "forced labor or services" outlined in the law, however, fails to account for situations where an individual might initially consent to labor but is later forced, defrauded, or coerced to provide such



labor. Prescribed penalties under the law range from five to 10 years' imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

Law enforcement efforts remained hindered by lack of capacity and resources, including the funding for transportation of personnel. Furthermore, rampant corruption and officials' lack of investigative skills and basic understanding of trafficking crimes continued to impede investigations and prosecutions. In addition, the government failed to provide anti-trafficking training for its officials in 2014, unlike in 2013 when it trained 1,000 new police recruits. The National Police's Children and Ethics Brigade, responsible for the investigation of trafficking crimes, remained without adequate resources to effectively carry out its mission. The government continued to focus primarily on transnational child trafficking crimes, and paid limited attention to cases involving adult victims or Burundian victims exploited within the country. In 2014, the government reportedly investigated 60 cases involving either trafficking or kidnapping crimes, while the Ministry of Justice reportedly began prosecuting 25 trafficking or kidnapping cases. Without details on these cases, it was unclear what offenses they included. The attorney general's office reported the government obtained a conviction of one offender for trafficking under the 2009 penal code and sentenced the offender to three years' imprisonment; the government did not provide additional details about this case. In comparison, in 2013 the government initiated two prosecutions of trafficking suspects and convicted one trafficking offender.

The government failed to prosecute or convict any public officials suspected of complicity in human trafficking offenses, despite multiple allegations against teachers, police officers, members of the military and *gendarmerie*, and prison officials, as well as personnel deployed abroad. During the reporting period, an international NGO reported Burundian personnel serving in the African Union Mission to Somalia (AMISOM) allegedly participated in the sexual abuse—and in some instances, sex trafficking—of Somali women and girls in Mogadishu. While the government appointed an official investigative commission to investigate these claims, the government exonerated the allegedly complicit Burundian soldiers and failed to prosecute any of the suspected offenders or recommend punitive action be taken against any members of the Burundian National Defense Force. An African Union investigation, however, concluded there was evidence of the existence of such exploitation and abuse by AMISOM personnel. In addition, high-level security officials were allegedly complicit in running prostitution networks within Burundi, which may have involved children, but the government made no effort to investigate these allegations. Police repeatedly apprehended suspects involved in the commercial sexual exploitation of children, but released them shortly thereafter without prosecution, at times due to the corruption of police and judicial officials. In January 2015, however, authorities arrested a police officer for kidnapping and bringing two girls to a rented house used for prostitution. The alleged offender, charged with rape, remained awaiting trial at the end of the reporting period.

## PROTECTION

The government made inadequate efforts to identify and protect trafficking victims. The government reportedly identified seven child trafficking victims in 2014. It was unclear, however, whether it provided services to these victims or referred them

to organizations that did. Overall, the government did not provide adequate protection services for victims or support for NGOs, religious organizations, or women's or children's associations that offered such care. Furthermore, officials remained without formal procedures to identify trafficking victims and refer them to these organizations for assistance. The government made only limited efforts to assist victims, with police offering limited shelter and food to victims held in temporary custody and Family Development Centers offering assistance to victims of violence. It was unclear whether trafficking victims received these services during the year. A government-run medical center in Gitega for victims of gender-based violence reportedly provided services to three trafficking victims in 2014. Without standardized identification procedures, trafficking victims likely remained unidentified in the law enforcement system and vulnerable to being penalized for unlawful acts committed as a result of being subjected to trafficking. For example, the Children and Ethics Brigade did not attempt to identify trafficking victims among women in prostitution who were arrested, jailed, or fined. The government did not have a witness protection program or other measures in place to encourage victims to participate in the prosecution of their traffickers. Burundian law did not provide foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution.

## PREVENTION

The government decreased efforts to prevent trafficking. The government validated the national anti-trafficking action plan in March 2014, yet it failed to provide funding for its implementation. The government's inter-ministerial anti-trafficking commission did not meet regularly in 2014. Coordination of anti-trafficking efforts across government ministries continued to be poor, while relevant agencies remained largely unaware of the passage of the anti-trafficking law and the scale of the problem, which severely hindered progress. With donor funding, an NGO-led joint working group on human trafficking, which included representation from the National Police and the Ministries of Justice and National Solidarity, met in early 2014 to share information. The government, however, did not take an active role or provide material support to the efforts of the group, and by the end of the reporting period the NGO suspended its activities on trafficking in Burundi. In early 2014, the Children and Ethics Brigade continued its national awareness-raising campaign to educate officials and local populations about the dangers of human trafficking and encourage citizens to report trafficking cases to local authorities. It did not, however, prioritize trainings during most of the year. The government did not report efforts to monitor or investigate fraudulent labor recruitment practices. The government did not provide anti-trafficking training for its diplomatic personnel. The government attempted to prevent child prostitution from occurring within the prison system by separating the children and adults at night; however, children were authorized to have contact with adults during daytime hours. The government also did not make efforts to reduce the demand for commercial sex acts, child sex tourism, or forced labor in 2014. Prior to their deployment abroad on international peacekeeping missions, Burundian troops received ethics training funded by a foreign donor; the training covered human trafficking and sexual exploitation. Despite this training, an international organization reported in September 2014 that up to 21 members of the Burundian and Ugandan personnel serving in AMISOM were allegedly involved in the sexual abuse—and in some instances, sex trafficking—of Somali women and girls in Mogadishu.

## CABO VERDE: Tier 2

Cabo Verde is a source, transit, and destination country for children subjected to forced labor and sex trafficking within the country and in Guinea. 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 children in prostitution, also occurs. Children in domestic service often work long hours and at times experience physical and sexual abuse—indicators of forced labor. Cabo Verdean children engaged in begging, street vending, car washing, garbage picking, and agriculture are vulnerable to trafficking. Adult migrants from China, Guinea-Bissau, Senegal, Nigeria, and other ECOWAS countries may receive low wages, work without contracts, and be in irregular status, creating vulnerabilities to forced labor. West African migrants may transit the archipelago *en route* to situations of exploitation in Europe.

The Government of Cabo 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 conducted three prosecutions and enacted a new law that prohibits trafficking offenses against foreign workers. The government also continued efforts to prevent the sexual exploitation of children through the creation of a national coordinating committee and the development of a code of ethics for the tourism industry. However, it did not report any convictions relating to trafficking offenses, identify or offer any specialized services to victims, or conduct any national awareness campaigns during the reporting period.



### RECOMMENDATIONS FOR CABO VERDE:

Enact legislation that prohibits all forms of trafficking in persons and prescribes sufficiently stringent punishments; use existing laws to vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders; take appropriate steps to clarify that Cabo Verdean law prohibits facilitating the prostitution of children aged 16 and 17; provide specialized training to law enforcement officials and judicial personnel on how to identify trafficking victims and investigate and prosecute trafficking offenses; develop and implement procedures for the identification and referral of trafficking victims amongst vulnerable populations; develop a system to compile comprehensive anti-trafficking law enforcement data; increase efforts to raise public awareness about human trafficking; expand the mandate of labor inspectors to include the regulation of informal sectors; and draft and implement a national action plan on trafficking in persons.

### PROSECUTION

The government continued to make minimal law enforcement efforts to combat human trafficking. Cabo 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 when crimes involve victims under 14 years and one to five years' imprisonment in cases with victims aged 14 or 15. The penalties for victims aged 14 or 15 are not sufficiently stringent or commensurate with penalties for other serious 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, including child prostitution, involving children aged 14 and 15 require complaints from the child's legal guardian; government officials indicated no such case has ever been reported to police. Thus, children in prostitution 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. In July 2014, a Law of Foreigners was passed to address the regulation of foreign workers and visitors in Cabo Verde; the law outlaws the act of knowingly subjecting an undocumented migrant worker to trafficking and prescribes a penalty of two to six years' imprisonment. In December 2014, the Ministry of Justice drafted an anti-trafficking amendment to the penal code; this amendment was not enacted during the reporting period.

The government failed to provide comprehensive law enforcement statistics during the reporting period. However, the government conducted at least one investigation, which resulted in three prosecutions for child sex trafficking—compared with two investigations, three prosecutions, and three convictions reported in the previous reporting period. A Cabo Verdean court ultimately acquitted the three alleged traffickers prosecuted during the reporting period, citing a lack of sufficient evidence. In collaboration with an international donor, the government co-hosted training for 33 law enforcement and judicial personnel on the identification of trafficking victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

### PROTECTION

The government made minimal efforts to protect child trafficking victims. The government did not identify or provide care to any trafficking victims during the reporting period, which is a decrease compared with the 17 victims identified during the previous reporting period. There are no shelters or services available specifically for trafficking victims. However, the government operated two shelters, which provided temporary care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided access to reintegration services for children experiencing long-term trauma. The government also continued to operate six day centers through its *Nos Kaza* project, which aims to reduce the vulnerability of street children to forced labor and sexual abuse, including prostitution.

Border police have written procedures to guide officers in proactive identification of trafficking victims; however, these procedures were not fully implemented during the reporting period. The government did not have a formal referral mechanism for trafficking victims in place. However, the Cabo Verdean Institute for Children and Adolescents continued to operate a national network to prevent and provide assistance to victims of child sexual abuse, which coordinated their referral to care and offered support throughout court processes. The government continued to operate a hotline for reporting cases of child abuse, including sexual exploitation and child labor; however, it is unclear whether any cases of

trafficking were reported. Cabo Verdean law does not provide for legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. There were no reports officials penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

## PREVENTION

The government sustained modest efforts to prevent trafficking. There was no government entity specifically mandated to coordinate efforts to combat trafficking and no national action plan. In July 2014, however, the government created a national committee dedicated to preventing the sexual exploitation of children; the committee met four times during the reporting period. The government also continued to operate a national committee dedicated to the prevention and elimination of child labor, which also met four times during the reporting period. The government, however, did not identify any forced child labor cases, and labor inspectors were not mandated to conduct inspections in informal sectors, where the majority of forced labor in Cabo Verde occurs. The government did not conduct any national awareness campaigns during the reporting period. In July 2014, the government adopted a code of ethics for the tourism sector in an effort to combat the sexual exploitation of children. The government did not make any tangible efforts to reduce the demand for forced labor during the reporting period. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

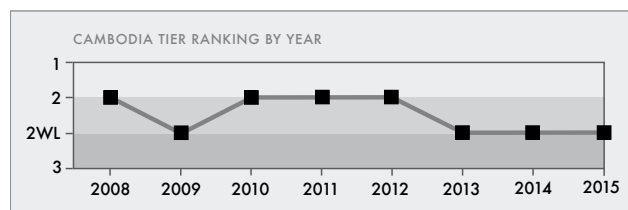
## CAMBODIA: Tier 2 Watch List

Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian adults and children migrate to other countries within the region and, increasingly, the Middle East for work; many are subjected to sex trafficking or forced labor on fishing vessels, in agriculture, construction, factories, or domestic servitude. Children from impoverished families are highly vulnerable to forced labor, often with the complicity of their families, including in domestic servitude and forced begging in Thailand and Vietnam. Male Cambodians are increasingly recruited in Thailand for work on fishing boats and subsequently subjected to forced labor on Thai-owned vessels in international waters. Cambodian victims escaping this form of exploitation have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, and South Africa. Cambodian men report severe abuses by Thai captains, deceptive recruitment, underpaid wages, and being forced to remain aboard vessels for years. NGOs report women from rural areas are recruited under false pretenses to travel to China to enter into marriages with Chinese men; some are subsequently subjected to forced factory labor or forced prostitution.

All of Cambodia's provinces are a source for human trafficking. Sex trafficking is largely clandestine; Cambodian and ethnic Vietnamese women and girls move from rural areas to cities and tourist destinations, where they are subjected to sex trafficking in brothels, beer gardens, massage parlors, salons, karaoke bars, and non-commercial sites. An NGO report released in 2013 examined the prevalence of children among individuals in the sex trade in commercial sex establishments in three cities and found that children comprised 8.2 percent of this population. The study concludes this represents a significant decline in this form of child sex trafficking since earlier reports by different entities published

in 1997 and 2000. The same NGO reported that a March 2015 assessment found the prevalence of children among this population declined to 2.2 percent; these results had not yet been published at the close of the reporting period. Cambodian men form the largest source of demand for child prostitution; however, men from other Asian countries, the United States, Australia, South Africa, and Europe travel to Cambodia to engage in child sex tourism. Vietnamese women and children, many of whom are victims of debt bondage, travel to Cambodia and are subjected to sex trafficking. The Svay Pak area outside Phnom Penh, once known as an epicenter of Cambodia's child sex trade, is now sometimes a transit point for sex trafficking victims from Vietnam who are exploited in hotels and other establishments in Phnom Penh. NGOs report some Vietnamese victims are transported through Cambodia by criminal gangs before being exploited in Thailand and Malaysia. Traffickers are most commonly family or community members or small networks of independent brokers. Corrupt officials in Cambodia, Thailand, and Malaysia cooperate with labor brokers to facilitate the transport of victims across the border. Local observers report corrupt officials often thwart progress in cases where the perpetrators are believed to have political, criminal, or economic ties to government officials.

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 did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cambodia is placed on Tier 2 Watch List for a third consecutive year. Cambodia 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 continued to prosecute and convict traffickers, including one case involving the forced labor of Cambodian men on commercial fishing vessels. The government did not prosecute or convict any complicit officials and did not take disciplinary action against a former anti-trafficking police chief, whose 2011 conviction for human trafficking was overturned in an unannounced, closed-door Supreme Court hearing during the previous reporting period. Local authorities identified and referred 326 domestic sex trafficking victims to NGOs. Despite an increased prevalence of male victims and Cambodian victims exploited abroad, the government did not make progress in providing protection to these groups. The government adopted a new national action plan for combating trafficking. However, it neither finalized draft guidelines for victim identification nor issued formal guidance allowing the use of undercover investigation techniques in trafficking investigations—both of which have been pending initiatives for several years.



## RECOMMENDATIONS FOR CAMBODIA:

Finalize and implement a nationwide protocol for the proactive



identification of victims among vulnerable groups; increase the availability of services for male victims, especially men exploited in commercial fishing; increase efforts to vigorously investigate and prosecute trafficking offenses and convict and punish labor and sex traffickers, individuals who purchase commercial sex acts from children, and complicit officials; issue an executive decree (*prakas*) or other official guidance authorizing the use of undercover investigative techniques in the enforcement of the anti-trafficking law; establish systematic procedures and allocate resources to assist Cambodian victims through diplomatic missions abroad or in countries without Cambodian diplomatic representation; implement a system for monitoring, collecting, and reporting data on anti-trafficking law enforcement and victim protection efforts; allocate sufficient funding for the implementation of the national action plan to combat trafficking; develop a policy for formally transferring custody of child victims to NGOs; increase efforts to make court processes more sensitive to the needs and interests of victims, including through the provision of witness protection and options for compensation; and continue public awareness campaigns aimed at reducing the demand for commercial sex and child sex tourism, with an increased focus on addressing the local demand.

## PROSECUTION

The government lacked comprehensive data on law enforcement efforts, but information collected from various sources suggests modest progress in prosecutions and convictions. 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. Authorities often lacked familiarity with the anti-trafficking law and used provisions of Cambodia's penal code to prosecute trafficking offenses. The government did not provide comprehensive data on anti-trafficking law enforcement efforts. Authorities reported prosecuting 21 suspected traffickers, but independent sources reported the government prosecuted at least 53 suspects under its anti-trafficking law or comparable provisions in the penal code including 41 for sex trafficking and 12 for labor trafficking. Reports from the government, media, and NGOs indicate the government convicted at least 22 sex traffickers and 7 labor traffickers, an increase from 18 traffickers convicted during the previous year. Convicted traffickers received sentences ranging from two to 15 years' imprisonment. In April 2014, the government convicted six Taiwanese nationals for the forced labor of hundreds of Cambodian men in the commercial fishing sector; one trafficker is serving her sentence and the others remain at large.

The government continued to design and deliver donor-funded training on the implementation of the anti-trafficking law, reaching more than 2,500 law enforcement and judicial officials. Local organizations and some officials recognized an urgent need for more sophisticated evidence collection techniques, including undercover investigations, to decrease the reliance on witness testimony and adapt to the increasingly clandestine nature of sex trafficking in Cambodia. The government did not issue guidance granting explicit approval of undercover evidence collection in human trafficking cases; in the absence of such guidance, prosecutors denied investigators' requests, which effectively forced them to close some investigations. An NGO reported that officials rarely pursued prosecutions in cases of cross-border trafficking, despite many victims' willingness to cooperate with officials.

Endemic corruption at all levels of the Cambodian government severely limited the ability of individual officials to make progress in holding traffickers accountable. Local experts reported one successful case in which authorities prosecuted and convicted six sex traffickers known to have previously received protection from arrest by military police leaders. The government investigated allegations of corruption against one police officer and dismissed him from his position; it did not prosecute or convict any government employees complicit in trafficking nor did it take any punitive measures against Phnom Penh's former anti-trafficking police chief, whose 2011 conviction for human trafficking was overturned in an unannounced, closed-door Supreme Court hearing during the previous reporting period.

## PROTECTION

The government continued to identify victims and refer them to NGOs, but overall victim protection remained inadequate. The government did not finalize guidelines for a standardized, nationwide system for the proactive identification of victims among vulnerable groups; it expanded a pilot program to test draft guidelines in five provinces, but despite more than five years of development, the guidelines were not completed. With assistance from an international organization, the government continued to operate a transit center in Poipet, where it screened for trafficking victims among the approximately 50,000 migrants deported from Thailand in 2014; it identified 336 victims and provided them temporary shelter. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, and it referred trafficking victims to NGO shelters—most of which cared for victims of several forms of abuse—but did not provide further assistance. Unlike in previous years, authorities did not provide complete statistics on the number of victims it assisted or referred, and the total number of victims identified or assisted by the government or NGOs is unknown. Local police referred 326 sex trafficking victims to provincial agencies for NGO referrals, an increase from 151 referred in the previous year. Two NGOs provided shelter and services to 222 victims without government support. The government did not develop a policy to transfer custody of child victims to NGOs, leaving organizations that accepted child victims vulnerable to court action against them. Government officials at times returned children to high-risk environments if family members would not consent to temporary guardianship in a shelter. Despite a prevalence of male victims, assistance for this population was limited to *ad hoc* sheltering in facilities that lacked experience caring for victims. The Cambodian government required foreign victims 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; 21 victims were repatriated to Vietnam during the reporting period.

The government did not have adequate procedures in place for assisting victims identified abroad. Diplomatic missions overseas lacked adequate funding or capacity to provide basic assistance or repatriate victims; victims identified in countries without Cambodian diplomatic representation had access to even less support. International and local NGOs assisted in the repatriation of labor trafficking victims from Thailand, Malaysia, Indonesia, and China, including at least 93 subjected to forced labor on commercial fishing vessels. Cambodian authorities received 436 victims identified and repatriated by the Thai and Vietnamese governments. There were no reports that individuals identified as victims were punished for crimes committed as a result of being

subjected to trafficking; however, a lack of formal procedures for victim identification left many victims unidentified and at risk of being punished. Officials often lacked sufficient office space to keep victims and perpetrators separated during interviews. Cambodia's weak and corrupt legal system and the lack of adequate victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, hindered victims' willingness to cooperate in cases. Victims whose families received out-of-court settlements from traffickers often changed their testimonies, hampering the pursuit of successful prosecutions. Victims were theoretically eligible for restitution, though this was limited by a legal requirement that compensation be paid only following the completion of a trafficker's jail term.

## PREVENTION

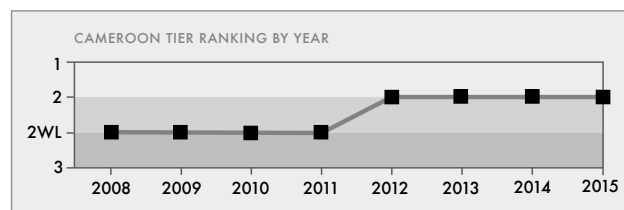
The government continued moderate prevention efforts. The interagency committee and its secretariat coordinated anti-trafficking efforts, and in February 2015 it launched a new national action plan. The committee continued to face difficulty obtaining funding sufficient to effectively implement activities, though its budget was projected to increase in 2015. Local committees coordinated efforts at the provincial level and, for the first time, the central government provided modest funds to two of five committees that requested them. The government did not punish any labor recruiters for illegal practices that may have contributed to trafficking. With support from foreign and local donors, it produced and disseminated printed materials, radio broadcasts, billboards, and posters addressing the dangers of various forms of human trafficking. The Ministry of Tourism sustained collaboration with NGOs in producing trainings, billboards, 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 was the main source of demand for commercial sex with children. Authorities reported the arrest of 12 foreign child sex tourists and the conviction of two foreign tourists and seven Cambodian citizens for the purchase of commercial sex acts with children; this is an increase from seven such convictions in the previous year. Local experts reported concern over the government's ongoing failure to properly investigate or impose punishments on foreign nationals who purchase commercial sex acts with children. The government provided anti-trafficking training for its diplomatic personnel and to members of the military prior to their deployment abroad on peacekeeping initiatives.

## CAMEROON: Tier 2

Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking and a source country for men in forced labor. Trafficking operations usually target two to four children, often when rural parents give their children to an intermediary promising education or a better life in the city. Child traffickers increasingly resort to kidnapping their victims, including in Yaounde, as heightened public awareness about trafficking has led parents to be less willing to give their children to these intermediaries. Cameroonian children are exploited in domestic service, restaurants, street begging or vending, artisanal gold mining, gravel quarries, fishing, animal breeding, and agriculture (on onion, cotton, tea and cocoa plantations), as well as in urban transportation and construction working as errand boys and laborers. Many children are subjected to sex trafficking within

the country. Reports document hereditary slavery in northern chiefdoms. Children from neighboring countries are exploited in spare parts shops or by herders in northern Cameroon or transit the country *en route* to Gabon or Equatorial Guinea. 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. Cameroonian trafficking victims were identified in the Middle East, Haiti, the United States, and several African countries. Teenagers and adults from the Central African Republic (CAR) and Nigeria are lured by the prospect of a better life in Cameroon and subsequently are victims of labor trafficking. Refugees from CAR and Nigeria, as well as displaced Cameroonian citizens fleeing growing insecurity in border areas, are increasingly vulnerable to human trafficking in Cameroon.

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 period, the government increased anti-trafficking law enforcement efforts through the work of two regional multidisciplinary anti-trafficking taskforces and continued to implement its action plan to combat trafficking through reintegrating street children who were victims and conducting grass roots, regional, and national child trafficking public awareness campaigns. Despite these efforts, the government did not make progress in ensuring adult and child trafficking victims were identified and received access to protection services or in providing much needed anti-trafficking training to law enforcement, judicial, and social welfare personnel. Furthermore, the government did not provide budgetary support for the national and regional multidisciplinary governmental bodies responsible for addressing human trafficking. Data collection remained sporadic and did not cover the entire country, resulting in unreliable and incomplete statistics on victim identification and law enforcement efforts.



## RECOMMENDATIONS FOR CAMEROON:

Enact legislation to address the lack of victim protection measures and to conform the definitions in the 2011 law with international law; continue to prosecute and convict traffickers, including government employees complicit in trafficking-related offenses; provide funding to support the anti-trafficking inter-ministerial committee and the three regional multidisciplinary anti-trafficking taskforces; increase efforts to educate police, judges, lawyers, and social workers about the law against human trafficking; develop and provide advanced training on victim-centered investigation and prosecution of human trafficking offenses for the anti-trafficking taskforces; dedicate resources to improve the collection of statistics relating to victim identification and law enforcement; fully implement the standardized procedures for referring trafficking victims to government and NGO care services and provide training on the procedures for government officials and the NGO community; continue to provide training for government service providers to ensure the quality of care for victims; establish multidisciplinary anti-trafficking taskforces

in the remaining seven regions; and address cases of hereditary servitude in the northern regions.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. In the 2011 Law Relating to the Fight Against Trafficking in Persons and Slavery, the definition of “trafficking in persons” requires movement and does not include exploitation. The definition of “slavery in persons” does not require movement and prohibits most forms of human trafficking; however, the use of threat, fraud, deception, force, or other forms of coercion is required for a child, under 18 years, to be considered a sex trafficking victim, which is contrary to international law where such means are not required. Section 4 prescribes penalties of 10 to 20 years’ imprisonment for trafficking and slavery, which 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 a weapon is used, 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. Draft legislation to improve the 2011 law remain under consideration for the third consecutive year; drafted in 2012 in collaboration with the government, an NGO, and national and international experts, these provisions aim to address shortcomings in protection of victims and witnesses, as well as inconsistencies with international law.

During the reporting period, the government initiated 25 trafficking investigations, prosecuted 11 defendants, and secured eight convictions for child trafficking crimes, a significant increase from the five prosecutions and one conviction reported the previous year. Sentences for convicted traffickers ranged from one to 15 years’ imprisonment. The prosecution of cases against at least three alleged traffickers and investigations in 10 cases were ongoing. A court dismissed one case involving alleged forced labor of a Cameroonian man in Qatar, and the 2013 conviction of a child trafficker remained under appeal. The government failed to collect comprehensive anti-trafficking law enforcement data from all of Cameroon’s 10 regions during the reporting period; however, information was available from the anti-trafficking taskforces in the Northwest and Southwest regions.

Despite the recognized need for training of law enforcement, judicial personnel, and other stakeholders to assist them in distinguishing human trafficking from crimes such as fraudulent adoption, the government failed to directly train its staff; rather it provided in-kind support for NGO-led training sessions on human trafficking for each of the anti-trafficking taskforces in the Northwest, Southwest, and Littoral regions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

The government demonstrated modest efforts to identify and assist child trafficking victims. The government does not produce statistics from all regions on the number of trafficking victims identified or the services victims received. Information from the government and NGOs indicates the government identified 17 child trafficking victims, a slight decrease from the 19 victims identified in the previous reporting period. The government did not provide details to confirm these were human trafficking victims,

as compared with fraudulent adoption or other crimes. Of these 17 victims, the government placed 14 children in government or NGO care facilities. The government also reintegrated 31 victims identified the previous year. The government identified at least one adult victim of forced labor, but it is unclear whether he received any services.

The Ministry of Social Affairs (MINAS), with support from an international organization, adopted a national referral system and standard operating procedures to guide the provision of assistance to trafficking and other victims. The government continued to offer direct assistance to vulnerable children and victims, including shelter and medical, psychological, and reintegration support through its shelter facilities in several cities. If identified, female adult victims were offered care in government shelters where victims were not permitted to leave unchaperoned. It is unclear how much funding the government devoted to victim care in 2014, how many victims received services, or whether any trafficking victims benefited from these services during the year. NGOs identified at least 130 victims of trafficking and provided the majority of victim services in the country.

It is unclear whether the government provided counseling, legal support, or any other assistance to victims during court proceedings. Victims may file suits or seek legal action against traffickers, and family members may also bring civil suits against traffickers on behalf of children. Some victims received out of court financial settlements facilitated by regional offices of the National Commission on Human Rights and Freedoms; in a case from Cameroon’s Northwest region, a trafficker who forced two children to work in a shop for four years without compensation paid approximately 10,000 Central African CFA francs (\$20) per month for the four years as a financial settlement to the victims. The government may provide temporary residency status to foreign victims, but no such cases were reported in the past year. There were no reports the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; however, due to a lack of formal victim identification procedures in use during the reporting period, some unidentified victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government demonstrated continued progress in preventing child trafficking. The government increased the number of multidisciplinary regional taskforces from one to three during the reporting period. The taskforces in the Northwest, Southwest, and Littoral regions, comprised of representatives of social welfare, police, *gendarmerie*, magistrates, and NGOs, coordinated the response to trafficking cases and conducted grass roots awareness campaigns on the radio and through community watch groups. However, the government did not allocate budgetary support for the national inter-ministerial committee, the taskforces, or towards implementation of the new national action plan. Officials continued efforts to implement the plan by identifying and reintegrating street children, publishing a new manual that tightened procedures for adoption of children, and, in collaboration with an international organization, conducting a national awareness campaign against forced labor and sex trafficking of children. MINAS continued to address the phenomenon of street children, a population vulnerable to trafficking, and identified 240 new cases of street children in Yaounde and Douala; it reunited 77 children with their families and offered healthcare, education, and psycho-social services

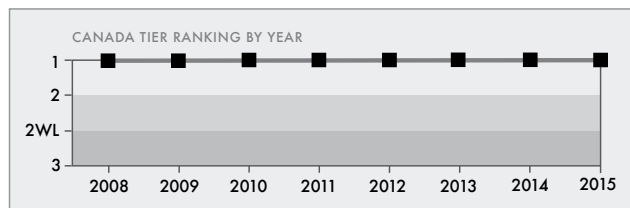


to the others during the reporting period. At ports of entry, trained customs and border security officers interrogated adults accompanying children and checked their travel documents to verify their parentage, and volunteer committees in some rural communities were trained to recognize and monitor vulnerable children. Although Cameroonian trafficking victims were identified in several European and Middle Eastern countries, the government took no action against suspicious labor recruiting practices. The government continued to provide members of the Cameroonian armed forces with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. To reduce the demand for commercial sex acts with children, the government continued its public awareness campaign against sexual exploitation of children; however, it did not try to reduce the demand for forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## CANADA: Tier I

Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Canadian girls, boys, and women are exploited in sex trafficking across the country; women and girls from Aboriginal communities and girls in the child welfare system are especially vulnerable. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking in Canada. Law enforcement officials report some local street gangs and transnational criminal organizations are involved in sex trafficking. Labor trafficking victims include foreign workers from Eastern Europe, Asia, Latin America, and Africa who enter Canada legally, but are subsequently subjected to forced labor in a variety of sectors, including agriculture, construction, food processing plants, restaurants, the hospitality sector, or as domestic servants, including in diplomatic households. Canada is a source country for tourists who travel abroad to engage in sex acts with children. Canadian trafficking victims have been exploited in the United States.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. Canadian authorities maintained law enforcement and prosecution efforts against sex traffickers and increased protections for domestic workers employed in diplomatic households. Awareness and resources against sex trafficking were considerably greater than those against labor trafficking. Government funding for specialized services to trafficking victims was insufficient to meet victims' needs. Interagency coordination was uneven across the provinces and territories, as was national data collection on anti-trafficking efforts.



### RECOMMENDATIONS FOR CANADA:

Significantly increase specialized care and reintegration services available to trafficking victims, in partnership with civil society and through dedicated funding from federal and provincial governments;

provide funding for specialized care for child victims, ensuring their access to appropriate shelter; continue to intensify efforts to investigate and prosecute trafficking offenses and convict and issue dissuasive sentences for traffickers using anti-trafficking laws; increase use of proactive law enforcement techniques to investigate human trafficking, particularly forced labor; strengthen training for officials working in law enforcement, immigration, the justice sector, health care, and social work on the identification and provision of assistance to trafficking victims, as well as the subtle forms of coercion employed by traffickers; improve coordination between law enforcement officials and service providers, possibly through specialized case managers or attorneys, to ensure victim needs are met; continue increased communication between federal, provincial, and territorial actors and strengthen provincial interagency efforts; vigorously investigate and prosecute Canadian child sex tourists; and improve trafficking data collection, including to document service provision to victims.

### PROSECUTION

The government maintained efforts to hold traffickers criminally accountable, though most efforts focused on sex trafficking. Criminal code Section 279.01 prohibits all forms of human trafficking, prescribing penalties 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 under the age of 18 years. Such penalties are sufficiently stringent and commensurate with those for other serious crimes. Section 118 of Canada's Immigration and Refugee Protection Act prohibits transnational human trafficking, prescribing a maximum penalty of life imprisonment and fines. Legislation enacted in December 2014 establishes mandatory minimum penalties of four or five years' imprisonment for offenses under Section 279.01 and sets minimum penalties and increases maximum penalties for benefiting from child trafficking or withholding or destroying documents to facilitate child trafficking.

In 2014, police charged 121 individuals in 77 trafficking cases under trafficking statutes; only four of the 77 cases involved labor trafficking. Authorities brought criminal charges against a foreign diplomat and her spouse allegedly engaged in domestic servitude in Canada; the accused traffickers departed Canada before they were charged with trafficking. The government convicted 22 sex traffickers and no labor traffickers in 2014. Of these 22 convictions, eight were achieved under trafficking-specific laws, compared with 25 convictions of which 10 were under trafficking statutes in 2013. Sentences ranged from fines or community service and probation to 6.5 years' imprisonment; some of these sentences were suspended and credit was given for pre-trial custody. Some police, judges, and prosecutors demonstrated a limited understanding of human trafficking, leading them to categorize trafficking cases as other crimes, bring civil instead of criminal charges, or acquit traffickers. Police and prosecutors used prostitution-related statutes for sex trafficking cases, sometimes due to a perception that proving exploitation to judges is exceedingly difficult. Federal and provincial authorities conducted training sessions for some officials and maintained online training courses. The federal Royal Canadian Mounted Police (RCMP) included trafficking in the national academy training for all new recruits; trained 55 police officers in an in-depth human trafficking investigator's course; and maintained a national anti-trafficking enforcement unit in Quebec. A police sergeant who led a pilot anti-trafficking investigative

unit in Hamilton, Ontario pled guilty to charges related to sexual misconduct involving witnesses in human trafficking cases. As he resigned from the police force prior to sentencing, the prosecution under the Police Services Act was halted. Authorities did not report any other investigations, prosecutions, or convictions of government officials complicit in human trafficking. Coordination between the federal, provincial, and territorial governments on anti-trafficking law enforcement efforts continued to be uneven.

## PROTECTION

The government maintained existing protections for trafficking victims, but funding for specialized services was inadequate. Police identified 261 victims in cases where trafficking-specific charges were laid in 2014. Of these, 223 were female; 37 were male; 48 were victims of labor trafficking; 213 were victims of sex trafficking; and 85 were children. In comparison, authorities did not report the number of victims identified in 2013, but as of February 2014, there were 198 victims in open trafficking investigations. Immigration officials continued to implement guidelines to assess whether foreign nationals were potential trafficking victims, and police and prosecutors screened potential trafficking cases using established indicators, although application of these guidelines was uneven. The government had no nationwide procedures for other officials to proactively identify and assist trafficking victims. Civil society reported provincial and territorial governments often lacked adequate resources and personnel to effectively monitor the labor conditions of temporary foreign workers or to proactively identify human trafficking victims among vulnerable groups.

The government did not report the number of trafficking victims assisted in 2014. Provincial and territorial governments were responsible for general crime victim services, which were available to trafficking victims, but only one province reported funding specific services for trafficking victims, and none funded dedicated shelters. The range, quality, and timely delivery of services varied, though most provinces could offer trafficking victims access to shelter services intended for victims of violence or the homeless population, short-term counseling, court assistance, and other services. NGOs and law enforcement noted the demand for most services—particularly longer-term services such as housing, drug addiction treatment, psycho-social care, and job skills—exceeded available resources, and NGOs reported inadequate funding and, in some cases, cutbacks in existing funding. Experts reported some shelters for victims of domestic violence would not accept trafficking victims out of fear of their traffickers. NGOs noted victims without proper documentation may not be able to access general services, including health care. The province of Manitoba provided funding for initiatives to identify and assist victims of sexual exploitation, including sex trafficking victims, with a focus on Aboriginal communities. The city of Toronto dedicated funds to renovate a house for an NGO to operate a shelter for female sex trafficking victims. In Montreal, the crime victim compensation fund did not assist individuals in prostitution—even identified trafficking victims. In the province of Ontario, children 16 years and older were not eligible for child protective care and were often diverted to co-ed youth shelters, leaving them vulnerable to recruitment.

NGOs gave differing assessments of the effectiveness of the informal victim referral mechanism, with some desiring a more codified process and others prioritizing flexibility. Foreign trafficking victims could apply for a temporary resident permit (TRP) to remain in Canada. The government issued five TRPs to an

undisclosed number of foreign victims in 2014; authorities did not report how many were first-term permits and how many were renewals. In comparison, authorities granted 14 TRPs to 14 foreign victims in 2013. Some foreign victims may have received different forms of immigration relief. During a 180-day reflection period, immigration officials determined whether to grant TRP holders a longer residency period of up to three years. TRP holders could apply for fee-exempt work permits, and it was unclear how many foreign victims received these permits in 2014. Some government officials and NGOs reported difficulties and delays in getting TRPs for foreign victims. While victims waited to receive TRPs, they could not access government services, and NGOs provided this care. There were no reports that identified victims were penalized for crimes committed as a direct result of being subjected to human trafficking. Some NGOs indicated lengthy labor trafficking investigations could expose foreign victims to immigration violations, and some child sex trafficking victims might be treated as juvenile offenders for petty criminal offenses. There were no reports victims filed for or obtained restitution in 2014.

## PREVENTION

The Government of Canada maintained diverse trafficking prevention efforts. Public Safety Canada led a federal interagency taskforce and published regular anti-trafficking newsletters. The RCMP continued to conduct awareness-raising activities and published a report on internal sex trafficking. British Columbia had the only provincial anti-trafficking office in the country, which conducted training, prevention, and awareness activities. NGOs in other provinces reported the need for stronger coordination between provincial governments and civil society. Authorities provided information to temporary foreign workers to let them know where to seek assistance in cases of exploitation or abuse and announced an overhaul of the temporary foreign worker program committed to stronger enforcement and tougher penalties for exploitation of workers. The government did not report if these measures led to the identification of any potential trafficking victims. The government limited which foreign diplomats were eligible to bring domestic workers to Canada and hosted the first-ever mandatory trafficking awareness session for domestic workers in diplomatic households in December 2014. Authorities continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law. There were no public reports of investigations, prosecutions, or convictions of child sex tourists in 2014. Canadian authorities provided anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions. The government made efforts to reduce the demand for commercial sex but did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## CENTRAL AFRICAN REPUBLIC: Tier 3

The Central African Republic (CAR) is a source, transit, and destination country for children subjected to forced labor and sex trafficking, women subjected to forced prostitution, and adults subjected to forced labor. The scope of the CAR's trafficking problem is unknown; however, despite violence and insecurity during the year, NGOs surveyed the problem. Observers report

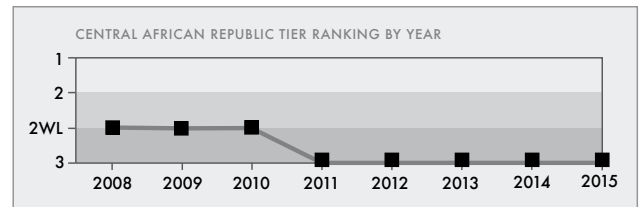
most victims appear to be CAR citizens exploited within the country, and a smaller number are transported back and forth between the CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, and South Sudan. Trafficking offenders—likely including members of 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, and Ba'aka (pygmy) minorities are at risk of becoming victims of forced agricultural work—especially in the region around the Lobaye rainforest. 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. Reports indicate the incidence of forced marriages, often perpetrated by members of armed groups, increased during the year. Women in prostitution, some of whom reported in previous years being subjected to gang rapes and beatings perpetrated by peacekeeping troops from other Central African countries, are vulnerable to sex trafficking.

Surges in violent conflict in recent years resulted in the displacement of nearly one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In March 2015, approximately 436,000 people remained internally displaced and over 420,000 sought refuge in neighboring countries. There is limited information about the forms of exploitation believed to have increased as a result of the crisis. Until the president's resignation in January 2014, the Seleka coalition was comprised largely of former members of the Convention of Patriots for Justice and Peace (CPJP), the Union of Democratic Forces for Unity, and the Democratic Front of the Central African Republic—all groups known to recruit and use children as soldiers and porters. The recruitment of children for use in armed groups, at times through force, particularly among armed groups aligned with the former Seleka government and the organized village self-defense units fighting against it known as the anti-Balaka, have been widely documented. Ex-Seleka groups reportedly recruited and used children from neighboring countries, including Sudan and Chad, and groups on all sides of the conflict have coerced children into participation in direct hostilities. Despite having signed an action plan with the UN to end the recruitment and use of children, the CPJP continued to recruit and use children during the year. The anti-Balaka evolved from a network of self-defense units previously established by towns and villages to combat armed groups and bandits in areas where the national army or *gendarmerie* were not present. The UN estimated in previous years children comprised one-third of these civilian self-defense units. There were 3,416 children, including 719 girls, involved in the conflict between ex-Seleka and anti-Balaka during the reporting period, with 91.6 percent used by the anti-Balaka, eight percent by the ex-Seleka, and 0.4 percent by the Lord's Resistance Army (LRA) and the Revolution et Justice (RJ). UNICEF estimated 10,000 children remain associated with the ex-Seleka and anti-Balaka. Children formerly associated with armed groups are at risk of re-recruitment.

The LRA, a Ugandan rebel group that operates in eastern regions of the CAR, continued to enslave Central African, South Sudanese, Congolese, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. The LRA also committed abductions, 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. During the reporting period, UNICEF reported the LRA abducted 15 children, including seven girls, in eastern CAR. Some of these children may have been taken back and forth across borders into South Sudan or the DRC.

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. In March 2015, the Minister of Public Security signed a decree creating an inter-ministerial committee to combat human trafficking that will report to the Ministry of Public Security. The government conducted a limited number of investigations and prosecutions of suspected cases of human trafficking, but did not identify, provide protection to, or refer to service providers any trafficking victims. A transitional government assumed power in January 2014 and, before that time, armed groups aligned with the former Seleka government recruited and used children in the commission of atrocities and re-victimized children previously rescued and separated from armed groups. A working group established by an NGO, in partnership with the government, began drafting a national action plan against trafficking during the reporting period for presentation to the Transitional National Council during 2015.



## RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC:

Make efforts to demobilize and reintegrate child soldiers in armed groups and self-defense units, and institute a zero tolerance policy for the use of children within the government's armed forces; thoroughly vet incoming members of the reconstituted Central African army (FACA) to ensure soldiers who have committed abuses against children are not reintegrated; investigate allegations of child recruitment into armed groups and punish public officials or civilians who perpetrate this crime; in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor; 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; and 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.

## PROSECUTION

The government made limited 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, 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 were not enforced. Approximately 58 complaints were lodged against 27 defendants in the Mbaiki court and 51 of those cases of suspected human trafficking offenses were investigated. Nine cases were prosecuted, three of which resulted in convictions during the reporting period. A couple convicted of trafficking a man from the CAR to the Republic of the Congo to perform farm labor was sentenced to 10 years in prison and ordered to pay five million Central African CFA francs (\$13,000). Traditional dispute resolution methods are widely practiced throughout the country to punish criminal acts, often to the exclusion of formal legal proceedings. The government did not investigate or prosecute any public officials for their alleged complicity in trafficking crimes during the reporting period. NGOs reported low political will to prosecute traffickers. NGOs provided law enforcement officials technical training to identify and investigate trafficking cases, but officials outside the capital may not have had access to copies of the law.

## PROTECTION

The government made minimal efforts to protect victims. It did not develop measures for the proactive identification of victims among vulnerable groups or enact a standardized system for referring identified victims to NGOs to receive care. The government did not report identifying any trafficking victims during the year. An NGO identified 104 victims of trafficking, including 51 in Mbaiki and 54 in Bangui. It assisted many of the victims in Mbaiki by sourcing appropriate shelter, obtaining health care services, mental health services, vocational training, and legal assistance, and by resettling them within the country. In cooperation with UNICEF, the government engaged in discussion with anti-Balaka and ex-Seleka commanders to demobilize child soldiers they recruited. As a result, in the reporting period, 2,589 child soldiers were demobilized, including 1,986 from anti-Balaka groups, 585 from ex-Seleka, 15 children freed from the LRA, and one from RJ. The remaining children remained awaiting certification and release operations planned for May 2015.

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, including those affiliated with the government, or other traffickers. In previous years, reports indicated 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. It is unknown whether the government punished any individuals for involvement in the sex trade during this reporting period. 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

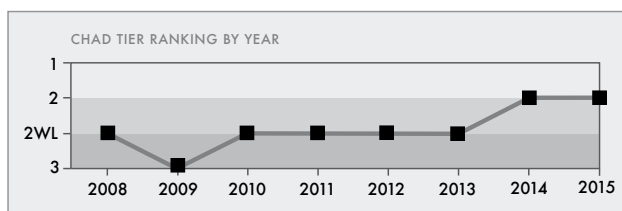
The government did not report any anti-trafficking prevention efforts during the reporting period. The government's working group carried out limited activities due to continued violence that pervaded the country during the reporting period. In March 2015, a working group established by an NGO, in partnership with the government, began drafting a national action plan against trafficking

during the reporting period for presentation to the Transitional National Council during 2015. The government did not report any efforts 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 report any measures to reduce the demand for commercial sex acts during the year or provide anti-trafficking training for its diplomatic personnel.

## CHAD: Tier 2

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, and subsequently subjected to forced labor in domestic service or herding. Children are 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. Child 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, Central African Republic, and Nigeria. Some of these children are sold in markets for use in cattle or camel herding. In some cases, child herders are subjected to forced labor 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.

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. During the reporting period, the government took steps to increase its capacity to combat trafficking and sustain its progress in the previous reporting period. It drafted legislation specifically prohibiting human trafficking, institutionalized anti-trafficking training at the national police academy, and prioritized and planned its future anti-trafficking efforts by incorporation of trafficking provisions in the Ministry of Justice's broader action plan. It regularly convened the inter-ministerial committee on trafficking and identified at least 30 trafficking victims. Additionally, the government continued efforts to prevent the recruitment and use of child soldiers by providing training to military leaders. However, the government reported fewer prosecutions and convictions, did not provide services specifically tailored for trafficking victims, and did not systematically refer victims to NGOs and international organizations for care.



## RECOMMENDATIONS FOR CHAD:

Finalize and enact legislation prohibiting all forms of trafficking in persons and prescribing sufficiently stringent punishments; increase efforts to enhance magistrates' understanding of and capability to prosecute and punish trafficking offenses under existing laws;

provide specialized anti-trafficking training to law enforcement officers; continue anti-trafficking law enforcement efforts, including the investigation and prosecution of suspected trafficking offenders; continue collaborating with NGOs and international organizations to increase the provision of protective services to all types of trafficking victims, including children exploited in prostitution or forced into cattle herding or domestic service; allocate regular funding to support the activities of the inter-ministerial committee on trafficking in persons, including funding for victim protection 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 draft and implement a national action plan to combat trafficking.

## PROSECUTION

The government sustained modest anti-trafficking law enforcement efforts. Existing laws do not specifically prohibit trafficking, though they do prohibit forced prostitution and many types of labor exploitation. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines of 50,000 to 500,000 Central African CFA francs (FCFA) (\$93-\$928), but not imprisonment; these penalties are not sufficiently stringent to deter this form of trafficking and do 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 FCFA 1,000,000 (\$1,860); these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Pimping and owning brothels are prohibited under penal code Articles 281 and 282. The 1991 Chadian National Army Law prohibits recruitment of children younger than 18 years; punishment for those who violate this provision is at the discretion of military justice officials. Draft revisions to the penal code intended to prohibit child trafficking and provide protection for victims have not been enacted for the fifth consecutive year. The government drafted anti-trafficking legislation with the support of an international donor; the draft was pending final review by the Ministry of Justice at the close of the reporting period.

Although the government did not collect comprehensive law enforcement data, the government, NGOs, and international organizations reported at least five investigations, five prosecutions, and three convictions during the reporting period, a decrease from the 36 investigations, 23 prosecutions, and 11 convictions reported the previous year. During the reporting period, the Ministry of Social Action, with the support of international organizations, developed training modules on the protection of vulnerable populations, including trafficking victims; the modules were integrated into police training in April and May 2015. During the previous reporting period, the government commenced the prosecution of a senior military official for allegedly trafficking three boys for the purposes of forced labor. NGOs report military and local officials were complicit in trafficking offenses during the reporting period.

## PROTECTION

The government sustained minimal efforts to identify and provide protection to trafficking victims. It did not officially report the number of victims identified or referred to protection services, although it identified at least 33 victims as part of the aforementioned investigations. Regional committees, located in eight regions within Chad, identified and referred an unknown number of victims to protective services, but these bodies lacked adequate support and resources. The lack of formal victim identification

procedures continued to be a problem. 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 were not tailored to the specific needs of trafficking victims. Through this joint agreement, the government provided facilities to UNICEF, which used the buildings as shelters for trafficking victims. During the reporting period, these multipurpose shelters were used to provide shelter and services to at least 26 children; the government ultimately reunited the children with their families. The government did not have a formal policy in place to offer temporary or permanent residency for foreign victims of trafficking. There were no reports the government detained, fined, or jailed any trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

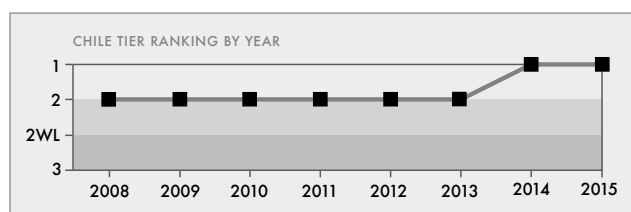
The government sustained modest efforts to prevent trafficking. The inter-ministerial committee responsible for coordinating government efforts to combat trafficking extended its membership to local and international NGOs and met regularly throughout the reporting period. The Ministry of Justice and Human Rights developed a national action plan for 2015 on human rights, which includes anti-trafficking efforts. The Ministry of Social Action concluded a mapping project aimed at tracking violations of children's rights, including trafficking; the findings are meant to inform the development of a trafficking-specific national action plan. The government partnered with a local NGO to conduct a public awareness event for local leaders on human trafficking; 122 participants attended the event, which was also covered by two radio stations. In June 2014, the government partnered with an international organization to conduct training for military leaders on child soldier identification and children's rights. Additionally, in February 2015, the government convened a meeting with local leaders and NGOs to disseminate the 2013 presidential directive which prohibits the recruitment or use of child soldiers and requires proof of age for all soldiers and recruits. The government made no discernible efforts to reduce the demand for forced labor or commercial sex during the reporting period. The government provided Chadian troops anti-trafficking training prior to their deployment abroad on international peacekeeping missions, in collaboration with a foreign donor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## CHILE: Tier I

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 and possibly from Asia. Men, women, and children—primarily from other Latin American countries, as well as Asia—are exploited in forced labor in mining, agriculture, construction, street vending, the hospitality and restaurant sectors, the garment sector, and in domestic service. Authorities report that Chinese immigrants may also be vulnerable to both sex trafficking and forced labor. Chilean authorities identified 90 children involved in illicit activities in 2014, including drug trafficking and robbery;

some of these children may have been trafficking victims. Chilean officials report that Chile is a transit country for trafficking victims from other countries, including possibly to Europe, and that some Chilean women may be exploited in sex trafficking in other countries. NGOs report brothels in small towns are often frequented by police officers, dissuading potential trafficking victims from reporting their exploitation.

The Government of Chile fully complies with the minimum standards for the elimination of trafficking. Authorities increased convictions of sex traffickers under child prostitution statutes and continued to provide specialized services to child sex trafficking victims and adult female victims. The government established six new regional anti-trafficking taskforces in 2014. While authorities increased training for a range of front-line responders, many government officials lacked adequate expertise and resources to identify victims and refer them to or provide specialized services. Authorities did not prosecute internal child sex trafficking as human trafficking, which hindered efforts to penalize traffickers with sufficiently stringent sentences and accurately assess anti-trafficking efforts, and most convicted traffickers were not imprisoned.



## RECOMMENDATIONS FOR CHILE:

Increase efforts to investigate and prosecute all forms of human trafficking under Law 20507 and convict and penalize traffickers with sufficiently stringent sentences, ordering victim restitution as appropriate; expand victims' access to comprehensive services through increased referrals to and funding for these services, in partnership with civil society; increase training for front-line responders in victim identification and implementation of the victim assistance protocol; continue to increase the use of the anti-trafficking law, including to prosecute child sex trafficking; implement mechanisms requiring that cases of third-party prostitution of children be referred to specialized anti-trafficking police and prosecutors and issue guidance to law enforcement and justice officials clarifying that third-party prostitution of children is trafficking; continue to strengthen law enforcement's capability to investigate trafficking cases outside the capital, especially involving potential forced labor and domestic servitude; develop guidelines for officials to screen children involved in illicit activities for trafficking indicators; continue to improve data collection; and continue to enhance interagency coordination mechanisms and communication with NGOs.

## PROSECUTION

The government strengthened anti-trafficking law enforcement efforts. Law 20507 prohibits all forms of human trafficking, prescribing penalties ranging from five years and a day 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. Chilean officials continued to investigate and prosecute many internal child sex trafficking cases under Article 367 of the penal code, which penalizes promoting

or facilitating the prostitution of minors. Penalties for this crime range from three to five years' imprisonment, sentences which are less than the sanctions imposed for rape, and in practice are often commuted to parole or suspended sentences.

Anti-trafficking police units opened investigations of 14 new sex trafficking and two new labor trafficking cases in 2014. Chilean prosecutors commenced 118 trafficking prosecutions in 2014; 115 involved the facilitation of the prostitution of children, while only three cases, which involved the trafficking of adults, relied on the anti-trafficking law. This represented an increase from 71 prosecutions initiated for prostitution of children in 2013 but a significant decrease in other trafficking prosecutions, as authorities had opened 18 prosecutions under the anti-trafficking law in 2013. The government convicted five traffickers for international sex trafficking under Law 20507 in 2014 and handed down 22 convictions for an unknown number of traffickers under Article 367. None of the five traffickers convicted under the anti-trafficking law were incarcerated; most received suspended sentences and fines, while one was sentenced to 600 nights in prison. Sentences for traffickers convicted under Article 367 range from 300 days to four years' imprisonment, although most convicted traffickers were released on parole or given suspended sentences. In comparison, in 2013 authorities convicted seven sex traffickers and two labor traffickers using anti-trafficking statutes and three traffickers under Article 367. Authorities investigated a former deputy police chief for involvement in the commercial sexual exploitation of children while in office. The government did not report any prosecutions or convictions of officials complicit in human trafficking offenses. Authorities maintained mandatory anti-trafficking training in the police academy for all new detectives and published a best practices guide on anti-trafficking investigations. The government provided specialized training on trafficking to 400 government officials in 2014, including law enforcement, prosecutors, justice officials, social workers, and labor inspectors, often in partnership with NGOs and international organizations. Authorities maintained a trafficking and smuggling investigative police unit in Santiago and established a new unit in Iquique to cover cases in northern Chile. Law enforcement reported that lack of qualified interpreters hampered some trafficking investigations with foreign victims. The public prosecutor's office maintained an internal trafficking working group.

## PROTECTION

Authorities maintained victim protection efforts. Prosecutors identified 16 potential trafficking victims during the year, a significant decrease from 164 identified in 2013. Of these victims, two were labor trafficking victims while 14 were exploited in sex trafficking. Most child sex trafficking victims were not identified as such, and the National Service for Minors (SENAME) identified and assisted 1,290 children in commercial sexual exploitation in 2014. Authorities employed an interagency victim assistance protocol, which established guidelines and responsibilities for government agencies in trafficking victim care, but law enforcement officials lacked guidelines for dealing with potential trafficking victims detained or placed in protective custody for alleged criminal acts, such as children involved in illicit activities. While the government conducted increased training for front-line responders on victim identification, including for public health officials and social workers, NGOs reported many government officials responsible for identifying and assisting victims had limited expertise to identify trafficking victims, particularly for labor trafficking.



Provision of victim services remained uneven across the country. All of the 16 potential victims reported by prosecutors received direct assistance from the public prosecutor's office or NGOs, and the public prosecutor's office provided 1.39 million Chilean pesos (\$2,290) for trafficking victims' care, including lodging, in 2014. Almost all NGOs assisting trafficking victims received some government funding, but all reported funding for these services was inadequate to provide all necessary services, especially to fund shelter operation. The government provided 85 million Chilean pesos (\$140,000) to fund an NGO-operated shelter for women victims of trafficking, smuggled women, and their children. The shelter housed six foreign victims in 2014, including one labor trafficking victim, and facilitated health, migration, and employment services. SENAME provided services to child victims of sex trafficking through its national network of 17 NGO-operated programs for children subjected to commercial sexual exploitation—including boys—which received 1.54 billion Chilean pesos (\$2.54 million) in 2014. SENAME also funded one residential shelter exclusively for child victims of commercial sexual exploitation which housed 30 children in 2014. Authorities provided some trafficking victims with legal assistance in 2014, though NGOs reported most legal services are provided by civil society. Specialized assistance for male victims was limited. Reintegration services such as education and job placement remained lacking, and officials reported that access to quality mental health services was expensive and limited. Foreign victims were eligible for temporary residency visas with the right to work for a minimum six-month period, and four victims received this residency in 2014. In response to the extensive wait time for temporary visas in 2013, authorities streamlined the application process in the capital region; immigration officials required prosecutors to pay for victims' visa fees, stretching limited assistance funds. The law also establishes foreign victims' rights to take steps toward regularizing their legal status in Chile. The government did not report granting restitution to any victims through civil or criminal cases in 2014. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

The government maintained prevention efforts. The Ministry of Interior continued to lead the anti-trafficking interagency taskforce—which included government agencies as well as international organizations and local NGOs—with three sub-commissions. The taskforce implemented the existing national anti-trafficking action plan and published trafficking statistics for the first time. Authorities established six regional anti-trafficking taskforces in 2014. The government conducted some awareness efforts, including prevention campaigns focused on commercial sexual exploitation of children. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The government took actions to reduce the demand for commercial sex acts involving children by prosecuting individuals who purchased sex from prostituted children, but did not report efforts targeting the demand for forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## CHINA: Tier 2 Watch List

The People's Republic of China (China or PRC) is a source,

destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Instances of trafficking are reported among China's internal migrant population, estimated to exceed 236 million people, with Chinese men, women, and children subjected to forced labor in brick kilns, coal mines, and factories, some of which operate illegally and take advantage of lax government supervision. Forced begging by adults and children was reported throughout China. There are reports traffickers are increasingly targeting deaf and mute individuals for forced labor. Limited media reports indicate children in some work-study programs supported by local governments and schools are forced to work in factories.

State-sponsored forced labor continues to be an area of significant concern in China. "Re-education through labor" (RTL) was a systematic form of forced labor that had existed in China for decades. The PRC government reportedly profited from this forced labor, which required many detainees to work, often with no remuneration, for up to four years. By some estimates, there had been at least 320 facilities where detained individuals worked in factories or mines, built roads, and made bricks. In 2013, the PRC's National People's Congress ratified a decision to abolish RTL. The government closed several RTL facilities by the beginning of April 2014; however, the government converted other RTL facilities into state-sponsored drug detention or "custody and education" centers, and continues to force prisoners to perform manual labor. Some women arrested for prostitution are detained for up to two years without due process in "custody and education" centers and subjected to forced labor—such as making tires, disposable chopsticks, toothpicks, or dog diapers—in at least 116 "custody and education" centers throughout China.

Chinese women and girls are subjected to sex trafficking within China; they are typically recruited from rural areas and taken to urban centers. Well-organized criminal syndicates and local gangs play key roles in the trafficking of Chinese women and girls in China. Victims are recruited with fraudulent employment opportunities and subsequently forced into prostitution. Girls from the Tibet Autonomous Region are reportedly sent to other parts of China and subjected to forced marriage and domestic servitude.

Chinese men, women, and children are also subjected to forced labor and sex trafficking in other countries. Traffickers recruit girls and young women, often from rural areas of China, using a combination of fraudulent job offers and coercion; traffickers impose large travel fees, confiscate passports, confine, or physically and financially threaten victims to compel their engagement in prostitution. Chinese men and women are forced to labor in service sectors, such as restaurants, shops, agriculture, and factories in overseas Chinese communities. Chinese men experience abuse at construction sites, in coal and copper mines, and other extractive industries in Africa, and face conditions indicative of forced labor such as withholding of passports, restrictions on movement, nonpayment of wages, and physical abuse. Chinese children are vulnerable to forced labor in quarries, farms, and construction sites in Angola. Chinese women and girls are subjected to forced prostitution throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers. African men are exploited on Chinese vessels, working under conditions indicative of forced labor.

Women and children from neighboring Asian countries, including Cambodia, Burma, Vietnam, Laos, Mongolia, and the Democratic

People's Republic of Korea (DPRK), as well as from Africa, and the Americas, are subjected to forced labor and sex trafficking in China. Malagasy women and girls are recruited to work in domestic service in China; some of these women and girls are subjected to forced labor. Zimbabwean women report conditions indicative of labor trafficking bars. North Korean women are subjected to forced labor in the agricultural and domestic service sectors. The Chinese government's birth limitation policy and a cultural preference for sons create a skewed sex ratio of 117 boys to 100 girls in China, which may serve to increase the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. Women and girls are recruited through marriage brokers and transported to China, where some are subjected to forced prostitution or forced labor.

The Government of the People's Republic of China (PRC) 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 reported convicting at least 35 traffickers, through its publicly available data, and reported cooperating with neighboring countries to repatriate foreign trafficking victims. Despite these efforts, the government did not demonstrate overall increasing efforts to address anti-trafficking compared to the previous year; therefore, PRC is placed on Tier 2 Watch List. The government reported ceasing the RTL system in 2013, but reports indicate the government converted some RTL facilities into different types of detention centers—including state-sponsored drug detention and “custody and education” centers—that continued to employ forced labor. The government arrested a significant number of women and children in police raids on prostitution rings and some of them may have been punished without being properly screened for trafficking indicators. Chinese authorities continued to forcibly repatriate North Korean refugees by treating them as illegal economic migrants—despite reports that many North Korean female refugees in China were trafficking victims.



## RECOMMENDATIONS FOR CHINA:

Update the legal framework to further refine the definitions of trafficking-related crimes in accordance with the 2000 UN TIP Protocol, including by separating out crimes such as abduction, illegal adoption, and smuggling and criminalizing the facilitation of prostitution involving children under the age of 18; end forced labor in state-sponsored drug detention and “custody and education” centers; 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, Chinese victims abroad, and victims among vulnerable groups, such as migrant workers and foreign and local women and children arrested for prostitution; improve procedures to prevent victims from being punished for acts committed as a direct result of being subjected to trafficking; cease detention, punishment, and forcible repatriation of trafficking victims; expand

victim protection services, including comprehensive counseling, medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking; provide legal alternatives to foreign victims' removal to countries where they would face hardship or retribution; increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate and prosecute sex and labor trafficking of adults and children; and provide data on the number of criminal investigations and prosecutions of cases identified as involving forced labor, including recruiters and employers who facilitate forced labor and debt bondage, both within China and abroad.

## PROSECUTION

The government did not directly provide data on anti-trafficking law enforcement efforts. The Chinese criminal code prohibits many forms of trafficking and prescribes harsh penalties. Article 240 of China's criminal code prohibits “abducting and trafficking of women or children,” which is defined as a series of acts (e.g., abduction, kidnapping, purchasing, selling, sending, receiving) for the purpose of selling the women and children. That article does not apply to men; further, the acts that comprise the crime are not tied to a purpose of exploitation, such as forced labor or forced prostitution, which is how international law defines trafficking in persons. Crimes under Article 240 are punishable by no less than 10 years' or life imprisonment and the death penalty is possible in particularly serious circumstances. Article 358 prohibits organizing prostitution and forced prostitution, which is punishable by five to 10 years' imprisonment or, with aggravated circumstances, up to life imprisonment. Article 358 is overly broad in prohibiting both forced prostitution and prostitution. Article 359 makes it a crime to lure girls under the age of 14 into prostitution, but does not criminalize facilitating the prostitution of boys under 18 or girls between the ages of 14 and 18, although two provincial supreme courts have found Articles 358 and 359 to extend to men, women, and children, generally. Prescribed penalties under these statutes 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 recruit, transport, or assist in “forcing others to labor,” but appears only to criminalize the employer engaged in forced labor, not others who may have recruited, transported, or transferred such workers, which is how the crime of trafficking for the purpose of forced labor is defined in international law. Prescribed penalties under these statutes are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape. It remains unclear whether, under Chinese law, all children under the age of 18 in prostitution are considered victims of trafficking regardless of whether force is involved.

In public data released by the Ministry of Public Security (MPS), officials stated the government arrested 194 alleged traffickers and convicted at least 35 traffickers. Due to limited data and the government's tendency to conflate human smuggling, child abduction, prostitution, and fraudulent adoptions with trafficking offenses, it is not clear the exact number of trafficking cases the government investigated and prosecuted in accordance with international law. The government made some efforts to cooperate with foreign governments to investigate allegations of trafficking. The government reportedly increased cooperation with neighboring governments in sharing intelligence and collecting evidence on

those who are involved in arranging marriages between Chinese nationals and foreign brides; foreign brides are reportedly sold by their parents and some become trafficking victims. The government provided inadequate information on in-house training for law enforcement officials, prosecutors, or judges on human trafficking issues. When PRC authorities participated in trainings with other countries and international organizations, the PRC government provided lodging and meals for some participants. Despite reports of official complicity, including willful negligence in addressing trafficking cases, the government did not report any investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses.

## PROTECTION

The government did not undertake adequate efforts to protect victims and did not directly provide data on the number of victims it identified or assisted or the services provided to victims. Media reported law enforcement and judicial officials continued to expel foreign trafficking victims. The government arrested significant numbers of women in prostitution during police raids; some of these women were detained in “custody and education” centers and subjected to forced labor. In 2011, the MPS mandated all women arrested for prostitution be screened for indicators of trafficking; however, it was unclear if these women were in fact screened or, if screened, if victims were referred to shelters or other care facilities.

The government reported there are shelters dedicated to care for trafficking victims; however, the government did not provide victim protection data to ascertain if trafficking victims in fact accessed these shelters. Foreign embassies reportedly provided shelter or protective services to victims. The impact or effectiveness of the government’s previously reported victim assistance—including border liaison offices, victim funds, hotlines, and government-to-government agreements to assist victims—remained unclear. The government reported trafficking victims who faced hardships in their home country could receive vocational skills training, vocational guidance, and employment services; it remained unclear if any victim benefited from this provision. Chinese law provides victims the right to claim financial compensation by filing civil lawsuits and request criminal prosecution of traffickers; it remained unclear if any victim benefited from this provision in 2014. Media reports noted the government repatriated victims and deported traffickers; the government does not provide any temporary or permanent residence visas to foreign trafficking victims as an incentive to cooperate in trafficking investigations or prosecutions.

Chinese authorities continued to forcibly repatriate some North Korean refugees by treating them as illegal economic migrants, despite reports some North Korean female refugees in China were 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. The government continued to bar UNHCR access to North Koreans in northeast China; the lack of access to UNHCR assistance and forced repatriation by Chinese authorities left North Koreans vulnerable to traffickers. Chinese authorities sometimes detained and prosecuted citizens who assisted North Korean refugees and trafficking victims, as well as those who facilitated illegal border crossings.

## PREVENTION

The government maintained efforts to prevent trafficking. The government does not report its progress on a yearly basis; therefore it was difficult to track the actions implemented to combat trafficking under its national action plan. Through China’s social media platforms, such as Sina Weibo, the MPS reported using its official microblog to raise awareness of trafficking and receive information from the public regarding suspected trafficking cases; it remained unclear how this effort contributed to the government’s prosecution and protection efforts. During peak traveling periods, the All-China Women’s Federation and MPS continued national anti-trafficking publicity campaigns at train and bus stations, and on national radio—mainly targeting migrant workers. MPS continued to coordinate the anti-trafficking interagency process and lead interagency efforts to engage with foreign counterparts and international organizations in 2014. The All-China Women’s Federation expanded after-school programs that included a curriculum on anti-trafficking after the success of its initial program. Academics noted the gender imbalance, due to the previous one child policy, could contribute to crimes of human trafficking in China. The government’s modification of the birth limitation policy may affect future demands for prostitution and for foreign women as brides for Chinese men.

Several government policies continued to facilitate human trafficking. “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. The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants to trafficking. The government provided anti-trafficking training to Chinese forces participating in peacekeeping initiatives abroad. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not report making any efforts to reduce the demand for commercial sex or forced labor. Media, however, reported the Guangdong provincial government issued a series of regulations aimed at keeping prostitution out of massage parlors—such as mandating lights be on at all times, removing locks from doors, and keeping logbooks of all clients who come to the massage parlors. Despite reports Chinese nationals engaged in child sex tourism, the government made no efforts to prevent Chinese citizens from engaging in child sex tourism while abroad.

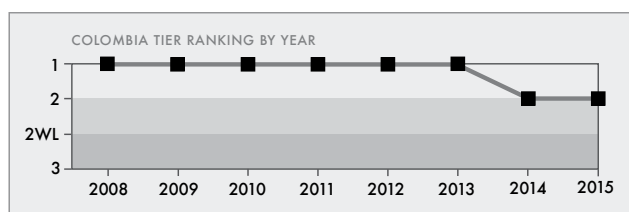
## COLOMBIA: Tier 2

Colombia is a source and destination country for men, women, and children subjected to sex and labor trafficking. Groups at high risk for trafficking include internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous Colombians, and Colombians in areas where armed criminal groups are active. Sex trafficking of Colombian women and children occurs within the country and Colombian women and children are found in sex trafficking around the world, particularly in Latin America, the Caribbean, and Asia. Authorities reported high rates of child prostitution in areas with tourism and large extractive industries, and sex trafficking in mining areas sometimes involves organized criminal groups. Transgender Colombians and Colombian men in prostitution are vulnerable to sex trafficking within Colombia and in Europe. Colombian labor trafficking victims are found in mining, agriculture, and domestic service. Colombian children



working in the informal sector, including as street vendors, are vulnerable to labor trafficking. Colombian children and adults are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants and informants, to cultivate illegal narcotics, or to be exploited in prostitution. Organized criminal groups and other individuals force vulnerable Colombians, including displaced persons, into prostitution and criminal activity—particularly to sell and transport illegal narcotics and serve as lookouts and assassins. Colombian men and women are exploited in forced labor abroad, particularly within Latin America. To a more limited extent, foreign victims are subjected to sex and labor trafficking in Colombia. Colombia is a destination for foreign child sex tourists, primarily from North America and Europe.

The Government of Colombia 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 investigate and prosecute trafficking cases and reported increased investigation of internal sex trafficking cases. The government conducted awareness campaigns, offered identified victims short-term emergency assistance, and provided some services to child victims of sex trafficking and of forcible recruitment by illegal armed groups. Authorities did not demonstrate progress in identifying victims from vulnerable populations, providing specialized services to victims, or prosecuting and convicting labor or sex traffickers. A lack of sufficient departmental government funding for trafficking, coupled with limited interagency coordination, impaired victim identification and protection efforts. Officials treated some trafficking cases as other crimes, which hindered efforts to identify and assist victims and hold traffickers criminally accountable.



## RECOMMENDATIONS FOR COLOMBIA:

Provide more trafficking victims access to shelter and specialized services by increasing funding for NGOs and government entities; increase proactive identification, investigation, and prosecution of forced labor and internal sex trafficking; revise Law 1069 to explicitly state victims do not need to file an official complaint against their traffickers in five days to receive ongoing assistance; create regional anti-trafficking prosecutorial units to increase capacity to investigate internal trafficking; create and implement formal mechanisms to identify victims among vulnerable populations within the country, including displaced Colombians; give Ministry of Interior (MOI) officials sufficient staff and autonomy to increase interagency cooperation, leading to increased victim identification and assistance; enhance coordination among labor officials, police, prosecutors, and social workers to ensure cases are identified and referred for criminal investigation and victims are provided comprehensive and timely assistance; track efforts against all forms of trafficking within the legal system and for victim identification and assistance, including through implementing the national trafficking information system; increase oversight of victim service provision; and continue to increase collaboration with NGOs.

## PROSECUTION

The government continued efforts against transnational sex trafficking and increased investigation of internal sex trafficking but took minimal steps to prosecute and convict labor traffickers and internal sex traffickers. Article 188 A of the penal code prohibits all forms of trafficking and prescribes punishments of 13 to 23 years' imprisonment plus fines up to 1,500 times the monthly minimum wage, penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2014, authorities modified the penal code to specifically penalize benefiting from the sexual exploitation of a person within the context of armed conflict.

Data on law enforcement efforts was incomplete, as some internal trafficking cases were categorized as other crimes; for example, internal child sex trafficking cases were frequently investigated as induction into prostitution and pimping. Police reported nine anti-trafficking operations involving 26 suspects—six for international sex trafficking and three for domestic sex trafficking—and 176 possible trafficking cases referred from the anti-trafficking hotline. Prosecutors reported opening 15 new transnational trafficking investigations and 107 internal trafficking investigations, though it was unclear in how many cases charges were filed against alleged traffickers or how many cases involved labor trafficking. Authorities initiated trials in four transnational trafficking cases (one of which was for labor trafficking) and two internal trafficking cases involving an unknown number of defendants. In comparison, prosecutors reported 44 new investigations for transnational trafficking and eight cases brought to trial in 2013. The government convicted five transnational sex traffickers and two internal sex traffickers, compared with 11 transnational sex traffickers and one internal sex trafficker in 2013. Sentences ranged from three to 22 years' imprisonment, including one sentence served as house arrest, and were subject to appeal. Statistical information for the number of investigations, prosecutions, or convictions in 2014 for the forcible recruitment or forcible use of children by illegal armed groups was not provided. The government did not report any convictions for other forms of forced labor, despite a 2013 constitutional court directive ordering authorities to increase law enforcement efforts against domestic servitude. Authorities collaborated with U.S. and Latin American officials on anti-trafficking law enforcement operations and investigations.

One prosecutor handled all transnational trafficking cases for the entire country, and one prosecutor in Bogota oversaw cases of internal trafficking and migrant smuggling in the city. Outside of the capital, some designated local prosecutors handled internal trafficking cases in addition to their existing workloads. Many of these prosecutors were overburdened, underfunded, and lacked trafficking expertise. Authorities launched a prosecutorial working group to improve coordination on trafficking investigations. Social workers and other officials interacting with potential trafficking victims, such as children in commercial sexual exploitation or in the worst forms of child labor, did not always refer these cases for criminal investigation. Officials and experts reported some authorities would not proactively investigate trafficking cases without an official complaint. Government officials did not consider forced child recruitment or forced criminal activity by illegal armed groups or organized criminal groups as human trafficking, and these forms of trafficking were not investigated or prosecuted as such. Authorities trained a variety of officials—including prosecutors, judicial officials, police, and labor inspectors—on human trafficking, often through partnerships with international

organizations. The government provided no updates on a 2013 investigation of a city councilman and municipal employee in the department of Antioquia for possible involvement in commercial sexual exploitation of minors. Authorities did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking.

## PROTECTION

The government provided some services to victims, but long-term protection was inadequate and victim identification uneven. Some officials reportedly used established protocols to identify victims, but authorities did not effectively employ procedures to identify victims among vulnerable populations in the country, such as child laborers or displaced Colombians. NGOs criticized the government's ability to identify and assist trafficking victims in the country. The MOI reported authorities identified 62 Colombian trafficking victims in 2014; 53 Colombian citizens exploited abroad and nine internal victims, including two children and one forced labor victim. Of victims identified abroad, 28 were exploited in sex trafficking, 22 in labor trafficking, and three were in servile marriage, which Colombian authorities considered to be trafficking. This compares with 60 Colombian victims identified abroad in 2013. In addition, authorities reported four foreign labor trafficking victims identified in Colombia. The Colombian Child Welfare Institute (ICBF) identified 96 girls and 12 boys in prostitution and no children in forced labor—compared with 158 children in prostitution and nine children in forced labor in 2013—but did not identify these children as trafficking victims. Given the low number of internal child sex trafficking victims reported by the MOI, it appeared the requirement for officials to report all trafficking cases to the MOI was not consistently implemented. Labor inspectors did not report identifying any forced labor victims and had limited access to some areas, such as illegal mining sites. Authorities and an international organization identified at least 243 children who separated from illegal armed groups in 2014, compared with 342 in 2013. Of these children, 96 were girls; 147 boys; 46 indigenous; and 42 Afro-Colombian.

The government provided some services to Colombian victims its funding for specialized assistance was inadequate. Local officials, NGOs, and trafficking victims all asserted government-funded victim care did not meet victims' needs and reintegration services, such as employment assistance, were virtually nonexistent. Specialized care and shelter for child sex trafficking victims was lacking in most of the country. Services for male and transgender victims were very limited. NGOs reported victims found it easier to access services as victims of armed conflict than as trafficking victims, especially given the requirement to file an official complaint, which served as a disincentive for them to self-identify. In June 2014, authorities approved Law 1069, which outlines benefits, procedures, and responsibilities related to the protection of trafficking victims. This law defines short-term assistance as up to five days and medium-term assistance as up to six months. NGOs criticized the law for requiring victims to file an official complaint against their traffickers to receive medium-term assistance and for not sufficiently addressing long-term assistance needs. The government continued to fund an international organization to facilitate victim repatriation—53 in 2014—and provide services, including through sub-contracts to NGOs. Authorities did not report how much funding was paid out to these NGOs in 2014. Through this funding an NGO operated a dedicated emergency shelter for adult trafficking victims in Bogota, which provided temporary shelter to 12 Colombian victims in 2014, compared

with 46 victims in 2013. Law 1069 makes local governments responsible for providing services beyond emergency care, but they lacked sufficient funding to provide specialized services, as most had no funding dedicated to trafficking victim care. The government reported departmental committees provided services to 50 victims identified in 2014, but it was unclear what services these victims received. Frequent turnover of departmental staff hampered victim protection. In some cases, police took child victims to hotels, as there were no shelters available. ICBF provided emergency psycho-social, medical, and legal care to child victims of sexual violence and assisted 108 children in prostitution. Working with an international organization receiving foreign donor funds, the government assisted children recruited by illegal armed groups and provided them with health, psycho-social, and education services; as of December 2014, 403 children were receiving this assistance, including 277 who had entered the program in 2014, and 192 of whom were institutionalized. Authorities lacked sufficient funding and personnel to provide tailored services, reintegration work with families, and vocational training for these children.

Thirty victims cooperated with law enforcement in trafficking investigations, and victims could also choose to participate in the victims and witness protection program. Some victims were reluctant to report their exploitation or testify against their traffickers due to fear of reprisals or lack of trust in the justice system. Authorities did not always provide adequate protection and security for victims participating in investigations. There were no new reports of victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking. The government provided no updates on reports indicating a trafficking victim remained incarcerated as of February 2014 due to the testimony of another victim's father. Authorities 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 have never reported doing so. There were no reports victims filed for or received restitution.

## PREVENTION

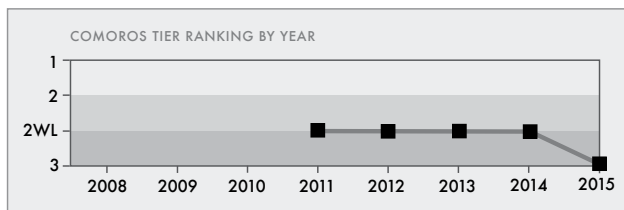
The government continued diverse prevention efforts. The MOI-run interagency anti-trafficking committee met on a regular basis and increased engagement with NGOs but did not finalize the pending anti-trafficking strategy. Authorities also drafted a decree on establishing a national trafficking information system. Interagency coordination of anti-trafficking efforts was uneven as the government treated different forms of trafficking as distinct crimes subject to different government entities' jurisdiction. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and a separate committee on child sexual exploitation. All 32 departments in Colombia had anti-trafficking committees, but these groups maintained varying degrees of activity and effectiveness. MOI maintained a trafficking hotline. Authorities launched a high-profile trafficking awareness campaign and conducted other prevention efforts, often in partnership with international organizations and NGOs. The government continued a prevention campaign on child sex tourism and conducted workshops for hospitality and tourism industry representatives. The government did not report other efforts to reduce the demand for commercial sex acts or forced labor. Authorities conducted investigations for child sex tourism but did not report prosecutions or convictions for this crime. The government provided anti-trafficking training for its diplomatic personnel.

## COMOROS: Tier 3\*

The Comoros is a source country for children subjected to forced labor and, reportedly, sex trafficking within the country; Comoran women and children are subjected to forced labor in Mayotte and it is a possible transit country for Malagasy women who may endure forced labor in the Middle East. Children are subjected to forced labor mostly on the island of Anjouan, in domestic service, roadside and market vending, baking, fishing, and agriculture. On the islands of Anjouan and Moheli, it is common for poor rural families to place their children with wealthier relatives or acquaintances in urban areas or on the island of Grande Comore 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 years (but on occasion up to age 14 years) study at Koranic schools headed by private instructors, and some are exploited as field hands or domestic servants as payment for instruction; these Koranic students are sometimes subjected to physical and sexual abuse. Girls are reportedly exploited in prostitution in the Comoros. An NGO reported tourists from the neighboring French island of Mayotte are among the clients of children in prostitution in Anjouan. Comorans 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. Unaccompanied Comoran children become victims of domestic servitude and prostitution on the island of Mayotte, at times after the deportation of their parents. French officials recognize the 3,000 unaccompanied children on the island—the majority of whom are Comoran—as requiring urgent assistance. During the year, a Mayotte court convicted Comoran nationals for human trafficking following their exploitation of their niece in domestic servitude. The Comoros may be a destination for forced labor, as officials noted Malagasy women and girls and East African women in domestic service, with some reports of abuse and potential coercion.

The Government of the Comoros does not fully comply with the minimum standards for the elimination of trafficking and was placed on Tier 2 Watch List from 2011-2014. The Trafficking Victims Protection Act provides that a country may remain on Tier 2 Watch List for only two consecutive years, unless that restriction is waived because the government has a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. In the 2013 and 2014 TIP Reports, Comoros was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of the government having 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 Comoros, which is therefore deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. In 2014, Parliament passed amendments to the penal code, including anti-trafficking provisions, and a new criminal procedure code providing implementation guidelines on the new criminal sanctions; however, these revised codes have not been promulgated by the executive and are not currently in effect. In addition, in partnership with an international organization, the government organized a multifaceted anti-trafficking public awareness and education campaign in 2014. Nonetheless, the government did not make tangible efforts to prosecute trafficking crimes and protect victims. The government increased its capacity to combat trafficking

through the enactment of a new child labor law prohibiting child trafficking and increased in-kind support to the Morals and Minors Brigade, the office charged with the investigation of child abuse and exploitation. However, it failed to investigate, prosecute, or convict trafficking offenders during the year, including officials complicit in trafficking crimes. While the government continued limited support to NGO-run centers offering counseling, medical, and legal service to child and female victims of sexual and other violence on each of the three islands, it did not identify or assist any victims during the year. Officials lacked formal victim identification or referral procedures. Official complicity in trafficking crimes and use of mediation, resulting in the return of children to their alleged exploiters, continued to be a serious concern.



### RECOMMENDATIONS FOR COMOROS:

Redraft the amendments to the penal code related to trafficking, passed by Parliament, but not yet assented to by the president so as not to conflict with the newly enacted Child Labor Law and existing penal code provisions; investigate, prosecute, and convict trafficking offenders including allegedly complicit officials; develop procedures for the identification and referral of trafficking victims to care; end the practice of returning children to their exploiters through arbitration; increase the availability of and provide support for the provision of counseling and psychological care for trafficking victims, 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

While the government increased its capacity to respond to trafficking crimes by modestly increasing in-kind support of Morals and Minors Brigades on all three islands and by promulgating a new child labor law prohibiting child trafficking, it did not investigate, prosecute, or convict those allegedly responsible for the commission of these offenses. Comoran law does not prohibit all forms of human trafficking. Article 310 of the penal code prohibits aiding or assisting in the prostitution of others, prescribing penalties of six months to three years' imprisonment and fines. Article 311 of the penal code prescribes increased penalties for aggravating factors related to Article 310 ranging from two to 10 years' imprisonment. Article 323 of the penal code prohibits the facilitation of child prostitution, prescribing sufficiently stringent punishments of two to five years' imprisonment and fines of between the equivalent of 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 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. Article 2 of the labor code prohibits forced



and bonded labor; prescribing insufficiently stringent penalties of three months' to three years' imprisonment or fines from the equivalent of approximately \$310 to \$1,540. In January 2015, the President promulgated the Law Countering Child Labor and Trafficking in Children (Child Labor Law), which prohibits the worst forms of child labor in Article 6 and child trafficking in Article 13, among other offenses. However, Articles 6 and 13 are inconsistent with each other: Article 6 does not require the means of threat or use of force or other forms of coercion, fraud, or deception and prescribes an insufficiently stringent penalty of five months to 10 years' imprisonment; and Article 13 does require the means of threat or use of force or other forms of coercion, fraud, or deception. Article 6 also partially overlaps with Articles 310, 311, and 323 and prescribes penalties ranging from two to 10 years' imprisonment for such acts involving children. The overlap in these laws raises concern prosecutors may be confused as to which laws to use to hold traffickers accountable and traffickers might be charged with lesser offenses, both of which would weaken efforts to deter trafficking and comply with international law.

In June 2014, the parliament adopted, but the President has not yet assented to, amendments to the penal code, which would specifically add provisions to prohibit trafficking in persons under Article 265.

The government failed to investigate, prosecute, or convict trafficking offenders during the reporting period. The government did not report progress in its investigation, initiated in the previous reporting period, of a magistrate allegedly responsible for the domestic servitude of a 14-year-old girl. A foreign donor trained investigators from Grand Comore on investigation of trafficking in December 2014. During the year, the Morals and Minors Brigade continued to oversee the investigation of cases of child abuse and exploitation, including child trafficking, nationwide. The police generally lacked resources, which stymied investigation of child abuse and exploitation cases. The prosecutor general and six law enforcement officials received donor-funded training in December 2014 on how to recognize, investigate, and prosecute trafficking and trafficking related crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Corruption remained a significant concern throughout the Comoros and hindered law enforcement efforts, including efforts to address trafficking. Alleged perpetrators were sometimes released without prosecution after out-of-court settlements with victims' families. Previously, judges renegotiated agreements between a child's parents and his or her trafficker, effectively re-trafficking the victim by returning the child to domestic servitude, and reports emerged of police returning sexually abused children to their exploiters.

## PROTECTION

The government continued to offer extremely limited victim protection services and did not identify or assist any victims or increase its capacity to more ably do so during the year. There are no shelters specifically for trafficking victims, and the quality of care provided remained poor. NGO staff provided temporary shelter in their private homes, if needed; however, children were often returned to their parents or guardians. In 2014, the government provided the salaries of five employees at a cost of 2,500,000 francs (\$6,800) per year for the NGO-run centers, supported by an international organization, to provide assistance to abused and neglected children. The international organization provided a vehicle, driver, and additional financial support of 14,000,000

francs (\$38,000). The government failed to provide psycho-social services for victims and provided minimal support to NGOs doing so. 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 a majority of its staff remained without training for interviewing child victims of crime. The government did not develop or employ systematic procedures for identifying trafficking victims or for referring them to the limited care available. As government officials did not make systematic efforts to identify victims, victims may have remained unidentified in the law enforcement system. There were no reports of the government penalizing victims for crimes committed as a direct result of being subjected to trafficking.

## PREVENTION

The Comoran government sustained minimal efforts to prevent trafficking. The government continued implementation of its national action plan, developed in May 2013. The monitoring group established to ensure implementation of the national action plan continued to meet weekly and, during the year, reported its activities at the weekly government Council of Ministries meeting. Representatives of the monitoring group included all relevant officials, international organizations, and NGOs. The anti-trafficking commission, established in July 2013 to oversee national efforts, met only once during the year, in July 2014, where members created a detailed road map with assigned duties, deadlines, and responsibilities for various government ministries in implementing the national action plan. In addition, the government continued 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, including forced labor in Koranic schools and domestic servitude. In November 2014, the Ministry of Interior collaborated with an international organization in hosting an event to raise awareness on child rights, including human trafficking, for an audience of 500-600 people. The government continued to fund a toll-free emergency line for reporting crimes to assist in the identification of victims of child abuse and exploitation. The government did not make efforts to reduce reported demand for commercial sex acts or forced labor. The Comoros is not a party to the 2000 UN TIP Protocol.

## CONGO, DEMOCRATIC REPUBLIC OF THE: Tier 2 Watch List

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 trafficking is internal and, while much of it is perpetrated by armed groups and rogue elements of government forces outside official control in the country's unstable eastern provinces, incidents of trafficking likely occurred throughout all 11 provinces. Men and women working in unlicensed Congolese artisanal mines, many of whom began mining as children, are reported to be subjected to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, armed groups, and government forces. Many miners are forced to continue working to pay off constantly accumulating debts for cash advances, tools, food, and other provisions at undisclosed interest rates,

and some miners inherit the debt of deceased family members. Some Congolese women are forcibly prostituted in brothels or informal camps, including in markets, bars, and bistros in mining areas, by loosely organized networks, gangs, and brothel operators. Congolese women and girls are subjected to forced marriage following kidnapping or rape, or are sold by family members for a dowry or relief of a debt, after which they are highly vulnerable to domestic servitude or sex trafficking. Congolese women and children migrate to several countries in Africa, the Middle East, and Europe, where some are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some members of Batwa, or pygmy groups, are subjected to conditions of forced labor, most commonly in agriculture, but also in mining and domestic service in remote areas of the DRC. Some Angolans enter the DRC illegally to work in Bas-Congo province and are vulnerable to forced labor.

Children are engaged in forced and exploitative labor in small-scale agriculture, informal mining, and other informal sectors throughout the country. Children are subjected to forced and exploitative labor in the illegal mining of diamonds, copper, gold, cobalt, ore, and tin, as well as the smuggling of minerals. Children living on the streets who engage in vending, portering, and unloading trucks are vulnerable to forced labor, including being used for illicit drug transactions, and many of the girls are exploited in sex trafficking. Local observers suspect homeless children known as *chegues*, acting as beggars and thieves on the streets of Kinshasa, are controlled by a third party. Children in domestic service work long hours, and some are subjected to sexual abuse and exploitation—conditions indicative of forced labor. Girls in Bas-Congo province are coerced into prostitution by family members or transported to Angola for exploitation in the sex trade. 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.

During the year several indigenous and foreign armed groups, such as the Democratic Forces for the Liberation of Rwanda (FDLR), various local militias (Mai-Mai), Nyatura, Raia Mutomboki, Nduma Defence for Congo (NDC), Force for the Defense of Human Rights (FDDH), the Allied Democratic Forces, and the Lord's Resistance Army (LRA), continued to abduct and forcibly recruit Congolese men, women, and children as young as 7 years old to bolster their ranks and labor as guards, porters, cleaners and cooks, combatants, messengers, and spies; women and girls were forced to marry and/or serve as sex slaves for members of the armed groups. Some, including children, were also forced to commit crimes for their captors, such as looting, extortion, and stealing.

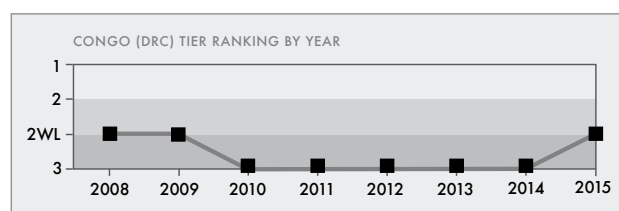
In part due to weak command and control structures, some elements of the Congolese national army (FARDC) and security forces deviated from government policy and pressed men and women, including internally displaced persons, to carry supplies, equipment, and looted goods from mining villages. They used threats and coercion to force men and children to mine for minerals, turn over their mineral production, or pay illegal “taxes.” In addition, it was reported that, contrary to government policy, some FARDC commanders provided financial and logistical support, including arms and ammunition, for armed groups, such as FDLR and Mai Mai militia, which routinely engaged in human trafficking.

The UN reported at least 1,030 children were separated from armed groups in 2014; no cases of child recruitment by the FARDC were identified during the reporting period—a significant

change from years of government use of child soldiers. The UN documented 241 cases of children who were both recruited and separated from armed groups in 2014, potentially including foreign children; 63 were from the FDLR, 32 from the Mai Mai Nyatura, 19 from the Raia Mutomboki, 16 from the LRA, and the remainder were from other Mai Mai groups. Most children were used in multiple capacities such as cook, porter, combatant, sex slave, or laborer.

Due to the ongoing conflict, more than 2.6 million people were displaced in the DRC, and displaced persons in Katanga, North Kivu, and South Kivu provinces remain particularly vulnerable to abduction, forced conscription, and sexual violence by armed groups and government forces. Poor infrastructure, limited anti-trafficking resources and expertise, and reports of corruption continued to impede official efforts to address trafficking.

The Government of the Democratic 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. During the year, the government took significant steps to hold accountable officials complicit in trafficking through its conviction of FARDC and police officials for sex slavery. The government also arrested armed group commanders for child recruitment. In addition to continued efforts to implement the UN-backed action plan to end FARDC abuses against children, including child soldiering, and cooperate with international organizations to ensure screening, identification, and transfer of child soldiers separated from armed groups to social service organizations, all evidence appeared to indicate the government ceased its recruitment and use of child soldiers during the year. Despite these measures to address trafficking abuses perpetrated by officials, the government reported negligible efforts to address labor and sex trafficking crimes implicating or affecting the general public, by prosecuting traffickers, identifying victims, providing protection services, or referring them to NGO care.



## RECOMMENDATIONS FOR THE DEMOCRATIC REPUBLIC OF THE CONGO:

Develop a legislative proposal to comprehensively address all forms of trafficking, including forced labor of adults; continue to use existing legislation to investigate and prosecute military and law enforcement personnel and commanders of armed groups accused of unlawful recruitment or use of child soldiers, the use of local populations to perform forced labor, or sex trafficking; in partnership with civil society take steps to expand the availability and provision of comprehensive services to victims of forced labor and sex trafficking; adopt an action plan to combat all forms of trafficking; in partnership with local or international organizations, provide training to law enforcement and judicial officials on the laws available to prosecute trafficking cases and victim-centered procedures in investigation and prosecution; take steps to raise awareness about all forms of human trafficking among the general population; develop procedures for proactive identification of

trafficking victims among vulnerable groups, such as women in prostitution, street children, and men, women, and children in artisanal mining and their subsequent referral to care; continue measures to end the unlawful recruitment and use of child soldiers by FARDC members; and continue to ensure the identification, removal, demobilization, and appropriate care for all children associated with armed groups.

## PROSECUTION

The government demonstrated progress in investigating, prosecuting, and convicting military and police officials for sexual slavery and arresting and charging commanders of armed groups for the recruitment and use of child soldiers, but it made no progress in addressing trafficking crimes beyond those perpetrated by officials. The July 2006 sexual violence statute (Law 6/018) specifically prohibits sexual slavery, sex trafficking, child and forced prostitution and prescribes penalties for these offenses ranging from five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Contrary to international law, adult forced labor is not criminalized although indentured servitude is prohibited by the Constitution. The Child Protection Code (Law 09/001) prohibits all forms of forced child labor and child prostitution, and prescribes penalties of 10 to 20 years' imprisonment for sexual slavery. Cases of forced child labor; debt bondage, and child commercial sexual exploitation have penalties of one to three years' imprisonment, which are not sufficiently stringent for the serious nature of the crime. The enlistment of children into the armed forces and the police has penalties of 10 to 20 years' imprisonment, but the code cannot be fully implemented because necessary decrees from several ministries reportedly continue to be lacking.

The government's ability to enforce its laws does not extend to many areas of the country where trafficking occurs. In addition, awareness of the various forms of trafficking among law enforcement is limited and judges, prosecutors, and investigators often lacked adequate training and resources to conduct investigations and try cases. The government reported continuing investigations initiated in the previous year involving cases of transnational sex trafficking of Congolese women to Lebanon and Kuwait; however, they did not result in prosecutions or convictions during the reporting period. The government's efforts to investigate and prosecute sex and labor trafficking crimes implicating or affecting the general public appeared negligible, as all reported law enforcement action initiated in 2014 involved officials or abuses within the FARDC.

Impunity for trafficking crimes by the security forces remained a challenge; nonetheless, the government convicted two high-ranking FARDC officers for sexual slavery and several other crimes and prosecuted a Congolese National Police (PNC) officer for abducting and subjecting a 13-year-old girl to sexual slavery. Punishment for one FARDC officer was 10 years' imprisonment; sentencing for the other convicted offenders remained pending or the information was not available. In addition, the FARDC arrested and detained at least two commanders of armed groups for recruitment and use of child soldiers; two other commanders of armed groups arrested in the previous reporting period remained in detention for similar charges. Bosco Ntaganda, the former commander of the armed group M23 and formerly a FARDC commander, remained in detention and awaiting trial at the International Criminal Court for trial for crimes against humanity and war crimes, including conscription of children and using them

to fight and for sexual slavery; the court is considering holding the trial in the DRC. In 2014, the government trained approximately 1,514 FARDC soldiers and 183 PNC officers on issues related to child recruitment and child protection. The government did not provide specialized training to officials on combating other forms of trafficking, but the Congolese National Police and other DRC law enforcement agencies received training in human trafficking from international donors.

## PROTECTION

Although the government assisted in the identification and demobilization of child soldiers, there was no information as to what services, if any, the sex trafficking victims received. The government did not report the number of victims of sex trafficking identified and it did not identify any victims of forced labor. The government lacked procedures for proactively identifying victims of trafficking among vulnerable groups, such as children living and working on the streets, women in prostitution, and men, women, and children working in artisanal mining, and for subsequently referring victims to protective services. Other than specialized services for former child soldiers, NGOs continued to provide the limited shelter, legal, medical, and psychological services available to trafficking victims. An NGO working with trafficking victims in eastern DRC reported providing assistance to 66 victims of forced labor and/or sex trafficking during the last three months of 2014.

The government continued to cooperate with UN and NGO child protection partners to implement the 2013 National Disarmament, Demobilization, and Reintegration Plan (DDR III), through which male and female child soldiers identified during screening after an armed group surrenders are transferred immediately to UNICEF for processing and services. During this process, the National Demobilization Agency, in cooperation with United Nations Organization Stabilization Mission in the DRC (MONUSCO) and UNICEF, continued to separate and transport identified children to NGO-run centers for temporary housing, care, and vocational training prior to returning them to their home communities when it was deemed safe for reintegration. Reintegrated child soldiers remained vulnerable to re-recruitment, as adequate rehabilitation services did not exist for children suffering the most severe psychological trauma, stigmatization may interfere with community reintegration, and several armed groups continued to recruit children. In 2014, the FARDC released 121 children as young as 8 years old, who had been arrested, detained, and sometimes mistreated, including with beatings and deprivation of food and medical care, because of their alleged association with armed groups. Reports also indicate some children were used by security forces to gather intelligence and several children died from diseases or starvation while detained in the FARDC's Kotakoli Camp.

In cases of sexual violence, the government reported military justice courts sometimes protect the identity of the victim from the defendant and the public. While trafficking victims could file cases against their traffickers in civil courts, there is no evidence 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 has consistently allowed for the safe repatriation of foreign child soldiers in cooperation with MONUSCO. No other foreign victims of other forms of trafficking were identified in the DRC in 2014.



## PREVENTION

Despite lacking an overarching strategy or coordination mechanism, the government made efforts to prevent human trafficking by security officials; however the government failed to raise awareness of trafficking in persons—including sex trafficking and forced labor crimes—among the general population. In 2014, the government demonstrated continued progress in implementing key instruments intended to address the use of child soldiers by the government, including the UN-backed action plan, signed in October 2012, to end recruitment and use of child soldiers and the 2013 directives imposing severe sanctions against FARDC members found guilty of any of the six grave violations against children during armed conflict, including child soldiering. The joint technical working group overseeing implementation of the UN-backed plan held 12 meetings during the year; established technical working groups in three provinces (North Kivu, South Kivu, and Orientale), and the President appointed a personal representative to lead work against sexual violence and child recruitment. UN partners assisting with implementation of the plan reported awareness of the directives among FARDC commanding officers increased, the recruitment of children by the FARDC significantly decreased, and access of UNICEF and other child protection personnel to troops, training facilities, and recruitment sites for screening and separation as child soldiers continued to improve. Government cooperation with the UN and other child protection actors resulted in the identification of more than 300 underage applicants who were prevented from joining the FARDC. In addition, the Mines Ministry, in cooperation with representatives of the PNC, international organizations, private industry, and civil society, piloted a program to provide baseline certification indicating minerals from artisanal mines are conflict-free, including free of child labor and not controlled by criminal Congolese army elements or armed groups. Through this process, during the reporting period more than 100 mines received a “green” or positive rating following the baseline assessment; however, the program does not include protocols for identifying, referring, or assisting adult or child victims of forced labor removed from inspected mining sites.

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. The National Ministry of Labor, responsible for inspecting worksites for child labor, remained understaffed and did not identify any cases of forced child labor in 2014. Inspectors had limited presence outside Kinshasa and often lacked transportation or resources to carry out their work. The government took no measures during the reporting period to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## CONGO, REPUBLIC OF THE: Tier 2 Watch List

The Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. According to a study released by an international organization in 2013, most trafficking victims in the Congo originate from Benin and the Democratic Republic of the Congo (DRC), and to a lesser extent from other neighboring countries. Experts reported fewer child trafficking victims than in previous years, especially from Benin; however, traffickers may have developed

more sophisticated methods to avoid detection. Trafficking victims are subjected to domestic servitude and market vending by other nationals of the West African community living in the Congo, as well as by Congolese nationals in the city of Pointe-Noire. Source countries for adult victims include the DRC, Central African Republic (CAR), Cameroon, Benin, and Mali. 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. The majority of children subjected to trafficking 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 Sangha department. As reported by an international organization, nationals of the Congo are among both traffickers and victims in Congo, 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. Chinese workers in the fishing sector were potentially trafficking victims, as employees of two fishing companies in the Congo endured passport withholding and other abuses.

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. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, the Republic of the Congo is placed on Tier 2 Watch List. The government did not enact draft anti-trafficking legislation finalized in the previous reporting year, and knowledge of the country’s existing anti-trafficking laws was uneven across the government. While the government investigated four suspected traffickers, it did not demonstrate vigorous efforts to prosecute and convict traffickers, failing to initiate prosecutions of alleged traffickers in 2014 or convict any traffickers from cases which remained pending from up to four years ago. Allegations of complicity re-emerged during the reporting period, and the government has yet to take action to hold the alleged perpetrators accountable. The lack of an inter-ministerial coordinating body continued to hinder countrywide progress to address internal trafficking and sex trafficking from the DRC and other countries.



## RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO:

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, including complicit government officials, under the 2010 Child Protection Code; fund and hold a special session of the high court to hear the trafficking case backlog; increase outreach, victim identification, and law enforcement efforts on sex trafficking and internal trafficking beyond Pointe-Noire,

with specific attention to the trafficking of adults and indigenous populations; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; provide adequate security and supervision for victims placed in foster families; conduct government-led training for social workers and law enforcement officials on the use of identification and referral procedures; establish a national body that includes all relevant ministries to increase coordination of countrywide anti-trafficking efforts; increase anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the DRC; and accede to the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

## PROSECUTION

The government made minimal anti-trafficking law enforcement efforts, failing to prosecute, or convict suspected traffickers, while serious allegations of official complicity emerged during the reporting period. 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 of time 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 between approximately \$110 and \$1,080. Article 4 of the country's labor code prohibits forced or compulsory labor, imposing fines 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 those prescribed for other serious crimes, such as rape. The penal code prohibits forced prostitution. Although Congolese law prohibits some forms of trafficking of adults, it does not outlaw bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. Draft anti-trafficking legislation, completed in partnership with UNODC in the previous reporting period remained pending with the Supreme Court.

The government investigated four suspected traffickers during the reporting period; three offenders remained in jail awaiting trial. However, complicit officials at a foreign diplomatic mission allegedly tipped off the fourth suspect, who fled the country after allegedly repeatedly selling a child to labor traffickers in the Congo and Gabon. Despite issuing instructions in January 2013 directing officials to file criminal charges in all potential trafficking cases, the government did not charge any suspected traffickers for the second consecutive year—continuing its failure to demonstrate vigorous efforts to address trafficking crimes. Prosecutions involving at least 23 offenders, some charged nearly four years ago, remained pending at the end of the reporting period. As serious crimes, trafficking cases are to be heard at the high court, which did not meet in regular session during the reporting period; accordingly, cases continue to languish and a significant backlog persists. The Ministry of Labor did not report investigating any cases of forced child labor in 2013. The police and *gendarme* academies continued anti-trafficking trainings for their staff, reaching an estimated 1,000 police officers and an unknown number of *gendarmes* officials in 2014. Nonetheless, limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors continued to hinder the prosecution of trafficking crimes.

Serious allegations of official complicity, reported consistently since 2011, continued in 2014. During the year, allegations of official complicity involving the leadership of the Coordination

Committee, chaired by the local coordination committee in Pointe-Noire, resurfaced; the previous director of this committee had been reassigned in 2012 following similar reports. Instead of assisting in the placement of child trafficking victims among care providers, complicit officials on the committee allegedly colluded with complicit consular staff at a foreign mission to return victims to a trafficking network. However, the government did not investigate, prosecute, or convict these or other officials complicit in human trafficking offenses.

## PROTECTION

The government provided minimal protection services to trafficking victims. The government, in partnership with an NGO, identified 23 trafficking victims during the reporting period, including five children and 18 adults. The government reported its repatriation of two children, one returned to her biological family, and another remained with a host family, awaiting repatriation. To assist victims, the government relied on partnerships with NGOs and foster families to enable trafficking victims in Pointe-Noire to receive access to care. The quality of care provided to victims varied widely. The foster care system, created in July 2009 and intended to ensure trafficking victims remained safe while the government and NGOs conducted family tracing, was allegedly undermined by inadequate security and official complicity. This reportedly made the placement of child trafficking victims in foster families—or those pretending to serve this function—tantamount to their re-trafficking during the year. The government allocated foster families approximately \$10 per child per day to ensure the victims' basic needs were met. During the reporting period law enforcement, immigration, and social services personnel did not employ systematic procedures to proactively identify victims among vulnerable groups, relying instead on NGOs and international organizations to identify victims. During the year, there were no reports of victims jailed or prosecuted for crimes committed as a result of their trafficking; however, inadequate identification efforts may have left victims unidentified in the law enforcement system. Although officials interviewed victims after their rescue—encouraging their assistance in the prosecution of their traffickers—child victims were not expected to testify in court. The government did not deport rescued foreign victims, but it did not issue temporary or permanent residency status to victims and had no legal alternatives to removal to countries in which victims would face retribution or hardship. For the third consecutive year, the government did not carry out joint investigations or extraditions of charged trafficking offenders as part of its bilateral agreement with the Government of Benin.

## PREVENTION

The government continued limited efforts to prevent trafficking in 2014. During the year, the government drafted a 2014-2017 action plan based on draft anti-trafficking legislation. The government did not establish a national coordinating body to guide its efforts. The government placed one billboard in Pointe-Noire to raise awareness about trafficking, and held a series of trainings for social workers and neighborhood leaders in the city. The government did not take measures to reduce the domestic and transnational demand for commercial sex acts during the reporting period. The government has signed the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol; however, it has not yet acceded to either of these laws. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## COSTA RICA: Tier 2 Watch List

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, with those living in the north and central Pacific coast zones being particularly vulnerable. Authorities have identified adults using children to transport or sell drugs; some of these children may be trafficking victims. There are a significant number of transgender Costa Ricans in the commercial sex industry who are vulnerable to sex 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, with child sex tourists arriving 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. Nicaraguan men and women transit Costa Rica *en route* to Panama, where some are subsequently subjected to forced labor or sex trafficking. Indigenous Panamanians are also reportedly vulnerable to forced labor in agriculture in Costa Rica. Government officials, including a mayor, have been investigated for suspected involvement in sex trafficking.

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. Officials identified 23 victims, investigated 14 suspected cases, and provided anti-trafficking training to some officials and members of the tourism industry. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Costa Rica is placed on Tier 2 Watch List. Law enforcement efforts declined; the government did not convict any traffickers, child sex tourists, or individuals who purchased commercial sex acts from child trafficking victims. Victim services remained inadequate, and the government failed to dispense any of the 1,725 billion colones (\$3.24 million) accrued in a dedicated government fund to support anti-trafficking and anti-smuggling efforts. The government continued to lack the ability to collect or report comprehensive statistics on its anti-trafficking efforts, due largely to its policy of classifying cases of trafficking that did not involve the displacement of victims as separate crimes.



### RECOMMENDATIONS FOR COSTA RICA:

Use resources in the newly established fund to provide comprehensive services for trafficking victims, including child sex trafficking victims, in partnership with civil society organizations; intensify efforts to proactively investigate and prosecute trafficking offenses, including labor trafficking and cases not involving movement, and convict and punish traffickers; amend legislation to define human trafficking consistent with international law; improve the efficacy and implementation of Costa Rica's victim

assistance protocol, particularly in cases occurring outside of the capital, for victims of labor trafficking, and for Costa Rican victims; conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and sentence complicit officials; strengthen dedicated prosecutorial and police units through increased resources and training, including on victim treatment and the distinction between trafficking and smuggling; increase efforts to investigate, prosecute, and convict child sex tourists and others who purchase commercial sex acts from child trafficking victims; improve data collection for law enforcement and victim protection efforts; and finalize an updated national action plan to guide the government's anti-trafficking efforts.

### PROSECUTION

The government's anti-trafficking law enforcement efforts declined significantly, with few efforts to hold traffickers criminally accountable. The anti-trafficking law enacted in December 2012, Law 9095, came into effect in February 2013 and prescribes penalties of four to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. The definition of trafficking in this law is in some respects more narrow than international law—requiring the displacement of the victim—and in other respects more broad—penalizing non-trafficking crimes such as illegal adoption, sale of organs, moving persons for the purpose of prostitution, and labor exploitation that does amount to forced labor.

Data collection on trafficking remained problematic. The attorney general's office reported investigating 14 new cases of movement-based trafficking. The government prosecuted three defendants for suspected labor trafficking in a 2010 case involving Asian fishermen on boats in Costa Rican waters. This case ended in acquittal and prosecutors have appealed the verdict. There were no additional trafficking prosecutions and no convictions in 2014, compared with at least seven convictions in 2013. Some officials conflated trafficking with smuggling, and authorities reported that a diversion of government resources to combat smuggling contributed to the decrease in law enforcement efforts. Prosecutors worked with Nicaraguan, Mexican, Dominican, and Panamanian officials on an unspecified number of trafficking investigations in 2013; it is unknown whether any resulted in prosecutions or convictions. The government did not report progress in the pending investigation of a mayor for suspected sex trafficking opened in 2011, and it did not prosecute or convict any government employees complicit in human trafficking or trafficking-related offenses.

### PROTECTION

While the government identified more victims, it did not make progress in ensuring that identified victims received adequate protection; specialized services were limited, and most were provided by civil society organizations. The government did not collect comprehensive statistics on victims identified and assisted, and the data provided from different agencies could not be fully reconciled. Prosecutors reported the government identified and assisted 23 trafficking victims in 2014—13 subjected to sex trafficking and 10 to forced labor—an increase from 15 trafficking victims identified and assisted in 2013. The government did not provide comprehensive details on age, gender, or nationality of these victims. At least five were adults, three of whom were from foreign countries, and one of whom was male. The government had an "immediate attention" protocol, which defined steps for



various agencies to take to coordinate the provision of food, lodging, health and psychological support to victims through NGOs, but it did not provide details on the number of victims supported in 2014 or the types of assistance received. Some officials, particularly outside the capital, remained unaware of the protocol. Authorities have written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, but NGOs and some officials asserted victim identification was often reactive and referral mechanisms were not always implemented in an effective or timely manner.

The government neither provided nor funded specialized shelters or services for trafficking victims. It gave 83 million colones (\$156,000) to one NGO that provided services to victims of sexual violence, some of whom may have been trafficking victims. There were no shelters available to male victims. The government designated two hospitals with specially trained staff to provide treatment for trafficking victims, but it is unknown whether these facilities cared for any victims in 2014. Police and NGOs noted victim services were virtually nonexistent outside of the capital. In 2014, the government allocated approximately 73 million colones (\$135,000) to cover basic needs such as food, clothing, and travel expenses for victims participating in prosecutions as witnesses, but it is not clear if any victims benefited from these resources, as no new prosecutions were initiated. The government granted temporary residency status, with permission to work, to two foreign victims in 2014. Victims had the legal right to file a civil complaint to request compensation from traffickers, but no victims received such compensation. The government did not penalize identified victims for unlawful acts committed as a direct result of being subjected to human trafficking; however, insufficient efforts to screen vulnerable populations for indicators of trafficking may have led to some victims being penalized.

## PREVENTION

The government decreased prevention efforts. The human trafficking and smuggling directorate (which includes civil society members) met quarterly and continued to implement a national action plan on trafficking, though few tangible outcomes were reported. Although the fund to fight human trafficking and smuggling—established in the previous year and financed primarily by the country departure tax of approximately 532 colones (\$1)—continued to collect revenue, the government did not disburse this money for any anti-trafficking activities. Authorities conducted public awareness campaigns, often in partnership with civil society organizations. Labor inspectors held a session for labor recruiters to explain exploitative practices that could constitute violations under anti-trafficking laws, but the government did not report punishment of any recruiters for illegal practices that contribute to trafficking. The government investigated 32 individuals suspected of paying child trafficking victims for commercial sex, but did not report whether it prosecuted or convicted any individuals for such crimes. A quasi-governmental agency conducted trainings on combating child sex tourism for members of the tourism industry; however, the government did not extradite, prosecute, or convict any child sex tourists in 2014. The government and NGOs provided anti-trafficking training to 30 diplomatic personnel. The government did not report efforts to reduce the demand for commercial sex acts or forced labor.

## 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 identified are children. Due to a stronger emphasis on monitoring and combating child trafficking within the country, the number of adults subjected to trafficking may be underreported. Within Cote d'Ivoire, Ivoirian women and girls are subjected primarily to forced labor in domestic service and restaurants, as well as forced prostitution. Ivoirian boys are subjected to forced labor within the country in the agriculture and service sectors. Boys from other West African countries, including 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 subjected to forced labor. Some women and girls recruited from Ghana and Nigeria to work as waitresses in restaurants and bars are subsequently subjected to forced prostitution. In previous years, Ivoirian women and girls have been subjected to forced domestic service in France and Saudi Arabia and sex trafficking in Morocco.

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 demonstrated a new commitment to address adult trafficking by prosecuting and convicting two traffickers for the forced prostitution of two women, creating a working-level committee and national action plan on adult trafficking, and drafting legislation to criminalize adult trafficking. However, the government did not finalize the national action plan or the draft legislation during the reporting period. Additionally, the government demonstrated weak protection efforts, to which it allocated inadequate resources; furthermore, it relied almost entirely on NGOs to provide all protective services to domestic victims and referred foreign victims immediately to their respective embassies for repatriation without providing any care.



## RECOMMENDATIONS FOR COTE D'IVOIRE:

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; establish a formal victim 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; improve efforts to collect data on anti-trafficking efforts, including law enforcement cases involving the trafficking of adults

prosecuted under separate statutes in the penal code as well as victim protection data; and finalize and begin implementation of a national action plan to address adult trafficking.

## PROSECUTION

The government demonstrated increased anti-trafficking law enforcement efforts. 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 ranging from 500,000 to 50,000,000 Central African CFA francs (FCFA) (\$1,000 to \$100,000); these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious offenses, such as rape. The law's penalty for subjecting 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 360,000 to 1,000,000 FCFA (\$720 to \$2,000). 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 of 500,000 to 5,000,000 FCFA (\$1,000 to \$10,000). Pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse are outlawed by Articles 335 and 336. In November 2014, the Ministry of Solidarity drafted legislation that criminalizes adult trafficking; however, the law was not finalized or enacted during the reporting period.

The government reported an unknown number of investigations, 25 prosecutions, and 17 convictions in 2014, compared with nine investigations, 23 prosecutions, and 11 convictions reported in 2013. Of the 25 prosecutions, 23 involved alleged traffickers prosecuted for child trafficking under the 2010 child trafficking law; Ivorian courts convicted 15 traffickers in these cases, with penalties ranging from 3 months' to 10 years' imprisonment. The two remaining prosecutions involved two Nigerian traffickers who subjected two Nigerian adults to forced prostitution in the mining region; Ivorian courts sentenced the two traffickers to five years' imprisonment and a fine of 1,000,000 FCFA (\$1,860) for pimping and corruption under the penal code. The government allocated 3,600,000 FCFA (\$7,000) to the National Police's Anti-Trafficking Unit, which remained severely underfunded. The government did not provide any specific anti-trafficking training to law enforcement officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs and media reports indicate that corruption among police and *gendarmes* may have facilitated trafficking in 2014. Additionally, in 2013, allegations arose that an Ivorian diplomat stationed in Copenhagen subjected his domestic employee to forced labor and sexual abuse; the diplomat voluntarily left his posting in June 2013 when Danish authorities threatened prosecution, but the Ivorian government did not take any further disciplinary action against the diplomat during the reporting period.

## PROTECTION

The government demonstrated minimal efforts to identify and protect victims. Given the government's substantial dedication of resources to anti-trafficking activities, the amount allocated to the protection of victims was severely inadequate. The government

did not compile accurate victim identification records, and therefore, the precise number of victims identified is unknown. The Ministry of Solidarity identified approximately 60 child victims of trafficking from Burkina Faso, Mali, Benin, and Guinea in 2014; however, it is unclear whether the government provided these victims any protective services or referred them to organizations that did so. International partners identified two adult Nigerian women, who the government later referred to NGO care; an international organization assisted in the repatriation of the victims. The government did not operate any formal care centers exclusively for trafficking victims and relied almost exclusively on NGOs and international partners to provide victim care. It did not have a formal mechanism to refer victims to the care of local NGOs, which reported a significant lack of coordination among ministries responsible for administering victim services. Although foreign victims reportedly have the same access to care, in practice, the government generally referred foreign victims to their respective embassies for repatriation, rather than providing them with shelter or services. There were no reports that the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, the lack of formal identification procedures for adult trafficking victims likely resulted in some adult victims remaining unidentified in the law enforcement system.

## PREVENTION

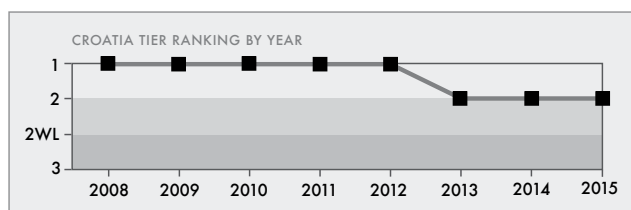
The government sustained modest efforts to prevent trafficking. The National Monitoring Committee (NMC) and the Inter-Ministerial Committee, established in 2011, continued to serve as the national coordinating bodies on child trafficking issues. The committees met regularly throughout the reporting period and began revising the national action plan on child labor and trafficking, which expired in 2014; however, they failed to finalize the updated national action plan by the close of the reporting period. The NMC continued a nationwide awareness campaign, 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 child anti-trafficking law and to educate the public on how to take action against the worst forms of child labor. In November 2014, the government created a working-level committee to focus on adult trafficking. The committee met four times during the reporting period and, in coordination with an international partner, approved a draft national action plan on adult trafficking; the committee did not finalize or adopt this plan during the reporting period. The government did not demonstrate efforts to address local demand for commercial sex acts or forced labor during the reporting period. The government did not provide anti-trafficking training or guidance for its diplomatic personnel or peacekeepers deployed abroad during the reporting period.

## CROATIA: Tier 2

Croatia is a destination, source, and transit country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Croatian women and girls, some of whom respond to false job offers online, fall victim to sex trafficking within the country and throughout Europe. Women and girls from the Balkans and Eastern Europe are subjected to sex trafficking in Croatia. Romani children from Croatia are at particular risk of forced begging in Croatia and throughout Europe, often by family members. Croatian, Bosnian, and Romanian women and men

are subjected to forced labor in the Croatian agricultural sector.

The Government of Croatia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Trafficking convictions increased, but law enforcement efforts remained inadequate relative to the size of the problem, with light sentencing for perpetrators. The government identified more victims, but experts believed the true extent of trafficking in Croatia remained higher than the number of victims identified by the government. The government organized multiple campaigns to raise awareness of trafficking among vulnerable populations, including youth.



## RECOMMENDATIONS FOR CROATIA:

Increase investigations and prosecutions of suspected traffickers and punish offenders with dissuasive sentences; strengthen efforts to proactively identify victims, particularly girls induced into prostitution; continue to train prosecutors on best practices for prosecuting trafficking cases, including methods for collecting evidence against suspected traffickers, to increase convictions; sensitize judges about secondary trauma in sex trafficking testimony; continue to inform all identified victims of their right to pursue restitution from their traffickers and encourage them to do so; devote more resources to the national anti-trafficking secretariat to enable it to effectively combat trafficking; and continue to raise awareness of situations potentially resulting in trafficking among vulnerable populations, particularly youth.

## PROSECUTION

The government displayed mixed progress on law enforcement efforts. Croatia prohibits all forms of trafficking through Articles 105 and 106, which prescribe penalties of one to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for rape. During 2014, the government investigated 15 trafficking suspects, a steep decrease from 39 in 2013, and initiated prosecutions of five defendants, one-third the number prosecuted in 2013. Five traffickers were convicted, of compared with one in 2013; one trafficker was convicted of labor trafficking and four were convicted of sex trafficking. Prison sentences ranged between one and six years; however, courts substituted a one-year prison sentence with community service work for one trafficker and suspended the sentence of another who was a minor. Prosecutors who sought more stringent sentencing appealed these sentences. Authorities delivered trafficking-specific training to police, border, and traffic officers. Croatian authorities collaborated with foreign governments, EUROPOL, and INTERPOL on international investigations that led to the arrest of suspected traffickers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained victim protection efforts, though

experts believed victim identification was inadequate in light of the suspected scope of human trafficking in Croatia. The government provided 388,801 kuna (\$63,200) to two NGO-run trafficking shelters in 2014, slightly less than it provided for shelter care in 2013. One shelter was for adults and one was for minors. Adult victims were allowed to leave shelters without chaperones after completing a risk assessment. During 2014, police and NGOs identified 37 victims of sex and labor trafficking and three potential minor victims of labor trafficking, up from 32 identified in 2013. Nearly 90 percent of the identified victims were Croatian and almost 80 percent were female. Twenty-two of the 37 identified victims were minors. Thirty-one of the identified victims were forced into prostitution, and six were subjected to forced labor.

Croatian law entitles trafficking victims to safe accommodation and medical, psychological, and legal aid. Assistance was offered to all 37 victims identified in 2014, of which 11 accepted, including five victims who were accommodated in shelters. In comparison, 12 out of the 32 victims identified in 2013 accepted government assistance, of which six were accommodated in shelters. New legislation passed in July 2013 entitles victims to seek financial compensation from the state in addition to traffickers, but the government had not dispersed any payments by the end of the reporting period. The government provided repatriation assistance to three minor victims. The police undertook several operations to identify trafficking victims among child beggars, which led to the identification of one victim who had been forced to beg. Foreign trafficking victims were offered the same care as domestic victims, as well as renewable temporary residence permits, employment assistance, skills development training, and adult classroom education. Alternatively, authorities could assist foreign victims with voluntary repatriation to their country of origin.

Croatian police followed a standard operating procedure for identifying and referring victims to services, which included instructions on activating the national referral system when indicators of trafficking were present. When the system was activated, a mobile team consisting of a police officer specializing in trafficking cases, a social worker, a victim specialist from the Croatian Red Cross, and usually an NGO representative was sent to coordinate victim care and placement. Experts reported the procedures functioned well in practice, but police needed to do a better job identifying victims, particularly in brothels. There was a specially designated social worker in each county responsible for providing initial care and coordinating further assistance for trafficking victims. Experts reported that some Croatian judges lacked an appreciation for the impact of psychological trauma on a victim's ability to consistently and clearly relate the circumstances of his or her victimization and inappropriately dismissed as unreliable victim testimony that was delayed, partial, or inconsistent. Written instructions issued by the state attorney mandated victims not be prosecuted for crimes committed as a result of being subjected to trafficking.

## PREVENTION

The government continued efforts to prevent trafficking. The senior-level national committee to coordinate anti-trafficking activities met twice during the reporting period and the committee's working-level operational team met monthly, including with NGOs, to implement the 2012-2015 national action plan. The government's Office for Human Rights and National Minorities, which serves as the national committee's secretariat, spent 208,000 kuna (\$33,800) on awareness-raising projects implemented by NGOs,



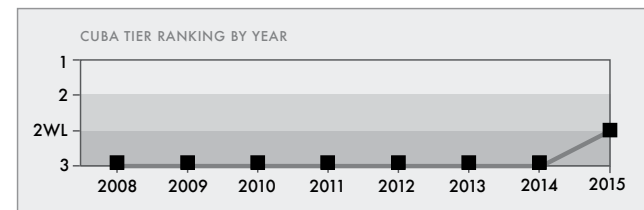
professional training, and an emergency hotline, a slight decrease from 2013. The government systematically monitored its anti-trafficking efforts and posted information on ministries' websites. The human rights office launched a campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The interior ministry implemented a three-month training program in cooperation with NGOs, local communities, and the private sector to prevent trafficking of women and children; the program initially trained 120 government officials, who educated 900 local government employees and 3,500 police officers. The government continued a program to teach youth—particularly girls, asylum seekers, and migrant youth—how to recognize potentially dangerous situations leading to trafficking, such as attractive job offers and romantic invitations to travel abroad. Police also held trafficking prevention seminars with high school and primary school students, including Romani youth, parents, and teachers. In 2014, the labor ministry conducted public awareness campaigns and business inspections to discourage illegal labor practices, including forced labor and illegal hiring of foreign workers. The government provided anti-trafficking training for its diplomatic personnel.

## CUBA: Tier 2 Watch List

Cuba is a source country for adults and children subjected to sex trafficking and forced labor. Information on the scope of sex trafficking and forced labor in Cuba is limited. Child sex trafficking and child sex tourism occur within Cuba. Cuban authorities report people from ages 13 to 20 are most vulnerable to human trafficking in Cuba. Traffickers also subject Cuban citizens to forced prostitution in South America and the Caribbean. In the Cuban economy, the government is the dominant employer, including in foreign medical missions, which employ more than 51,000 workers in over 67 countries and constitute a significant source of Cuban government income. Some participants in foreign medical missions as well as other sources allege that Cuban officials force or coerce participation in the program; the Cuban government denies these allegations. Some Cubans participating in these work missions have stated the postings are voluntary and well paid compared to jobs within Cuba. There have also been claims that Cuban authorities coerced participants to remain in the program, including by allegedly withholding their passports, restricting their movement, or threatening to revoke their medical licenses or retaliate against their family members in Cuba if participants leave the program. There are also claims about substandard working and living conditions and the existence of "minders" to monitor victims outside of work. Some medical professionals participating in the missions are in possession of their passports when they apply for and obtain special United States visa and immigration benefits, indicating passport retention is not a consistent practice across all work missions. The government arranges for high school students in rural areas to harvest crops, but claims this work is not coerced.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. For the second consecutive year, the government reported efforts to address sex trafficking, including the prosecution and conviction of 13 sex traffickers in 2013 and the provision of services to victims in those cases. The Cuban government reported at the beginning of 2015 that the Ministry of Labor and Social Security assumed the lead role in a

committee responsible for combating gender and sexual violence, including sex trafficking. The penal code does not criminalize all forms of human trafficking, though the government reported continuing efforts to amend its criminal code, including bringing it into conformity with the requirements of the 2000 UN TIP Protocol, to which it acceded in July 2013. The government did not recognize forced labor as a problem within Cuba and did not report efforts to prevent forced labor. The government did not report any trafficking-specific shelters, but offered services to trafficking victims through centers for women and families harmed by violence. The Federation of Cuban Women, a government-affiliated non-governmental organization, provided some outreach and education about human trafficking within the context of violence against women, but did not specifically address it as a crime involving sex trafficking and forced labor or affecting men and boys.



## RECOMMENDATIONS FOR CUBA:

Consistent with the 2000 UN TIP Protocol, draft and pass a comprehensive anti-trafficking law that prohibits all forms of human trafficking, including an offense of forced labor; a definition that makes minors under the age of 18 sex trafficking victims regardless of the use of force, fraud, or coercion, and the full range of "acts" (recruiting, transporting, transferring, harboring, or receiving persons) as part of those crimes; vigorously investigate and prosecute both sex trafficking and forced labor offenses; schedule a visit and engage in robust discussions with the UN special rapporteur on trafficking in persons on all forms of human trafficking; provide specialized training for managers in state-owned or controlled enterprises in identifying and protecting victims of forced labor and implement policies to verify the absence of coercion in such enterprises; train those responsible for enforcing the labor code to screen for trafficking indicators and educate workers about trafficking indicators and where to report trafficking-related violations; strengthen efforts, in partnership with international organizations, to provide specialized victim identification and referral training for first responders; establish formal policies and procedures to guide officials in the identification of all trafficking victims and their referral to appropriate services; expand upon the Ministry of Labor and Social Security's anti-trafficking responsibilities to include all forms of trafficking and male as well as female victims, and develop an action plan to address sex trafficking and forced labor for males and females; and adopt policies that provide trafficking-specific, specialized assistance for male and female trafficking victims, including 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.

## PROSECUTION

The government sustained law enforcement efforts by prosecuting and convicting sex traffickers, but took no action to address forced labor. The penal code does not criminalize all forms of trafficking,

but the government reported it was in the process of amending the code, including making revisions to bring it into conformity with the requirements of the 2000 UN TIP Protocol. Cuba prohibits some forms of trafficking through several laws, including: Article 302 (procuring and trafficking in persons); Article 310.1 (corruption of minors for sexual purposes); Article 312.1 (corruption of minors for begging); and Article 316.1 (sale and trafficking of a child under 16). Cuban law does not criminalize forced labor as required by the 2000 UN TIP Protocol and the Cuban government did not report any labor trafficking prosecutions or convictions. The penal code's definition of sex trafficking conflates sex trafficking with prostitution and pimping, although Cuban prosecutorial officials understand the distinction for the purposes of the 2000 UN TIP Protocol definition and for reporting anti-trafficking law enforcement data. The law criminalizes sex trafficking achieved through force, coercion, or abuse of power or a position of vulnerability, although the use of such means is considered an aggravating factor (to a crime of inducing or benefiting from prostitution), not an integral part of the crime. It does not explicitly include the use of fraud and physical force within the list of aggravating factors that make coercion of prostitution a crime. The provision addressing corruption of minors encompasses many of the forms of child sex trafficking, but its definition of a minor as a child under 16 years old is inconsistent with the definition under the 2000 UN TIP Protocol, which defines a child as any person under the age of 18. Although anyone inducing children between the ages of 16 and 18 to engage in prostitution would not be identified as a trafficker under Cuban law, forced prostitution is illegal irrespective of age of the victim, and the government has prosecuted individuals benefiting from the prostitution of children. Both adult and child sex trafficking provisions do not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. Cuba became a party to the 2000 UN TIP Protocol in 2013, and the government reported it began the process of revising Cuba's criminal code in 2012. The government did not provide an update on this process in 2014, but in December 2013 amended Article 346.1 of the criminal code to mandate sentences of five to 12 years' imprisonment for various crimes, including for laundering funds obtained from trafficking in persons.

In 2014, the government publicly presented official data on prosecutions and convictions of sex traffickers secured during calendar year 2013. Authorities reported 13 prosecutions and convictions of sex traffickers, compared with 10 in 2012. At least seven of the convictions involved suspects accused of trafficking seven child victims within Cuba, including the facilitation of child sex tourism in Cuba. The average sentence was seven years' imprisonment. Traffickers were punished more severely in some cases when the victim was younger than 16. In addition, the government was known to have assisted one foreign government's investigation of a child sex tourism case. There were no reported forced labor prosecutions or convictions. The government also identified a group of Cubans living or traveling abroad involved in recruiting and transporting women who used false promises, paid for travel expenses, and subjected the women to debt bondage while exploiting them in forced prostitution. This case was still being investigated and had not yet resulted in prosecutions or convictions of suspected traffickers in Cuba. Students at the Ministry of Interior Academy and police assigned to tourist centers reportedly received specific anti-trafficking training and victim assistance. The government demonstrated its willingness to cooperate with other governments on investigations of possible traffickers. The government did not report any investigations,

prosecutions, or convictions of government officials complicit in human trafficking in 2014.

## PROTECTION

The government sustained efforts to protect sex trafficking victims. Authorities identified seven child sex trafficking victims and seven adult sex trafficking victims linked to 2013 convictions; it did not identify any labor trafficking victims or male sex trafficking victims. Identified sex trafficking victims received government assistance; detailed information on assistance provided to the 14 identified victims was unavailable. The government reported informal procedures to proactively identify sex trafficking victims, whereby first responders identify potential cases and refer them to law enforcement. The government did not report having procedures to proactively identify victims of forced labor. Employees of the Ministries of Tourism and Education received training to spot indicators of sex trafficking, particularly among children engaged in commercial sex. The Federation of Cuban Women received funding from international organizations and operated centers for women and families nationwide to assist individuals harmed by violence, including victims of sex trafficking. These centers provided services such as psychological treatment, health care, skills training, and assistance in finding employment. Authorities did not report how many sex trafficking victims were assisted by these centers. The government did not operate any shelters or services specifically for adult victims of trafficking. Police encouraged child sex trafficking victims under the age of 17 to assist in prosecutions of traffickers by operating three facilities that gathered children's testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. In addition to collecting testimony, government social workers developed a specific plan for the provision of follow-on services. There were no reports of the government punishing sex trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. There were no reports of foreign trafficking victims in Cuba.

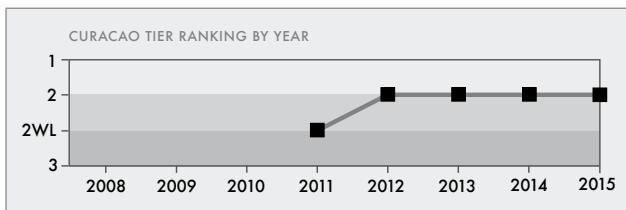
## PREVENTION

The government sustained anti-trafficking prevention efforts. The attorney general's office operated a 24-hour telephone line for individuals, including sex trafficking victims, needing legal assistance. State media produced newspaper articles and television and radio programs to raise public awareness about sex trafficking. Authorities maintained an office within the Ministry of Tourism charged with monitoring Cuba's image as a tourism destination, combating sex tourism, and addressing the demand for commercial sex acts; however, authorities did not make efforts to address the demand for forced labor. Authorities reported four foreign nationals continued serving sentences ranging from 13 to 30 years' imprisonment for child sex tourism in Cuba; and two foreign nationals awaited hearings. The Ministry of Labor and Social Security coordinated national anti-trafficking efforts, but did not address all forms of trafficking. The government did not report whether it provided anti-trafficking training or guidance for its diplomatic personnel. A formal, written report on governmental anti-trafficking efforts was released to the public in November 2014. In March 2015, authorities invited the UN special rapporteur on trafficking in persons to visit. The government did not report specialized training for labor inspectors to screen for trafficking indicators of potential forced labor.

## CURAÇAO: Tier 2

Curaçao is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Specific at-risk populations include women and girls living in Curaçao in the unregulated commercial sex trade, including in “snacks” in local neighborhoods; teenagers and young adults, including adolescent single mothers; foreign women from South America and other Caribbean countries in the regulated commercial sex trade; and migrant workers in the dry dock, construction, landscaping, minimarkets, retail, and restaurant industries, including from other Caribbean countries, South America, India, and China. Foreign women who apply to work at Curaçao’s legal brothel, which offers “24/7 access” to more than 120 foreign women in prostitution, are vulnerable to trafficking; they must obtain a temporary visa and work permit, a medical check-up on arrival from the Ministry of Health, and subsequent check-ups every two weeks. There have been reports of government officials—including a civil servant employed by the police—complicit in trafficking crimes.

The Government of Curaçao does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2014, the government convicted and sentenced four sex traffickers and launched an anti-trafficking awareness campaign on a local television station. Authorities did not increase funding for or improve the quality of services available to trafficking victims. The government did not issue formalized standard operating procedures on victim identification. The government did not take steps to address sex trafficking within the unregulated commercial sex trade or to increase the capacity to conduct labor inspections in industries vulnerable to labor trafficking.



### RECOMMENDATIONS FOR CURAÇAO:

Make robust and transparent efforts to identify and assist potential victims of sex trafficking and forced labor; finalize formal, proactive victim identification, referral, and protection measures to guide officials, including health workers, on how to assist victims of forced labor and sex trafficking in the legal and illegal sex trade; continue to vigorously prosecute trafficking offenses and convict and punish traffickers, including government officials complicit in human trafficking; finalize and implement the national anti-trafficking action plan; closely monitor the implementation of the anti-trafficking protocol with members of the business community; provide targeted training and resources to local officials to conduct outreach in migrant communities to uncover potential labor trafficking victims; provide educational materials to individuals in the sex trade and migrant workers to ensure they know their rights, trafficking indicators, and who to call if they suspect human trafficking; provide adequate resources for the anti-trafficking taskforce; and continue to implement a multilingual public awareness campaign directed at potential victims, the general public, and potential clients of the sex trade.

### PROSECUTION

The government made significant progress in anti-trafficking law enforcement efforts. Curaçao prohibits all forms of trafficking in persons through Article 2:239 of its criminal code, which prescribes penalties ranging from nine to 24 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not report initiating any new trafficking investigations. Authorities prosecuted and convicted three sex traffickers in one case: a former club owner and the club manager were convicted of human trafficking under Article 2:239 and received sentences of 36 and 18 months' imprisonment. As a result of bilateral cooperation in this case, a Colombian national was charged with sex trafficking in Curaçao and Colombia and was subsequently deported to Colombia at the request of Colombian authorities. In the same case, authorities acquitted a civil servant employed by the police of trafficking charges, but convicted him of illegal firearm possession and violating the terms of his employment; he was sentenced to 200 hours of community service. The government did not report any additional investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

### PROTECTION

The government sustained efforts to identify trafficking victims. Government officials identified seven trafficking victims in 2014, an increase from six victims identified in 2013. One Colombian adult female victim continued to receive services. The government's victim assistance bureau partnered with an NGO to provide victims with care and assistance, which included legal assistance, medical care, and counseling. The government operated no specialized shelters for trafficking victims but could use a domestic violence shelter that sometimes restricted victims' movements. Authorities provided temporary assistance to a female Indian trafficking victim, at the request of the Government of Trinidad and Tobago, during her repatriation back to India. The government has never identified any trafficking victims within Curaçao's legal brothel. Government health officials who provided medical services to women in the brothel did not provide any anti-trafficking training or education materials to ensure potential human trafficking victims knew their rights, indicators of human trafficking, and who to call if they suspect trafficking. Trafficking victims could seek restitution from the government and file civil suits against traffickers, though none did so in 2014.

The government reported it had a policy to provide foreign victims with legal alternatives to their removal to countries where they may face retribution or hardship, but did not report whether it provided any to trafficking victims in 2014. Authorities could grant temporary residency status on a case-by-case basis, but did not report granting such relief to any foreign trafficking victims in 2014. The government did not have a policy to protect victims from being punished for crimes committed as a direct result of being subjected to human trafficking. Officials drafted but did not finalize standard operating procedures on victim identification for all front-line responders. The government developed guidelines on the role of each relevant agency in trafficking cases, but the guidelines were not yet operational.

### PREVENTION

The government made progress in efforts to prevent trafficking. Officials launched a “road show” intended to educate the general

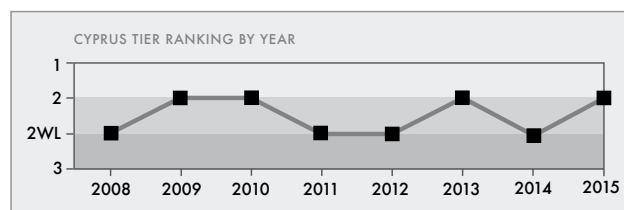


public and vulnerable communities about trafficking. Two cabinet-level ministries drafted and signed an anti-trafficking protocol with the business community in November 2014. The protocol offered shorter processing times for work permits to businesses that agreed to adhere to specific anti-trafficking measures. The government made efforts to update a memorandum of understanding with the Kingdom of the Netherlands, which provided ongoing cross-training to exchange best practices with other anti-trafficking officials in the kingdom. The government did not report efforts specifically targeting the demand for forced labor; nor did it have a campaign aimed at potential clients of the sex trade in Curaçao in an effort to reduce the demand for commercial sex acts. The government provided anti-trafficking training or guidance for its diplomatic personnel. There were no known reports of child sex tourism occurring in Curaçao or of residents of Curaçao participating in international sex tourism.

## CYPRUS: Tier 2

Cyprus is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims identified in Cyprus in 2014 were primarily from Eastern Europe and South Asia. In previous years, victims from Africa, Dominican Republic, and Philippines were also identified. Women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, are subjected to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and within commercial sex trade outlets in Cyprus including bars, pubs, coffee shops, and cabarets. Foreign migrant workers—primarily Indian and Romanian nationals—are subjected to forced labor in agriculture. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits. After the permits expire, they are often subjected to debt bondage, threats, and withholding of pay and documents. Asylum seekers from Southeast Asia, Africa, and Eastern Europe are subjected to forced labor in agriculture and domestic work. Unaccompanied children, children of migrants, and asylum seekers are 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 convicted three traffickers and punished them with the most stringent sentences ever issued for a trafficking crime in Cyprus since it was criminalized in 2000. Authorities launched more investigations than in 2013 and achieved the first two convictions for child sex trafficking. The government nearly doubled the number of victims identified and, despite cuts in benefits in other social welfare funding, it maintained financial resources allocated to shelter victims. Reports persisted, however, of substantial delays in the issuance of monthly public allowance checks to some victims. Male victims identified in early 2015 did not receive benefits and relied exclusively on NGOs for care. Experts reported insensitive and sometimes punitive treatment of victims by the Social Welfare Service, with some victims sent to unsuitable and exploitative jobs.



### RECOMMENDATIONS FOR CYPRUS:

Improve efforts to vigorously prosecute trafficking offenses and convict and punish traffickers, including officials who are complicit in trafficking; provide increased services for male victims, including shelter; provide financial allowances for victims in a timely manner; conduct a review of practices employed by the Social Welfare Service in securing employment and accommodation for victims; train Social Welfare Service staff in best practices of victim care; continue to raise awareness of trafficking and victim identification among police and migration authorities and provide training on victim identification, particularly for forced labor; further train judges and prosecutors to ensure robust application of the new anti-trafficking law; continue increasing the use of expert witness testimony in prosecutions of trafficking offenses and adequately protect victims during court proceedings; formalize the national referral mechanism to provide a practical guide that clearly outlines the roles and responsibilities of front-line responders, respective ministries, and NGOs; launch a study of visa regimes for performing artists, students, barmaids, domestic and agricultural workers, and other categories to identify potential misuse by traffickers; and increase screening for trafficking among visa holders in vulnerable sectors.

### PROSECUTION

The government increased law enforcement efforts. Cyprus prohibits all forms of trafficking through Law 60(I) of 2014. Prescribed penalties are up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. The government investigated 24 new cases involving 35 suspected traffickers during the reporting period, an increase compared with 15 cases involving 33 suspects in 2013. The government initiated prosecutions against 15 defendants, a decrease compared with 22 in 2013. Nine traffickers were convicted under Law 87(I)/2007, Law 60(I)/2014 and other laws, compared with two in 2013. Sentences were significantly more stringent than the previous reporting period. Eight of the convicted traffickers received time in prison ranging from three months to 12 years; one convicted trafficker did not receive any time in prison. One case led to the first conviction for trafficking of a child for sexual exploitation; the two perpetrators, both Cypriots, were sentenced to 12 and 10 years in prison. The government continued to convict traffickers under non-trafficking statutes, leading to lenient sentences for convicted traffickers.

The anti-trafficking police unit provided oversight throughout the course of an investigation; however, the court system's mistreatment of victim witnesses and lengthy trial procedures resulted in a limited number of convictions. The government did not effectively track trafficking cases as they moved through the judicial system. The government established a mechanism to review labor complaints, and officials forwarded potential forced labor cases to the police and the social welfare department; however, NGOs reported officials rarely treated labor complaints as potential trafficking cases. The government installed new software for the anti-trafficking

police unit to enhance its capacity to record, process, and analyze trafficking-related data. In 2014, the government funded anti-trafficking training for 86 law enforcement officers, as well as a joint training for police and prosecutors to enhance cooperation. NGOs reported allegations of official complicity involving at least two senior officials and one former official who solicited services from a sex trafficking victim. The case was acquitted after the court ruled the victim's testimony was unreliable. A police immigration official acquitted in 2012 for alleged involvement in a sex trafficking case won his suit against the government contesting his dismissal. He was rehired and placed in charge of the immigration service at Larnaca Airport; NGOs have strongly protested his appointment to such a sensitive position.

## PROTECTION

The government increased efforts to protect victims. The government maintained financial resources allocated for victims despite cuts in other social welfare funding. The government identified 46 victims of trafficking in 2014, an increase from 25 in 2013. Of the 46 victims identified, 22 were labor trafficking victims, of which 15 were men and 7 were women. The government identified 19 victims of sex trafficking, including 16 women and three children. Five additional women were victims of both labor and sex trafficking. Most victims of forced labor were referred to the police by NGOs. The majority of sex trafficking victims were identified during police operations. The government referred all identified victims to the social welfare office for assistance. Twenty female victims of sex trafficking were accommodated at the government-operated shelter in Nicosia. These victims were permitted to stay for one month or longer, as appropriate, in the shelter for a reflection period, a time in which victims could recover before deciding whether to cooperate with law enforcement. In previous years, authorities accommodated male sex trafficking victims in hotels paid for by the government; male and female victims of labor trafficking stayed in apartments and received rent subsidies from the government.

Multiple sources reported substantial delays in issuance of monthly allowance checks to some victims, which left victims unable to cover basic needs; some male victims were homeless as a result. Male victims of labor trafficking identified in 2015 did not receive benefits and relied exclusively on NGOs for care. Experts reported Social Welfare Service (SWS) staff in Nicosia exhibited insensitive and sometimes punitive treatment of victims. Victims were sent to unsuitable and exploitative jobs where they were expected to work for more hours than legally permitted and received salaries below the minimum wage. If victims declined a job offer, SWS declared victims voluntarily unemployed and discontinued their benefits. The government spent 184,000 euro (\$224,000) to operate the trafficking shelter, compared with 199,136 euro (\$242,000) in 2013. The government provided 118,066 euro (\$144,000) in public assistance to victims who chose to stay in private apartments and were entitled to a rent subsidy and monthly allowance, compared with 262,000 euro (\$319,000) in 2013. Victims had the right to work and were provided a variety of assistance and protection from deportation. They also had eligibility for state vocational and other training programs and the ability to change sectors of employment. A lack of directives on coordination between ministries reportedly led to gaps and delays in services and support provided. The law stipulates victims be repatriated at the completion of legal proceedings, and police conducted a risk assessment for each victim prior to repatriation. Two victims whose safety was assessed to be at risk

were issued residence permits on humanitarian grounds and remained in Cyprus. Authorities extended the work permit of a third victim. Forty-six victims assisted law enforcement in the prosecution of suspected traffickers. There were no reports of victims inappropriately penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

The government maintained prevention efforts. The Multidisciplinary Coordinating Group to combat trafficking coordinated the implementation of the 2013-2015 National Anti-Trafficking Action Plan. NGOs reported cooperation with the coordinating group greatly improved during the reporting period. In 2014, the government investigated seven cases of potential labor exploitation of migrant workers for illegally operating an employment agency and revoked the licenses of two private employment agencies for not complying with regulations. The government reported five ongoing investigations of recruiters and brokers for exploitation of migrant workers. The government continued to print and distribute booklets in seven languages aimed at potential victims on the assistance available to them. The government did not report efforts to reduce the demand for forced labor or commercial sex acts. The Ministry of the Interior provided training to labor inspectors, labor relations officers, social welfare officers, and officials in the Ministry of Health on labor trafficking and the provisions of the new 2014 trafficking law. It also included a segment on trafficking in the curriculum for students aged 15-18 years. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## AREA ADMINISTERED BY TURKISH CYPRIOTS

The northern area of Cyprus is administered by Turkish Cypriots. In 1983, the Turkish Cypriots proclaimed the area the independent "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 increasingly a destination for women from Central Asia, Eastern Europe, and Africa who are subjected to forced prostitution in night clubs licensed and regulated by Turkish Cypriots. Nightclub owners pay significant taxes to the Turkish Cypriot administration, between eight and 12 million dollars annually according to media reports; additionally, owners pay approximately \$2,000 per woman in fees to the authorities, which may present a conflict of interest and a deterrent to increased political will to combat trafficking. An NGO reported girls as young as 11 were victims of sex trafficking inside the walled city of Nicosia. Men and women are subjected to forced labor in industrial, construction, agriculture, domestic work, 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. Labor trafficking victims originate from China, Pakistan, Philippines, Turkey, Turkmenistan, and Vietnam. Women who are issued permits for domestic work are vulnerable to forced labor. An NGO reported a number of women enter the "TRNC" from Turkey on three-month tourist or student visas and engage in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta; some may be trafficking victims. Migrants, refugees, and their children are also at risk for sexual exploitation.

If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3. Turkish Cypriot authorities do not fully comply

with the minimum standards for the elimination of trafficking and are not making significant efforts to do so. The area administered by the Turkish Cypriots lacked an anti-trafficking "law." Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters for victims, and social, economic, and psychological services for victims. During the reporting period, police conducted several raids of nightclubs resulting in the arrest of possible victims of trafficking. Local observers reported authorities were complicit in facilitating trafficking and police continued to retain passports upon arrival of women working in night clubs.

An anti-trafficking amendment to the "criminal code" was tabled during the previous reporting period; however, no progress was made on enacting it during 2014. The "attorney general's office" sentenced one "official" to nine months imprisonment for involvement in a trafficking-related case in 2013. Turkish Cypriots did not enforce the "law" stipulating nightclubs may only provide entertainment such as dance performances. Authorities did not acknowledge the existence of forced labor. There was no "law" that punished traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude. Turkish Cypriots did not provide any specialized training on how to investigate or prosecute human trafficking cases.

Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts, police were not trained to identify victims, and authorities provided no protection to victims. Police confiscated victims' passports, reportedly to protect them from abuse by nightclub owners who confiscated passports. Foreign victims who voiced discontent about the treatment they received were routinely deported. NGOs reported women preferred to keep their passports but were convinced to give them to police to avoid deportation. Victims of trafficking serving as material witnesses against a former employer were not entitled to find new employment and resided in temporary accommodation arranged by the police; experts reported women were accommodated at night clubs. The Turkish Cypriot authorities did not encourage victims to assist in prosecutions against traffickers, and all foreign victims were deported. If a victim requested to return to their home country during an interview with authorities, they were required to return to and lodge at a hotel until air tickets were purchased. Witnesses are not allowed to leave the "TRNC" pending trial and are deported at the conclusion of "legal" proceedings.

In 2014, authorities issued 1,168 hostess and barmaid six-month work permits for individuals working in approximately 40 nightclubs and two pubs operated in the north. An NGO reported authorities did not consistently document the arrival of women intending to work in nightclubs. The majority of permit holders came from Moldova, Morocco, and Ukraine, while others came from Belarus, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Russia, and Uzbekistan. Women were not permitted to change location once under contract with a nightclub, and Turkish Cypriots deported 395 women who curtailed their contracts without screening for trafficking. While prostitution is illegal, female nightclub employees were required to submit to biweekly health checks for sexually transmitted infection screening, suggesting tacit approval of the prostitution industry. Victims reported bodyguards at the night clubs accompanied them to health and police checks, ensuring they did not share details of their victimization with law enforcement or doctors. Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor. The "law" that governed nightclubs prohibits foreign women from living at their place of

employment; however, most women lived in group dormitories adjacent to the nightclubs or in other accommodations arranged by the establishment owner. The nightclubs operated as "legal" businesses that provided revenue to the "government." The "Nightclub Commission," which composed police and "government officials" who regulate nightclubs, prepared brochures on employee rights and distributed them to all foreign women upon entry. They also established a hotline for trafficking victims; however, it is inadequately staffed by one operator.

## 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 funding to NGO shelters and care services for the protection of victims; investigate, prosecute, and convict officials complicit in trafficking; provide alternatives to deportation for victims of trafficking; and acknowledge and take steps to address conditions of forced labor.

## CZECH REPUBLIC: Tier I

The Czech Republic is a source, transit, and destination country for women and children subjected to sex trafficking and a source, transit, and destination country for men and women subjected to forced labor. Women, girls, and boys from the Czech Republic, Eastern Europe, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in the Czech Republic and also transit through the Czech Republic to other European countries where they are subjected to sex trafficking. Men and women from the Czech Republic, Eastern Europe, Mongolia, the Philippines, Russia, and Vietnam are subjected to forced labor in the construction, agricultural, forestry, manufacturing, and service sectors in the Czech Republic and also transit through the Czech Republic to other countries in Europe where they are exploited. The majority of identified victims in the country are Czech. Romani women from the Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the UK.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. The government increased funding for NGOs providing victim services and enrolled more victims into its program to protect individuals assisting law enforcement. However, law enforcement efforts lagged as authorities initiated fewer prosecutions, achieved significantly fewer convictions, and sentenced only one convicted trafficker to imprisonment. Victims continued to have minimal opportunities to access court-ordered or state-funded compensation.



## RECOMMENDATIONS FOR CZECH REPUBLIC:

Vigorously investigate and prosecute suspected offenders of



both sex and labor trafficking using the anti-trafficking statute; sentence convicted traffickers commensurate with the gravity of this serious crime; increase training for prosecutors and judges on applying the anti-trafficking statute; improve victims' ability to access court-ordered restitution; train first responders, including labor inspectors, police, and state contracting officers, on labor trafficking victim identification criteria and evolving trends in labor trafficking; enhance collaboration between the labor inspectorate and police on investigating potential labor trafficking cases; conduct large-scale public awareness-raising campaigns, particularly on labor trafficking; and disaggregate data on the type of trafficking involved in law enforcement and victim protection efforts.

## PROSECUTION

The government demonstrated weakened law enforcement efforts. The government prohibits all forms of trafficking under Section 168 of its criminal code, which prescribes punishments of up to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not disaggregate sex and labor trafficking data. In 2014, police initiated 20 investigations involving 16 suspects, compared with 18 investigations involving 25 suspects in 2013. Authorities prosecuted 16 defendants for trafficking crimes in 2014, a decline from 30 in 2013. During 2014, Czech courts convicted six traffickers, a decline from 19 convictions in 2013. Only one of the six convicted traffickers received a prison term. Forced labor prosecutions were hampered by judges' inability to differentiate between fraud cases and trafficking involving psychological coercion. Czech authorities collaborated with foreign governments on three transnational investigations.

The organized crime branch of the Czech police maintained a specialized anti-trafficking unit that trained 220 police officers, labor inspectors, and other officials in 2014. Authorities reported the need for better collaboration between the police and labor inspectors, as well as enhanced training for inspectors on labor trafficking indicators. Observers reported prosecutors and judges pursued trafficking cases unevenly due to lack of familiarity with the law or preference to prosecute traffickers for non-trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government strengthened victim protection efforts. The Ministry of Labor and Social Affairs provided 5,313,000 koruna (\$208,000) in 2014 to NGOs providing care for trafficking victims, a 10 percent increase from 2013. Government-funded NGOs provided services to approximately 99 victims in 2014, at least 60 of whom were newly identified in 2014, compared with at least 37 newly identified victims in 2013. Authorities provided victims with a 60-day reflection period, in which victims received 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 adult victims willing to cooperate with law enforcement. In 2014, 43 victims entered the program, an increase from 23 in 2013. As in 2013, the MOI made available 2 million koruna (\$78,500) to support NGOs assisting victims enrolled in the witness support program as well as NGOs' trafficking prevention projects. Identified child victims received care outside of the MOI's program through publicly funded NGOs that provided shelter, food, clothing, and

medical and psychological counseling.

Police reported identifying 67 victims in 2014, compared with 57 in 2013. Foreign victims who cooperated with investigators received temporary residence and work visas for the duration of the relevant legal proceedings. Upon conclusion of the court proceedings, victims could apply for permanent residency; one victim received permanent residency in 2014, compared with two in 2013. Victims were eligible to seek court-ordered compensation from their traffickers, though such restitution was rare, as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. The government does not maintain a compensation fund for victims subjected to trafficking within the country. There were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

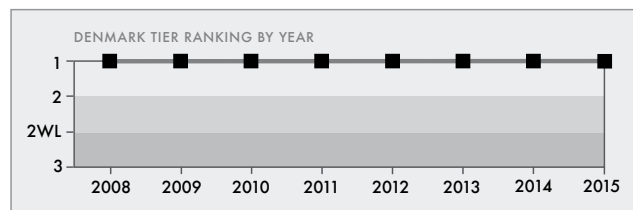
The government maintained prevention efforts. The interior minister chaired an inter-ministerial body that coordinated national efforts and worked to implement the 2012-2015 national action plan. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence; in 2014, the hotline received approximately 600 phone calls. The government provided trafficking-specific training for approximately 45 consular officers. The government provided anti-trafficking training or guidance for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts, including awareness-raising efforts. The Czech Republic became a party to the 2000 UN TIP Protocol in December 2014.

## DENMARK: Tier I

Denmark is primarily a destination country for men, women, and children subjected to forced labor and sex trafficking from Africa, Southeast Asia, Eastern Europe, and Latin America. Migrants working in agriculture, domestic service, restaurants, hotels, and factories are subjected to labor trafficking through debt bondage, withheld wages, abuse, and threats of deportation. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including theft and other forced criminality. Copenhagen's relatively small red-light district represents only a portion of the country's larger commercial sex trade, which includes sex trafficking in brothels, bars, strip clubs, and private apartments.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. During the reporting period, law enforcement authorities collaborated with foreign counterparts to convict more traffickers, including through the country's first use of a criminal code section that provides more stringent penalties for convicted traffickers. The government also continued to identify victims and fund service providers. However, the government's default approach to protecting victims without EU residency was to repatriate victims to their countries of origin. While an asylum process existed to protect victims who face retribution in their countries of origin, only four victims have ever been granted asylum, despite the government officially identifying more than 200 victims in the last three years. No other residence

permit exists for trafficking victims, and a 2013 amendment that gave authorities the ability to stay deportation in order for victims to assist in an investigation has never been used. The effective lack of alternatives from removal impedes the ability of law enforcement to pursue traffickers and leaves victims vulnerable.



## RECOMMENDATIONS FOR DENMARK:

Pursue a more victim-centered approach to trafficking by increasing incentives for victims to cooperate in the prosecution of traffickers, including by providing temporary residency to victims while they assist law enforcement; provide all victims legal alternatives to their removal to countries where they face retribution or hardship, such as through a broader application of asylum status; vigorously prosecute trafficking offenses, and convict and sentence sex and labor traffickers; sentence traffickers to imprisonment commensurate with the serious nature of the offense; investigate why few trafficking cases are prosecuted compared with the number of victims identified; take measures to prevent potential victims from being re-victimized, treated as offenders, or detained; amend Danish law to ensure trafficking victims can be considered under a specific legal category exempting them from punishment for all crimes committed as a direct result of being subjected to trafficking; expand law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims from police or immigration custody to crisis centers; and build on efforts to refer potential trafficking victims with illegal status to crisis centers instead of first remanding them to police custody or detention, to facilitate trust and increase identification among this vulnerable group.

## PROSECUTION

The government made progress in law enforcement efforts, although the inadequate efforts to incentivize victims to assist in investigations and prosecutions impeded these efforts. Denmark prohibits all forms of trafficking through Section 262(a) of its criminal code, which prescribes punishments of up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities investigated 12 reported cases of trafficking in 2014, a decrease from 13 reported cases in 2013. In 2014, the government initiated prosecutions of 15 sex trafficking suspects, a decrease from 16 in 2013. Courts convicted nine sex traffickers in 2014, and two additional 2014 trafficking convictions were still pending appeal, compared with three total convictions in 2013. For the first time, the government used Section 262(a) to convict two traffickers; the case was pending appeal at the close of the reporting period. Sentences for the convicted traffickers ranged from 18 months to 36 months' imprisonment. Authorities reported extensive cooperation with foreign law enforcement counterparts in achieving the convictions secured in 2014. Although a 2013 amendment to the Aliens Act allowed authorities to request trafficking victims without legal status in Denmark be provided with temporary residency to assist law enforcement and testify

in a trial, authorities did not use this provision in 2013 or 2014. Country experts reported few trafficking cases are brought to trial in Denmark because of the lack of incentives for victims to participate in the investigation of their traffickers. Police receive instruction on trafficking at the police academy and again during their first year on the job. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government continued strong efforts to identify victims and fund care providers, but victim protection efforts were impeded by an overemphasis on foreign trafficking victims' illegal presence and repatriation. The government did not implement efforts to provide alternatives to victims' removal, resulting in few protections for victims who faced harm and retribution in their countries of origin. While the government reported asylum or humanitarian residence permits could be used as alternatives to removal for victims who lacked legal status in Denmark, trafficking victims could not qualify for these provisions or receive these protections solely on the basis of being subjected to trafficking crimes in Denmark. The government required victims to prove they were persecuted in their home countries on the basis of Refugee Convention grounds. In 2014, the government approved two asylum applications out of the 22 trafficking victims who applied; authorities granted two victims asylum in 2013.

The government continued to offer trafficking victims a 120-day "extended time limit for departure" as part of its prepared return program for trafficking victims ordered to leave Denmark; the prepared return gave victims a specified period of time to receive services before their eventual deportation. Regional anti-trafficking experts, including the Council of Europe, emphasized this period does not refer to a period of reflection and recovery necessary to determine whether or not victims will cooperate in the investigation of their cases; rather it is a period of time the victims have to cooperate in their repatriation. In 2014, eight of the 71 identified trafficking victims accepted a prepared return, compared with 11 in 2013. Few victims agreed to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims' debt bondage to their traffickers served as a significant deterrent from accepting the prepared return.

In 2014, the government identified 71 victims, compared with 76 in 2013. These victims included six victims of forced labor and six children. Police referred 48 victims to care. Nine asylum seekers were identified as trafficking victims and referred to care. Authorities did not officially identify any Danish victims in 2014, though authorities reported having done so in the past and acknowledged other cases may have gone undetected. When police suspected they had a victim in custody, they could call government anti-trafficking experts to join the police questioning and explain the victim's rights. However, one observer reported police officers' *de facto* standard procedure when encountering cases of prostitution was to check individuals' immigration documents and deport those that had entered Denmark illegally, regardless of whether officers had detected indicators of trafficking. NGOs noted the onus of victim identification remained on trafficking victims, particularly if the identification efforts occurred in detention settings during Denmark's 72-hour limitation for charging an individual with a crime. The government funded NGOs to provide victim care services, including medical, psychological, and legal assistance.

Victims could apply for compensation through a state fund and through a civil suit against their traffickers; however, no victim pursued these in 2014.

## PREVENTION

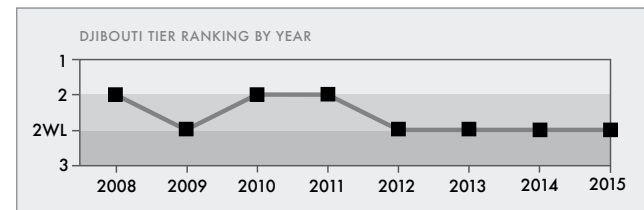
The government sustained efforts to prevent trafficking. Authorities developed a 2015 to 2018 national action plan with input from NGOs; the plan was in the process of being approved at the close of the reporting period. The plan suggested allocating 7 million krone (\$1 million) for improving trust between victims and public officials. Authorities conducted a public information campaign aimed at increasing awareness of sex and labor trafficking and operated a hotline for trafficking cases. Authorities continued to train tax inspectors and labor inspectors on labor trafficking identification. The government did not take measures to reduce the demand for prostitution and forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## 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 90,000 men, women, and children from Ethiopia, Somalia, and Eritrea are estimated to have transited through Djibouti as voluntary and undocumented economic migrants *en route* to Yemen and other locations in the Middle East; experts reported an increase of children, younger than in previous years, migrating through Djibouti. An unknown number of these migrants are subjected to 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 fall victim to domestic servitude or sex trafficking in Djibouti City, the Ethiopia-Djibouti trucking corridor, or Obock, the preferred departure point for Yemen. Some migrants intending to be smuggled may be moved or detained against their will and endure beatings and abuse within Djibouti. Smuggling networks, including Djiboutians and Djiboutian residents, may charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom—increasing their vulnerability to trafficking and debt bondage; reports indicate some migrant women were subjected to domestic servitude and forced prostitution in Djibouti to pay these ransoms. In addition, ransoms are, at times, paid by traffickers based in Yemen or Saudi Arabia, who reportedly intend to exploit migrants or sell women into prostitution or domestic servitude upon their arrival there. Some of Djibouti's older street children reportedly act as pimps of younger children. Street children—including those from Djibouti, Ethiopia, and Somalia—are sometimes forced by their parents or other adult relatives to beg as a source of family income; children may also be 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. The government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Djibouti is placed on Tier

2 Watch List for a fourth consecutive year. Djibouti 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 it has committed to devoting sufficient resources to implement that plan. During the year, the government demonstrated continued interest in combating trafficking—most evident in the government's completion of an extended national action plan through 2020. The government continued its partnership with IOM, which included joint trainings of officials and the publication of awareness-raising materials in 2014. The government identified three trafficking victims in 2014 and maintained its provision of basic healthcare to undocumented migrants, but remained limited in its ability to recognize or identify and protect migrants who were victims of human trafficking in Djibouti in part because of resource constraints. The government punished the one trafficker convicted in 2014 with a suspended sentence—an inadequate deterrent to trafficking crimes—and failed to investigate or initiate prosecutions for any sex trafficking crimes during the year.



## RECOMMENDATIONS FOR DJIBOUTI:

Implement the national action plan; when implementing anti-trafficking laws, identifying victims, and combating trafficking generally, use 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; work with judges, prosecutors, and police to clarify the difference between cases of human trafficking and alien smuggling; enforce the anti-trafficking laws 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 law enforcement efforts to address human trafficking crimes. Djibouti's Law 210, Regarding the Fight Against Human Trafficking, enacted in December 2007, prohibits both forced labor and sex trafficking but does not adequately distinguish between human trafficking and alien smuggling. It 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. Law 111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, increased penalties to 10 years' imprisonment for human trafficking crimes and adequately defines the crime in line with international law.

The government reported its conviction of one trafficker in 2014. In this case, the courts convicted a woman of trafficking in persons and aiding illegal migrants under Law 210 for aiding three non-Djiboutian women across the border into Djibouti, where she held the women against their will, forced them into jobs, and withheld their wages. The trafficker received a 24-month suspended sentence and served no time in prison, an ineffective deterrent to trafficking crimes. A judge ordered the trafficker to repay the wages she withheld from each victim. The government did not investigate or initiate prosecutions of other forced labor cases or any sex trafficking offenses during the reporting period. The labor inspectorate did not investigate any child labor infractions or refer any cases to law enforcement authorities in 2014. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government did not provide anti-trafficking training to law enforcement personnel during the reporting period. In March 2015, the prime minister hosted a technical meeting to increase international cooperation on trafficking issues; senior Djiboutian officials and those from Ethiopia, Somalia, Tanzania, Uganda, Kenya, Australia, India, and Sri Lanka participated in the meeting.

## PROTECTION

Government efforts to protect victims of trafficking remained inadequate; it identified three adult female trafficking victims associated with the case who were prosecuted during the reporting period. While efforts to encourage victims to participate in the prosecution of their traffickers remained lacking in 2014, the judge overseeing the one trial heard during the year assured victims they would not be deported or harmed and provided them modest support. However, the government did not provide shelter, medical care, or counseling to these or any other victims of trafficking in 2014. It lacked a formal system to proactively identify victims of trafficking among high-risk populations, such as undocumented immigrants and persons in prostitution. Official round-ups, detentions, and deportations of non-Djiboutian residents, including children, remained routine. Among undocumented foreigners, the government focused on identifying their country of origin and deporting them; it did not consistently screen this population for trafficking victimization. However, the *gendarmes* reportedly increased coordination with an international organization to transfer voluntary economic migrants, including potential victims of trafficking, to either medical facilities or the Migrant Response Center, as needed. The government provided funding for local Djiboutian NGOs, which operated counseling centers and other programs that may have assisted trafficking victims. The government detained street children, including potential trafficking victims, following sweeps to clear the streets in advance of holidays or national events; after detention, if identified as Ethiopian or Somali, immigration officials transported the children to Ali Sabieh, near the Ethiopian border, and abandoned them there, leaving them vulnerable to potential re-trafficking. At the same time, in partnership with an international organization, the government provided training to senior officials on protection approaches for vulnerable and trafficked migrant children traveling through the country and larger Gulf of Aden. Although 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. The Ministry of the Interior, the agency responsible for protection of refugees, and the Ethiopian embassy collaborated on the voluntary return of 600 Ethiopians from Djibouti in 2014, some of whom may have been trafficking victims.

## PREVENTION

Although the government updated and extended its national action plan through 2020, tangible efforts to prevent trafficking were minimal overall. In coordination with the government, an international organization distributed awareness-raising materials—targeting prospective migrants and those in transit—which covered the differences between trafficking and smuggling, the dangers of irregular migration, and provided phone numbers for emergency services in Djibouti. The anti-trafficking working group led by the Ministry of Justice continued to lead anti-trafficking efforts during the year; however, the lack of ministerial coordination across the government to combat this crime continued to be a concern. The government reportedly arrested clients of women in prostitution, but did not take any other known measures to reduce the demand for commercial sex acts or make efforts to minimize the demand for forced labor. It provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## 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. Large numbers of Dominican women and children are subjected to sex trafficking throughout the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Commercial sexual exploitation of local children by foreign tourists and locals persists, particularly in coastal resort areas of the Dominican Republic. NGO research indicates sex trafficking of 15- to 17-year-old girls occurs in the street, parks, and on beaches. Traffickers lure Dominican and foreign women to work in night clubs in the Middle East, the Caribbean, and Latin America and subject them to sex trafficking. Dominican officials and NGOs have documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving of illicit narcotics. There are reports of forced labor of adults in construction, agricultural, and service sectors. Vulnerable populations include working children and street children, migrant workers, and undocumented or stateless persons of Haitian descent. NGOs and people in prostitution report police complicity and abuse of people in prostitution, including in areas known for child sex trafficking.

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. The government prosecuted an increased number of labor and sex trafficking defendants and punished offenders with imprisonment. The

government referred more victims to care in 2014 and sustained efforts aimed at preventing human trafficking. The government, however, continued to lack trafficking-specific victim assistance. The government began implementing a naturalization law that provides a path to citizenship for persons affected by the 2013 Constitutional Tribunal ruling, but a sizeable group may be left without legal status, increasing their vulnerability to trafficking. The government reported no new investigations, prosecutions, or convictions of officials complicit in trafficking.



## RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC:

Vigorously prosecute trafficking offenses and convict and punish offenders involved in forced labor and sex trafficking, especially complicit government employees; continue robust victim identification efforts by working with NGOs to guide labor officials in how to identify trafficking victims (especially adult and child victims in the sex trade and in the agriculture and construction sectors) and refer them to available services; adequately fund specialized services for adult and child trafficking victims; work with NGOs to provide adequate shelter and services to adult and child victims; screen those affected by new migration policies for trafficking indicators and assist identified victims; and implement a forced labor and sex trafficking awareness campaign in Spanish and Creole.

## PROSECUTION

The government sustained law enforcement efforts by investigating, prosecuting, and convicting traffickers; however, official complicity remained a serious concern. 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. In 2014, the government initiated investigations of 28 new trafficking cases and prosecuted 32 alleged traffickers. Prosecutions involving 25 defendants in ongoing cases for forced labor, sex trafficking, forced begging, and practices analogous to slavery continued. In 2013, the government initiated 29 investigations and 36 prosecutions of 69 defendants. The government convicted a total of 10 traffickers in seven cases: two traffickers on forced begging charges with sentences of two years' imprisonment; six sex traffickers with sentences ranging from two to 30 years' imprisonment; two labor traffickers with sentences ranging from three to five years' imprisonment; and two traffickers for forced begging with sentences of two years' imprisonment. This is an increase from nine traffickers convicted in 2013.

The attorney general's human trafficking office provided technical assistance to prosecutors in the effective protection of victims and witnesses. Nonetheless, police failed to recognize potential child sex trafficking victims and, in some cases, physically and sexually abused child victims during law enforcement operations. The government reported a police officer was in pre-trial detention at the end

of the reporting period while awaiting trial for participating in a sex trafficking ring that involved child victims. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government cooperated with governments in South America on investigations of transnational trafficking cases. Government officials provided training for judges, prosecutors, police officers, immigration officers, and military personnel on the fundamentals of human trafficking, investigating cases, and interviewing witnesses.

## PROTECTION

The government increased victim protection efforts. Authorities identified 99 trafficking victims including 63 sex trafficking victims, one forced labor victim, 29 forced begging victims, two victims of forced criminality, and three victims where the purpose of exploitation was unclear. Eighty-three victims were Dominican and 16 were foreign nationals, 73 were female and 26 male, and 81 were children and 18 adults. This is an increase from the 60 victims identified in 2013. The government issued two new government-wide protocols, one for adults and one for youth and children, aimed at helping officials identify victims and refer them to government trafficking specialists. The government reported referring 52 victims to care facilities for assistance compared with 12 victims in 2013; it was unclear why the other 47 identified victims were not referred for services. NGOs noted that although the government provided some assistance to victims, it did so in an *ad hoc* manner and funding for victim assistance, as well as security and staffing in shelters, was inadequate. The government provided limited legal services and psychological assistance to victims while donor-funded international organizations, faith-based groups, and NGOs provided more comprehensive services and temporary accommodation in general shelters for crime victims. The government's national council for children, with a budget of 6.8 million Dominican pesos (RD) (\$155,000), operated eight shelters for abused children that could provide care to trafficking victims; these shelters assisted 95 victims in 2014. The anti-trafficking law contains victim protection provisions, including restitution; one labor trafficking victim obtained restitution of RD 883,000 (\$20,000).

The government lacked a formal policy and resources to encourage victims' participation in the investigation and prosecution of traffickers, but provided housing, immigration relief, and accompaniment to court to at least five victims. Government policy provided temporary residency for foreign victims. Authorities granted a one-year visa to a foreign labor trafficking victim; it was not clear if the other 15 foreign victims were offered this option. The president issued a new plan, active until June 15, 2015, that gives undocumented migrants the opportunity to obtain legal status in the country. As of March 2015, an estimated 170,000 migrants had applied, but only 230 had received legal status. Concurrently, international observers, including the Inter-American Court of Human Rights, stated that a 2013 Constitutional Tribunal ruling denying Dominican nationality to anyone born to undocumented foreign nationals violated the human rights of persons born in the Dominican Republic to undocumented migrant parents, which effectively rendered thousands of Dominicans of Haitian descent at risk of statelessness and subject to deportation. These conditions made them vulnerable to exploitation in forced labor and sex trafficking. Authorities, in coordination with NGOs, facilitated repatriation of at least 29 foreign trafficking victims to Asia, the Caribbean, Europe, the Middle East, and South America. While there were no official reports of victims being punished for unlawful acts committed as a direct result of being subjected to trafficking,

undocumented Haitian victims faced the risk of deportation and other penalties resulting from their irregular immigration status.

## PREVENTION

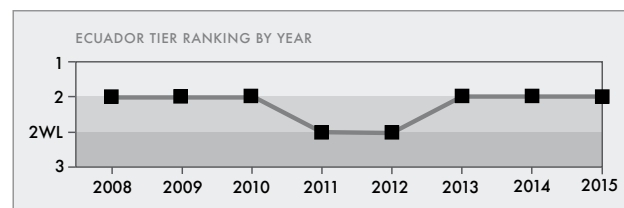
The government sustained prevention efforts. Officials continued to implement the 2009-2014 national anti-trafficking action plan, held a workshop to evaluate progress, and begin drafting an updated plan. NGOs reported uncoordinated and underfunded implementation of the existing plan. In partnership with and with funding from an international organization, the government initiated a baseline study of the judicial system's handling of child sex trafficking cases. The government did not have a nationwide anti-trafficking awareness campaign, but continued its campaign to educate Dominican nationals living abroad about trafficking by distributing brochures. The government operated a national hotline and received 232 reports of human trafficking cases and gender-based violence in 2014. Dominican officials exchanged information with foreign counterparts to assist in holding fraudulent labor recruiters accountable, including an individual apprehended upon arrival from Trinidad and Tobago. The government provided anti-trafficking training for its diplomatic personnel. Dominican officials, in coordination with international organizations, NGOs, and business associations, continued to engage in efforts to address commercial sex tourism. The government investigated, prosecuted, and sustained convictions in sex tourism cases; however the exact numbers were not known as the government did not provide data disaggregating cases of sex tourism from other sexual exploitation cases.

## ECUADOR: Tier 2

Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Ecuadorian men, women, and children are exploited in sex trafficking within the country, as well as in domestic servitude, forced begging, and forced labor, primarily in agriculture, as well as in the informal sector. In some regions, local gangs are involved in sex trafficking. Indigenous and Afro-Ecuadorians, as well as Colombian refugees and migrants, are particularly vulnerable to human trafficking. Traffickers recruit children from impoverished indigenous families under false promises of employment; these children are forced to beg or to work as domestic servants, in sweatshops, or as street and commercial vendors within Ecuador or in other South American countries. Ecuadorian children are subjected to forced labor in criminal activity, such as drug trafficking and robbery. An illegal armed group reportedly has attempted to recruit Ecuadorian children along the northern border with Colombia. Ecuadorian women and children are exploited in forced labor and sex trafficking abroad, including in other South American countries, the United States, and Europe. Ecuador is a destination for Colombian, Peruvian, Paraguayan, and Cuban women and girls exploited in sex trafficking, domestic servitude, and forced begging. Ecuadorian citizens may be vulnerable to forced labor on palm oil plantations. In 2014, U.S. officials arrested a U.S. citizen for attempting to facilitate child sex tourism in Ecuador. Corrupt Ecuadorian officials allegedly alerted traffickers prior to some law enforcement operations and ignored sex trafficking in commercial sex sites, and some local authorities issued falsified business licenses to brothels.

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. Authorities maintained efforts to convict traffickers and continued to provide funding for food and emergency services for trafficking victims and shelter for girl trafficking victims. Average sentences for traffickers increased. Specialized services were unavailable in most of the country for female and male victims. Identification of potential victims significantly decreased. Official complicity in trafficking remained a challenge. Authorities' failure to finalize a new anti-trafficking plan meant government agencies did not have adequate resources to implement anti-trafficking efforts.



## RECOMMENDATIONS FOR ECUADOR:

Strengthen the provision of specialized care services for trafficking victims, including for adults, in partnership with civil society organizations through increased funding; amend anti-trafficking statutes so they do not penalize non-trafficking crimes in order to bring them in to compliance with the 2000 UN TIP Protocol; increase efforts to investigate and prosecute trafficking offenses and convict and punish traffickers, particularly for cases involving adult trafficking victims; hold criminally accountable public officials complicit in trafficking; develop and implement procedures for identifying trafficking victims among vulnerable populations, such as children and adults in prostitution or child and migrant workers; implement procedures to ensure identified victims are referred to care services; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; issue and implement guidelines to ensure officials consistently offer foreign victims legal alternatives to removal; and enhance data collection and interagency coordination.

## PROSECUTION

The government maintained law enforcement efforts. In August 2014, a new criminal code came into effect that increases the penalties for trafficking crimes and penalizes a range of activities it defines as exploitation, including those prohibited in the 2000 UN TIP Protocol; however, it is overly broad and includes as exploitation all child labor, illegal adoption, and begging. Article 91, entitled "trafficking", defines the crime by reference to acts undertaken for exploitation—broadly defined to include not only sex and labor trafficking, but also illegal adoption; the sale of tissues, fluids, and genetic materials of living persons; and all child labor. Penalties under this article range from 13 to 16 years' imprisonment. The new code also separately penalizes forced prostitution (Article 101), as well as forced labor and other forms of exploitative labor (Article 105), including all labor of children younger than 15 years of age. Penalties under Article 101 are 13 to 16 years' imprisonment, while penalties for forced labor under Article 105 are 10 to 13 years' imprisonment—less than the penalties for forced labor under Article 91. The new criminal code allows for enhanced law enforcement investigation techniques for human trafficking, such as undercover investigations and wire-tapping. The penalties



for trafficking crimes under the new penal code are sufficiently stringent. The previous penal code prescribed punishments of six to nine years' imprisonment for labor trafficking and eight to 12 years' imprisonment for sex trafficking.

Data collection on anti-trafficking law enforcement efforts was uneven. The anti-trafficking and human smuggling police unit reported conducting 19 anti-trafficking operations in 2014, while police dealing with crimes against children conducted 84 operations against child sexual exploitation in clubs and brothels involving 56 children. Prosecutors did not report the number of prosecutions begun in 2014, due to their privacy concerns based on interpretations of Ecuadorian law. In 2013, police referred 145 possible trafficking cases to prosecutors, and authorities initiated prosecutions of 95 alleged traffickers. Authorities convicted 20 traffickers in 2014; at least four convictions were for labor trafficking. Sentences ranged from four to 16 years' imprisonment. This compares with 14 sex traffickers and five labor traffickers convicted in 2013. The anti-trafficking and human smuggling police unit in Quito focused on cases involving adult victims, while police units for crimes against children investigated cases of child trafficking, sometimes in coordination with specialized anti-trafficking police. The national organized crime prosecutorial unit in Quito handled trafficking cases in partnership with local prosecutors across the country. Limited resources, limited presence in parts of the country, inadequate victim services, bureaucratic delays, and the frequent rotation of specialized police hampered the effectiveness of police and prosecutors. Some officials, particularly judges, demonstrated a lack of knowledge about human trafficking, particularly forced labor. Authorities initiated the prosecution of a police officer for sex trafficking, but reported no convictions of complicit officials in 2014. The government reported no progress on the 2013 prosecution of two active and two former police officers for their involvement in sex trafficking or on the 2012 investigation of a judge for trafficking-related complicity. Authorities provided some anti-trafficking training to police, prosecutors, and other officials, though most specialized training was conducted by an international organization with foreign donor funding. Authorities provided mandatory training on trafficking as part of basic training for judicial police. The government undertook joint trafficking investigations with U.S., Colombian, and Peruvian officials.

## PROTECTION

Government efforts to protect trafficking victims remained weak. While the authorities did not report the total number of potential victims identified in 2014, the victim and witness protection program for individuals participating in penal processes (SPAVT) supported 66 victims of trafficking; most were sex trafficking victims. This is a significant decrease from 2013, when police reported identifying 450 potential trafficking victims. Authorities removed 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. Officials reported difficulty in accessing areas where forced labor possibly occurs, particularly in agriculture. Victim referrals from many officials were often *ad hoc*.

Services for trafficking victims remained limited. SPAVT assisted 66 trafficking victims and six dependents in 2014, providing 45 percent with food and emergency shelter, 31 percent with referrals to temporary shelter with NGOs, and 74 percent with referrals to government entities for general health and education services. This program spent approximately \$156,000 on food

and lodging for these victims and their dependents between January and September 2014. The Ministry of Economic and Social Inclusion operated one shelter for girls in commercial sexual exploitation but did not report how many victims it assisted in 2014. Authorities provided an undisclosed amount of funding to NGOs caring for child victims of sex and labor trafficking. One shelter for child victims of labor trafficking and other abuse reported receiving approximately 60 percent of its funds from the government, while another NGO received irregular funding from SPAVT for food and accommodation for 25 girl victims of sexual and labor exploitation. In some parts of the country, there were no facilities to house rescued victims. The national government funded no specialized services for adult trafficking victims in 2014 and provided few psycho-social, reintegration, or legal services. Officials assisted in the repatriation of eight Ecuadorian child trafficking victims. Authorities issued a resolution in 2014, granting trafficking victims up to 30 days of reflection to allow them to receive SPAVT protection while deciding if they want to participate in the penal process against their traffickers. Many victims chose not to participate in investigations due to fear of threats, inadequate protections in the witness protection program, or lack of faith in the judicial system. The new penal code states victims are not punishable for the commission of offenses that are the direct result of being subjected to human trafficking. NGOs reported some potential victims may have been deported without being screened for trafficking indicators. Some officials did not respect the confidentiality of trafficking victims and released personal information to the public. There were no specific legal alternatives for foreign victims facing removal to countries in which victims would face hardship or retribution. Authorities reported they could grant temporary or permanent residency to foreign victims, but did not report how many foreign victims received residency in 2014. NGOs reported some eligible victims were not granted residency, and some foreign victims with irregular migratory statuses had difficulties accessing government-provided services.

## PREVENTION

The government sustained prevention efforts. The Ministry of the Interior anti-trafficking sub-directorate coordinated anti-trafficking efforts, although civil society organizations continued to note a lack of coordination between government actors. The government did not finalize a new anti-trafficking action plan, resulting in inadequate funding to conduct anti-trafficking efforts. Authorities conducted awareness campaigns. A provincial government provided some funding to an NGO to conduct prevention activities. The new penal code prohibits sex tourism, but there were no reports of investigations, prosecutions, or convictions of child sex tourists in 2014. The government took actions to reduce the demand for commercial sex acts involving children, including in tourist areas, but did not report efforts targeting the demand for forced labor. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## EGYPT: Tier 2 Watch List

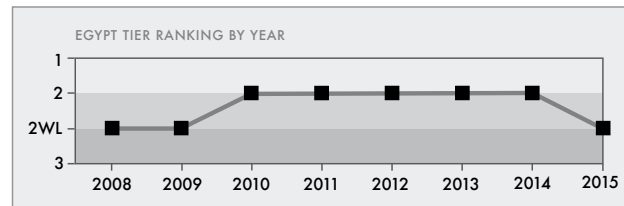
Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children, including those among the estimated 200,000 to one million street children, are vulnerable to sex trafficking and forced labor in domestic service, begging, and agricultural work. Individuals from the Gulf, including Saudi Arabia, the United Arab Emirates,

and Kuwait, purchase Egyptian women and girls for “temporary” or “summer” marriages for the purpose of prostitution or forced labor; these arrangements are often facilitated by the victims’ parents and marriage brokers, who profit from the transaction. Child sex tourism occurs primarily in Cairo, Alexandria, and Luxor. In 2011, the government’s National Center for Social and Criminological Research found 40 percent of women in jail charged with crimes of prostitution had been forced or coerced into prostitution. An international organization reported in 2013 some Egyptian women were subjected to sex trafficking in Sri Lanka. Egyptian men are subjected to forced labor in construction, agriculture, and low-paying service jobs in neighboring countries. Syrian refugees who have settled in Egypt are increasingly vulnerable to trafficking.

Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Indonesians make up the largest number of foreign domestic workers in Egypt, though there has been an observed increase in Sri Lankan domestic workers. Employers use some domestic workers’ lack of legal status and employment contracts to threaten arrest and abuse if they escape or complain of poor conditions. Women and girls, including refugees and migrants, from Asia, sub-Saharan Africa, and the Middle East endure sex trafficking in Egypt. From 2011 to 2013, instances of human trafficking, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups; many of these migrants were forced into sexual servitude or forced labor during their captivity in the Sinai. However, since mid-2013, international organizations observed the flow of these migrants into the Sinai nearly ceased, due in part to an aggressive Egyptian military campaign. Anecdotal reports suggest these criminal groups have relocated from the Sinai to Egypt’s western border with Libya; these migrants remain vulnerable to the same abuses inflicted upon them in the Sinai, including trafficking.

The Government of Egypt 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 overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Egypt is placed on Tier 2 Watch List. For the first time, the government conducted a nationwide data call to district courts to gather information on trafficking cases from the last five years to properly allocate training and prioritize trafficking efforts. In addition, the national anti-trafficking hotline call center was operational and its services were expanded. The Egyptian president also publicly acknowledged the vulnerability of Egyptian street children to trafficking and announced the allocation of approximately 100 million Egyptian pounds (\$14 million) to address this issue. However, the government did not adequately address the needs of foreign trafficking victims and focused primarily on Egyptian victims. Moreover, it did not provide some shelter services to foreign trafficking victims in 2014. Though the government continued to partner with NGOs and international organizations to identify and refer victims to protective services, it identified a smaller number of trafficking victims in 2014, continuing the decrease from the previous reporting period. Reports indicated many officials—particularly those outside of city centers—failed to systematically identify victims among vulnerable groups, and the government had no procedures to do so. As a result, victims were routinely treated as criminals and punished for unlawful acts committed as a direct result of being subjected to human trafficking. The government prosecuted some traffickers in 2014

but failed to convict any offenders for a second consecutive year; many trafficking cases were settled out of court, failing to adequately punish offenders or serve as a sufficient deterrent to the commission of trafficking crimes.



## RECOMMENDATIONS FOR EGYPT:

Significantly increase prosecutions and convictions of all forms of trafficking, and adequately punish offenders; continue to use the national victim referral mechanism to systematically identify and assist trafficking victims among vulnerable groups, including those arrested for prostitution, street children, and foreign migrants; ensure identified trafficking victims 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 foreign and domestic trafficking victims; encourage trafficking victims to assist in investigations and prosecutions against their traffickers; increase training for all government officials on the anti-trafficking law and victim identification and referral procedures; implement nationwide awareness campaigns; and provide adequate legal protections for domestic workers.

## PROSECUTION

The government made limited progress in anti-trafficking law enforcement efforts. Egypt prohibits all forms of human trafficking through its 2010 anti-trafficking law, which prescribes penalties from three to 15 years’ imprisonment and fines. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Child Law includes provisions prohibiting sex trafficking and forced labor of children and prescribes sentences of at least five years’ imprisonment, which also are sufficiently stringent and commensurate with those prescribed for other serious crimes. Articles 80 and 89 of Egypt’s constitution include provisions prohibiting and criminalizing sex trafficking, compulsory exploitation, and forced labor. For the first time, in 2014, the government conducted a nationwide data call to district courts to gather information on trafficking cases from the last five years. The government reported it conducted 27 potential trafficking investigations, and an international organization reported the government initiated 15 prosecutions under the anti-trafficking law in 2014; however, the government did not provide the details of these cases. The government did not convict any trafficking offenders in 2014. Though prosecutions increased from 2013, the lack of convictions remained a concern. Law enforcement officers lacked understanding of the anti-trafficking law and investigation techniques, while trafficking cases were oftentimes settled out of court, failing to adequately punish trafficking offenders for their crimes. In 2014, the government incorporated anti-trafficking training in *curricula* for newly appointed prosecutors, and—in coordination with an international organization—it provided anti-trafficking trainings for over 1,000 judicial and law enforcement officials throughout 2014. The government did not report any investigations, prosecutions, or convictions of

government employees complicit in human trafficking offenses.

## PROTECTION

The government demonstrated decreased efforts to identify and protect trafficking victims, specifically refusing to provide some services to foreign victims. The government identified and assisted 68 victims in 2014, of which 44 were male and 22 were female, subjected to physical, mental, or sexual abuse. This represents a significant and ongoing decrease from the previous two reporting periods in which the government identified 173 victims in 2013 and 277 in 2012. Though the government continued to coordinate with NGOs to identify and refer victims to protection services, it did not adopt written procedures to guide officials in the proactive identification of trafficking victims among vulnerable populations, including domestic workers—who were not covered under labor laws—street children, foreign migrants, and women and girls in prostitution. The national victim referral mechanism, which included counseling and legal assistance to those who called the national anti-trafficking hotline, lacked clear standard operating procedures, and many officials failed to utilize the mechanism. Furthermore, police were reportedly reluctant to refer victims to shelter services. The lack of trafficking awareness among police, security, and judicial officials outside of urban areas contributed to the lack of victim identification and referral to protection services, as well as punishment of victims for unlawful acts committed as a direct result of being subjected to human trafficking. As in the previous reporting period, authorities often treated unidentified trafficking victims as criminals, prosecuting them on charges of prostitution, robbery, or immigration violations. However, unlike in the previous reporting period, as of early 2015, the government was not holding any African migrants in Egyptian detention centers in the Sinai. In addition, in September 2014, Egyptian authorities identified four Nigerian females as trafficking victims after they had been initially arrested and properly referred them to shelter services.

The government's provision of protection services to foreign victims, including shelter, declined. International organizations observed a decrease in the attention authorities paid to appropriately assisting foreign trafficking victims; in some instances, authorities refused provision of shelter services to foreign victims. The government jointly operated a shelter with an international organization, which was designated for female and child trafficking victims and offered medical, psychological, legal, vocational, and repatriation assistance. Despite this, the international organization reported the shelter's quality of care for foreign victims was so poor it temporarily shut down parts of the shelter twice in 2014 and victims were inadequately housed in the remaining space of the shelter. The shelter reportedly assisted 19 trafficking victims, 16 of whom were foreign and three children. The Ministry of Health, with international assistance, operated a medical recovery unit for foreign and domestic, male and female trafficking victims at a Cairo hospital; however, the government did not report its use of this unit to assist any victims in 2014, a significant decrease from the 68 victims it assisted in 2013.

Though the government relied on international organizations and civil society to fund victim assistance, it did not—in turn—provide financial assistance or support to these organizations, presenting an obstacle in their ability to offer continued provision of protective services to trafficking victims. In the absence of adequate protection services, some victims sought refuge at their respective embassies. The government rarely granted temporary residency to foreign trafficking victims and expected victims to request this option

on their own without providing them adequate guidance on the procedures to do so. The government assisted in the repatriation of nine trafficking victims, yet the victims were required to pay exit fees during the repatriation proceedings; the government failed to provide relief from such penalties. Some foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution.

## PREVENTION

The government made uneven efforts to prevent human trafficking. In February 2015, President Abdel Fattah Al-Sisi publicly acknowledged the growing problem of street children and announced the allocation of approximately 100 million Egyptian pounds (\$14 million) to combat the issue; however, it was unclear to relevant ministries how this funding was to be allocated for anti-trafficking measures. The government continued to implement its national anti-trafficking action plan. Under this plan, the government partnered with an international organization to improve data collection and combat trafficking among street children and domestic workers. In 2014, the government conducted a series of research studies on trafficking in Egypt and held online awareness campaigns, yet these campaigns only reached a small portion of Egyptian society. The government operated and fully-staffed a telephone hotline to report trafficking abuses, which reportedly was responsible for referring an unknown number of trafficking victims in 2014. The government also expanded the hotline in 2014 to include on-call counselors and an online referral team. The government proposed the establishment of a database to collect trafficking data and cases, but it was not implemented by the end of the reporting period. The government did not report if the Ministry of Manpower and Migration inspectors, trained to investigate employers suspected of child labor or trafficking crimes, identified any trafficking cases during routine inspections in 2014. The government did not make efforts to reduce the demand for commercial sex acts or forced labor; and it did not raise awareness of the problem of child sex tourism. The government offered anti-trafficking training for Egyptian troops before deploying them on international peacekeeping missions. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## EL SALVADOR: Tier 2

El Salvador is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Women, men, and children, including LGBT persons, are exploited in sex trafficking within the country. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture and domestic service. Some men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—are subjected to sex trafficking, domestic servitude, or forced labor in construction or the informal sector. Gangs subject children to forced labor in illicit activities, including selling or transporting drugs. Salvadoran men, women, and children are subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Media and government officials report organized criminal groups, including transnational criminal organizations, are involved in trafficking crimes. Some Salvadorans who irregularly migrate to the United States are subjected to forced labor, forced criminal activity, or sex trafficking *en route* or upon arrival. Some Latin American migrants transiting El Salvador *en route* to Guatemala and North America are subsequently exploited in



sex or labor trafficking. Corruption, particularly among the judiciary, remained a significant obstacle to law enforcement efforts. In 2014, media reported several public officials—including legislators, political party officials, and a mayor—purchased commercial sex acts from trafficking victims. Prison guards and justice officials have been investigated for trafficking-related complicity.

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. Authorities continued to investigate and prosecute child sex trafficking crimes and provide services to some girls subjected to sex trafficking. The government enacted new legislation that increased penalties for human trafficking offenses and codified an institutional framework for addressing these crimes; however, its definition of human trafficking is inconsistent with international law. Victim services for adults, boys, and LGBT victims were inadequate. Efforts to investigate labor crimes remained weak. The government's failure to conduct a thorough, transparent investigation into allegations that government officials facilitated trafficking in 2014, or to initiate prosecutions following such investigations in previous years, undermined overall efforts to combat trafficking.



## RECOMMENDATIONS FOR EL SALVADOR:

Provide comprehensive protection services for all trafficking victims, including adults and boys, and increase funding for specialized services; strengthen efforts to proactively investigate and prosecute trafficking offenses, and to convict and sentence traffickers, especially for forced labor; conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and sentence complicit officials; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; implement procedures for the proactive identification of victims among vulnerable groups, including children apprehended for illicit gang-related activities and irregular migrants returning to El Salvador; enforce laws punishing local brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment or excessive fees for migration or job placement; continue and increase training for public officials on victim identification and assistance; and strengthen anti-trafficking coordination between different government entities and with civil society organizations, particularly outside the capital.

## PROSECUTION

The government continued law enforcement efforts to combat child sex trafficking, but made inadequate efforts to address forced labor; authorities have never prosecuted a labor trafficker. In October 2014, the legislature passed the Special Law Against Trafficking in Persons, which took effect in January 2015. This law replaced Article 367B of the penal code and increased prescribed penalties for human trafficking crimes from four to eight years' imprisonment to 10 to 14 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed

for other serious offenses, such as rape. Though it prohibits all forms of human trafficking, the law includes a definition of trafficking that is inconsistent with international law, as it treats force, fraud, and coercion as aggravating factors, rather than essential elements of most trafficking crimes. The government used Article 367B of the penal code to prosecute all cases in 2014. Despite evidence of force or coercion used by gangs to compel children to engage in illicit activities, authorities failed to investigate or prosecute any such crimes as human trafficking.

Data collection remained a challenge. The government almost exclusively investigated and prosecuted child sex trafficking crimes. In 2014, officials opened 53 investigations, but did not report how many, if any, involved labor trafficking. Authorities prosecuted and convicted seven sex traffickers, a decrease from at least 14 suspects prosecuted and 12 offenders convicted in 2013. Offenders convicted in 2014 received sentences ranging from eight to 63 years' imprisonment. Some officials, particularly judges, demonstrated a limited understanding of human trafficking, which impeded efforts to hold traffickers accountable. During the year, the government provided several trainings to police, prosecutors, and judges on investigating trafficking crimes, assisting victims, and ensuring their access to justice. Salvadoran officials provided training to Panamanian officials on strengthening anti-trafficking responses. Authorities cooperated on trafficking investigations with officials from INTERPOL, Guatemala, Honduras, Nicaragua, Mexico, and the United States.

There were media reports that several officials purchased commercial sex acts from trafficking victims. The government opened an investigation into the case, but closed it to public inquiry. Without additional transparency, the thoroughness of the investigation cannot be determined. The government reported investigating one suspected case of sex trafficking by a public official, but did not provide details. It did not report any developments in a 2012 case of three prison guards arrested for facilitating sex trafficking or a 2009 investigation of trafficking-related complicity by the former head of the prosecutorial anti-trafficking unit. Despite several reports and investigations initiated in previous reporting periods, in 2014, the government did not prosecute or convict any government employees complicit in human trafficking offenses.

## PROTECTION

The government maintained efforts to assist female child sex trafficking victims, but services remained inadequate overall. Immigration officials continued efforts to identify possible trafficking victims in border regions; however, the government did not typically employ procedures to proactively identify trafficking victims among vulnerable populations, such as adults in prostitution or migrant workers. In 2014, the government reported identifying 87 victims compared with 84 victims identified in 2013. Those identified included 76 female victims and 11 male victims; 68 victims were children and nine were adults, while the ages of 10 were unknown. Three were victims of forced labor and 10 were non-Salvadoran, all from neighboring countries. The government did not provide statistics on the number of LGBT victims, if any, identified.

Victim referral to services remained uneven, and it was unclear how many victims received specialized services. For example, the government offered no specialized services or shelter to boys, adults, or LGBT victims, and NGOs and officials reported a particular need for shelter, rehabilitation, and mental health services for these populations. The government shelter for female

child sex trafficking victims offered psychological and medical care to an unknown number of victims in 2014; as of early 2015, the shelter housed 13 victims—the maximum it could accommodate. Residents of the shelter were required to recount their trafficking experience multiple times to various government entities, highlighting a lack of interagency coordination and leading to re-victimization. Repatriated Salvadoran victims could be referred to services and the police. Authorities made efforts to screen for trafficking indicators among the Salvadorans returned from abroad; however, returnees were often reluctant to communicate with officials about their experiences, and therefore, many victims may have remained unidentified.

Although it reported using procedures to protect victims' identities in court, the government did not provide further witness protection to guard against reprisal from traffickers. In 2014, three convictions included civil compensation awards ranging from \$300 to \$15,000; however, victims had to work through the civil courts to receive payment, and it is unknown if they received any compensation. Identified trafficking victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. However, due to the lack of a formal mechanism to screen vulnerable populations, some unidentified victims may have been punished for such crimes. Furthermore, civil society organizations reported the government treated as criminals children forced to engage in illicit activity by criminal groups—rather than providing them protection as trafficking victims. There were no formal policies for providing alternatives to removal for foreign trafficking victims who may face hardship or retribution in their home countries.

## PREVENTION

The government maintained modest prevention efforts. The newly enacted law includes provisions to strengthen the anti-trafficking council and calls for the development of a national action plan. During the year, the council coordinated interagency efforts and continued to implement its existing national policy on trafficking, though government entities lacked adequate funding to fulfill their responsibilities and interagency cooperation remained weak. Government agencies used television, radio, and print media to warn the public against the dangers of trafficking, though these public messages typically focused only on the trafficking of women and girls. The government did not punish labor recruiters for illegal practices that contribute to trafficking or to enforce labor migration policies that could decrease migrants' vulnerability to exploitation abroad. With funding from a foreign donor, the government conducted training on the prevention of child sex tourism for businesses in the tourism sector. It did not report identifying, investigating, or prosecuting any cases of child sex tourism during the year. The government provided anti-trafficking training for its diplomatic personnel. Authorities did not report efforts to reduce the demand for commercial sex acts or forced labor.

## EQUATORIAL GUINEA: Tier 3

Equatorial Guinea is a source country for children subjected to sex trafficking and a destination country for men, women, and children subjected to forced labor. The majority of trafficking victims are exploited in the cities of Malabo, Bata, Mongomo, and Oyala, where burgeoning construction and economic activity funded by oil wealth have contributed to increases in the demand for cheap

labor and prostitution. Equatoguinean girls are exploited in the sex trade in these cities, and some parents may encourage their daughters to engage in prostitution, especially with foreigners, in exchange for groceries, gifts, housing, and money. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be forced to work as domestic servants, market laborers, ambulant vendors, and laundries. 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. Significant populations of 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 both male and female 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. General corruption and complicity by government officials in trafficking-related offenses were common during the reporting period.

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 did not make efforts to identify or protect trafficking victims, or prosecute traffickers, despite having a 2004 anti-trafficking law that prohibits all forms of trafficking and mandates provision of services to victims. The government continued to deport undocumented migrants without screening them to determine whether they were victims of trafficking or referring them to assistance services. The government failed to provide any training for government officials or undertake trafficking awareness campaigns, and its inter-ministerial anti-trafficking commission remained inactive. Given its substantial financial resources and its failure to demonstrate any significant improvement from the previous reporting period, the government remains Tier 3.



## 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, undocumented 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 social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; cease summary deportation of foreign men, women, and children without first screening them to determine if they are trafficking victims and, if appropriate, providing them with care and safe, voluntary repatriation; notify embassies when their nationals have been detained based on international law, agreements, and standards; revive and dedicate resources to the inter-ministerial anti-trafficking commission to facilitate its development and implementation of a

national action plan to combat trafficking in persons and research the extent and nature of the crime within the country; and launch a nationwide anti-trafficking public awareness campaign.

## PROSECUTION

The government did not make 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. The government did not maintain law enforcement statistics and did not report any investigations, prosecutions, or convictions of any suspected trafficking offenders in 2014. The government did not provide anti-trafficking training to law enforcement officials. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses during the reporting period; however, general corruption and official complicity in trafficking-related offenses were common during the reporting period.

## PROTECTION

The government did not make efforts to protect trafficking victims, failing to identify or refer any victims to protective services in 2014. Although the 2004 anti-trafficking law mandates the government provide legal assistance, psychological and medical care, lodging, food, access to education, training, and employment opportunities to trafficking victims, it provided no such services. Law enforcement authorities did not employ procedures to proactively identify trafficking victims or make efforts—in either a systematic or *ad hoc* way—to refer victims to organizations providing care. The absence of a proactive victim identification process, including procedures to screen deportees, impaired the government's ability to assist foreign trafficking victims and ensure they were not penalized for crimes committed as a direct result of being subjected to human trafficking. Rather, the government routinely 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. In many of these cases, police and border officials solicited bribes from the detainees and deported those who did not pay. 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 legal alternatives to their removal to countries where they might face retribution or hardship.

## PREVENTION

The government did not make efforts to prevent trafficking. It did not launch any anti-trafficking awareness campaigns for the general public, and the Inter-Ministerial Commission to Combat Trafficking in Persons remained inactive. The government did not implement any programs to address forced child labor or identify a single child labor victim, despite having approximately 13 labor inspectors dedicated to documenting labor infractions. It did not undertake any discernible measures to reduce the demand for commercial sex acts or forced labor during the year. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## ERITREA: Tier 3

Eritrea is a source country for men, women, and children subjected to forced labor. To a lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad. The government continues to be complicit in trafficking through the implementation of national policies and mandatory programs amounting to forced labor within the country; it has also increased citizens' vulnerability to trafficking abroad. Proclamation 82 of 1995 requires persons aged 18 to 40 years to perform compulsory active national service for a period of 18 months—six months of military training followed by 12 months of service in a government-run work unit, including the Eritrean Defense Forces. However, the 18-month timeframe is arbitrary and unenforced; many persons are not demobilized from government work units after their mandatory period of service and are forced to serve indefinitely under threats of detention, torture, or familial punishment. In 2012, the government instituted a compulsory citizen militia, requiring medically fit adults up to the age of 70 and not currently in the military to carry firearms and attend military training or participate in national development programs such as soil and water conservation projects. Working conditions are often harsh and sometimes involve physical abuse.

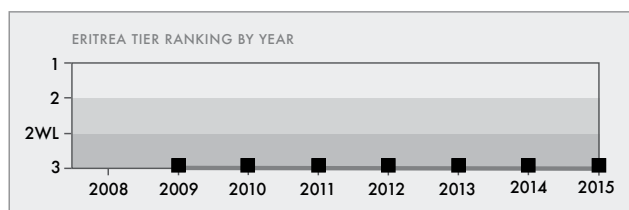
All 12th-grade students, including some younger than 18, are required to complete their final year of secondary education at the Sawa military and educational camp; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of jobs. Though government policy bans persons younger than 18 from military conscription, it was undetermined whether all persons compelled to enter Sawa had reached 18 years of age. Reports indicate male and female recruits at Sawa are beaten, and female recruits sexually abused and raped. The Ministry of Education continued *Maetot*, a national service program in which secondary-school children are assigned to work in public works projects including in the agricultural sector during their summer holidays. Some Eritrean children are subjected to forced labor, including forced begging. Some Eritrean women and girls are subjected to sex trafficking within the country.

Thousands of Eritreans continue to flee the country monthly to escape forced labor or governmental persecution, as well as to seek better economic opportunities. The government's strict exit control procedures and limited issuance of passports and exit visas effectively oblige those who wish to travel abroad to do so clandestinely, increasing their vulnerability to trafficking. Children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18. Some Eritrean women and girls travel to Saudi Arabia or other Gulf states for domestic work, but are subjected to sex trafficking upon arrival. Smaller numbers of Eritrean women and girls are subjected to sex trafficking in South Sudan, Sudan, and Israel; some Eritrean men are reportedly vulnerable to sex trafficking in Israel. International criminal groups kidnap vulnerable Eritreans living inside and near refugee camps, particularly in Sudan, and transport them to Egypt's Sinai Peninsula, and to a greater extent Libya, where they are subjected to human trafficking and related abuses, such as being forced to call family and friends abroad to pay ransom for release. Some migrants and refugees report being forced to work as cleaners or on construction sites during their captivity. Reports allege Eritrean diplomats, particularly those posted in Sudan, provide travel documents and legal services to Eritrean nationals in exchange



for bribes or inflated fees, potentially facilitating the trafficking of Eritrean nationals. Some Eritrean military and police officers are complicit in trafficking crimes along the border with Sudan.

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. It continued to subject its citizens to forced labor in compulsory national service, often for periods of indefinite duration, and its citizen militia. The government failed to investigate or prosecute any trafficking offenses and identify or protect any victims. It continued to arrest and detain unidentified victims for acts committed as a result of being subjected to trafficking or in the course of fleeing forced labor. Although the government continued to warn its citizens of the dangers of trafficking, authorities lacked understanding of the crime, conflating it with transnational migration.



## RECOMMENDATIONS FOR ERITREA:

Develop, enact, and enforce an anti-trafficking statute that criminalizes all forms of trafficking, including sex trafficking and forced labor; differentiating between emigration, smuggling, and human trafficking; investigate allegations of conscripts being forced to perform duties beyond the scope of the national service program and prosecute and punish, as appropriate, those responsible; enforce existing limits on the length of national service to 18 months and cease the use of threats and physical punishment for non-compliance; ensure children under 18 sent to Sawa, the military school, do not participate in activities that amount to military service and are not forced to work; ensure victims are not punished for crimes committed as a result of being subjected to human trafficking or for fleeing government-sponsored forced labor; extend existing labor protections to persons performing national service and other mandatory citizen duties; with assistance from international organizations, provide training to all levels of government, including law enforcement officials and diplomats, 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 failed to investigate, prosecute, or convict trafficking offenders during the reporting 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. These penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes penalties of five to 20 years' imprisonment, which are sufficiently stringent. Labor Proclamation 118 of 2001 prohibits forced labor, though Article 3, sub-paragraph 17 of the 2001 Labor Proclamation specifically excludes national and military service or other civic obligations from the definition

of forced labor. Existing labor protections were not applicable to persons engaged in compulsory national service. Although the government issued public statements on the arrest of an unknown number of traffickers, it failed to report the details of these cases and continued to conflate transnational migration and human trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses, nor did it provide anti-trafficking training to law enforcement or military personnel.

## PROTECTION

The government demonstrated negligible efforts to identify or provide protection to trafficking victims. Government media continued to publicize official efforts to repatriate Eritrean females subjected to sex trafficking or domestic servitude abroad; however, it is unknown if these repatriations were voluntary. The government did not report providing assistance to these or any other victims. It failed to develop procedures to identify trafficking victims among vulnerable groups, including deported Eritreans or persons forcibly removed by Eritrean security forces from neighboring countries. Eritreans fleeing the country and those deported from abroad—including trafficking victims—were vulnerable to being arrested, detained, abused, forced to pay fines, recalled into national service, or shot by military forces. The government did not provide foreign victims with legal alternatives for their removal to countries where they faced retribution or hardship.

## PREVENTION

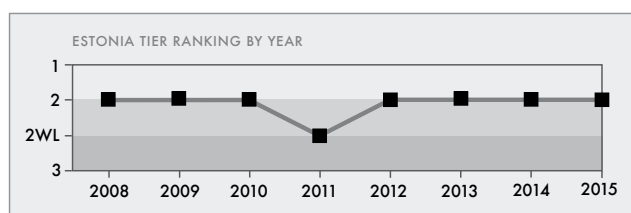
The government sustained minimal efforts to prevent trafficking. Its efforts to prevent this crime were difficult to evaluate, as it conflated transnational migration and human trafficking. The government engaged citizens on the dangers of trafficking through awareness-raising events and poster campaigns through the Women's Association, Youth Association, and Workers' Federation. While the Proclamation of National Service 11/199 prohibits the recruitment of children younger than 18 years of age into the armed forces and applies sufficiently stringent penalties for this crime, children under 18 allegedly continued to be sent to Sawa for completion of their final year of education. Furthermore, the government did not have procedures for verifying the age of new recruits into governmental armed forces and was not transparent about efforts to ensure that children did not participate in compulsory activities amounting to military service or other forms of forced labor. Though the Ministry of Labor was responsible for investigating labor abuses, the government did not report information on its efforts to punish unscrupulous labor brokers or recruiters. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. Eritrea is not a party to the 2000 UN TIP Protocol.

## ESTONIA: Tier 2

Estonia is a source, transit, and destination country for women and girls subjected to sex trafficking and for men, women, and children subjected to forced labor. Estonian women and girls are subjected to sex trafficking within Estonia and in other European countries. Men and women from Estonia are subjected to conditions of forced labor within Estonia, elsewhere in Europe, and in Australia, particularly in the construction, cleaning, and social

welfare sectors, as well as in seasonal jobs. Estonian children are exploited to commit crimes, such as theft; in some cases, they may be trafficking victims. Men from Ukraine and Poland are subjected to labor exploitation within Estonia, particularly in the construction sector. Vietnamese nationals subjected to forced labor transit Estonia *en route* to other EU countries.

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. Estonian authorities secured more convictions under the country's 2012 anti-trafficking law and sentenced two traffickers to prison, though an additional two traffickers were released on probation. Law enforcement launched the first investigation into labor trafficking, but the overall number of trafficking prosecutions continued to decline. Authorities continued to require a police report be filed for presumed victims to receive government-funded assistance; this requirement resulted in a very low level of victim identification.



## RECOMMENDATIONS FOR ESTONIA:

Increase efforts to investigate, prosecute, and convict trafficking offenders under Article 133 of the penal code; amend the Victim Support Act to remove barriers to victim identification; increase training for judges to ensure the judiciary understands the severity of the crime when issuing sentences; encourage police and the labor inspectorate to investigate labor trafficking, including labor recruiters engaging in fraudulent practices; increase government efforts to identify victims proactively, including the screening of individuals in prostitution and migrant workers in Estonia; encourage more victims to assist prosecutions by facilitating access to legal counsel; provide specialized training to police, inspectors, and prosecutors; and inform victims of the option to pursue court-ordered compensation from their traffickers.

## PROSECUTION

The government improved law enforcement efforts. Estonia prohibits all forms of both sex and labor trafficking through Articles 133 and 175 of the penal code, which prescribe a maximum penalty of up to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Estonian authorities launched 20 new investigations in 2014, compared with 26 in 2013. Investigators registered the first ever criminal case of labor exploitation occurring within Estonia in 2014; the investigation was ongoing at the close of the reporting period. The government initiated one prosecution in 2014, a decrease from six in 2013 and 12 in 2012. Estonian courts convicted four traffickers under Article 133 in 2014, an increase from two convictions in 2013. Two traffickers convicted in 2014 were sentenced to prison terms of four years, representing an improvement from weak sentences for convicted traffickers in 2013; however, authorities also sentenced two convicted traffickers to probation without prison terms. The government provided four training sessions for police, border

guard, and labor inspection officials to facilitate cooperation on forced labor cases. Authorities did not offer training to the judiciary. Estonian authorities cooperated in one transnational investigation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government demonstrated weakened protection efforts. Since April 2013, a police report must be filed for presumed victims of trafficking to be eligible to receive government-funded services. The police thereafter have 10 days to meet with the prosecutor's office; if authorities decide not to pursue a criminal case, the government ceases funding the victims' care. In 2014, four Estonian victims, two of whom were newly identified during the year, received government assistance. The government identified no foreign victims in 2014. NGOs assisted an additional 20 sex trafficking victims and 43 labor exploitation victims who were not officially recognized by the government. Sex trafficking victims could receive non-specialized services for individuals in prostitution without going to the police; a government-funded NGO assisted 280 women involved in prostitution in 2014, 20 of whom showed indicators of trafficking.

In 2014, the social security board disbursed 20,421 euro (\$23,200) to fund assistance provided to the four officially identified trafficking victims. In addition, the Ministry of Social Affairs provided 99,580 euro (\$125,800) to an NGO providing services to women in prostitution, which included 20 women who showed indicators of sex trafficking victims in 2014. There were no specialized shelters for children, though child victims could reportedly stay at women's domestic violence shelters or be placed in foster care. Adult male victims had access to accommodation, legal counseling, and other services. For at least the sixth straight year, no victims assisted in the investigation or prosecution of traffickers. Although foreign victims were eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings in which they participated, no trafficking victim has ever applied for a permit since it became available in 2007. Estonia's witness protection law allows trafficking victims to provide their testimony anonymously, but this has never been applied in a trafficking case. An Estonian court ordered a restitution payment of 150,000 euro (\$159,300) to a trafficking victim. Observers noted obtaining legal counsel for victims was overly bureaucratic, and the lawyers were not sensitive to the needs of trafficking victims.

## PREVENTION

The government made progress in prevention efforts. The anti-trafficking working group, with 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities. The government provided an NGO with 53,601 euro (\$60,900) to operate an anti-trafficking hotline; the hotline received 497 calls from individuals vulnerable to trafficking during the reporting period. Authorities ran awareness campaigns targeting schoolchildren and prospective migrant workers. The government had a 2010-2014 national action plan for reducing violence, which included trafficking as one of its four objectives; the government approved a plan for 2015-2020 in February 2015. The government commissioned a survey of Estonians' awareness of trafficking and used the findings to inform the development of the new action plan and outreach activities. Estonia acceded to the Council of Europe's Convention on Action against Trafficking

in Human Beings in February 2015, which enabled the Council's monitoring group to conduct a future country evaluation. The government provided anti-trafficking training or guidance for its diplomatic personnel. The government reported specific measures to reduce the demand for commercial sex acts and forced labor, including educating employers on the rights of migrant workers.

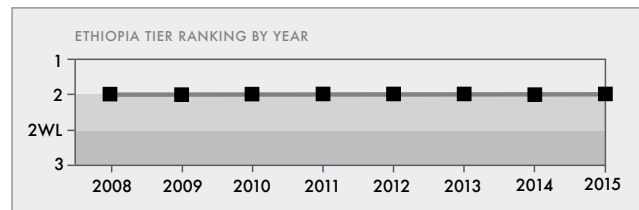
## ETHIOPIA: Tier 2

Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Girls from Ethiopia's rural areas are exploited in domestic servitude and prostitution within the country, while boys are subjected to forced labor in traditional weaving, herding, guarding, and street vending. The central market in Addis Ababa is home to one of the largest collection of brothels in Africa, with girls as young as 8 years old in prostitution in these establishments. Ethiopian girls are forced into domestic servitude and prostitution in neighboring African countries and in the Middle East. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, thieves, and street beggars. Young people from Ethiopia's vast rural areas are aggressively recruited with promises of a better life and are likely targeted because of the demand for cheap labor in the Middle East.

Officials reported up to 1,500 Ethiopians departed daily as part of the legal migration process. Many young Ethiopians transit through Djibouti, Egypt, Somalia, Sudan, or Kenya as they emigrate seeking work in the Middle East; some become stranded and exploited in these transit countries and are subjected to detention, extortion, and severe abuses *en route* to their final destinations. Increasing numbers of reports describe Ethiopians transported along southern routes towards South Africa, as well as large numbers of Ethiopians who have died in boat accidents crossing the Red Sea to Yemen, many of whom are attempting irregular migration and are vulnerable to trafficking in these onward 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. Ethiopian women sometimes are subjected to sex trafficking after migrating for labor purposes 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. Reports suggest district level officials accepted bribes to change the ages on district-issued identification cards, enabling children to receive passports without parental consent, which causes minors to leave the country for illegal work. The Ethiopian government's October 2013 temporary ban on overseas labor recruitment currently remains in effect. Over 400 employment agencies were licensed to recruit for work abroad; however, government officials acknowledged many agencies are involved in both legal and illegal recruitment, leading to the government's temporary ban on labor export. Following the ban, irregular labor migration to the Gulf has reportedly increased. Between November 2013 and March 2014, the Saudi Arabian government deported more than 170,000 Ethiopians lacking proper visas or employment papers; international organizations and Ethiopian officials believe thousands were likely trafficking victims. Eritreans transiting Ethiopia-based refugee camps, some of whom voluntarily migrate out of the camps and others who are lured or abducted from the camps, face situations of human trafficking in Sudan and

Egypt's Sinai Peninsula.

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. The government continued to facilitate the reintegration of thousands of Ethiopians deported from Saudi Arabia and coordinated with NGOs and international organizations to provide employment. Considering the long-term impact of deportation and the desire of many Ethiopians to seek employment overseas, the government increased its efforts to prevent and raise awareness on trafficking and trafficking-related crimes at a grassroots level through its community conversations project. It also began an analysis of the socio-economic needs of Ethiopian deportees and development of income generation plans to support reintegration. During the reporting period, the government publicly pledged to lift the ban on overseas employment and continued to revise the relevant employment proclamation to ensure improved oversight of recruitment agencies and better protection of its citizens working abroad; however, these protections have yet to be applied and the temporary ban remained in place. The government relied solely on NGOs to provide direct assistance to both internal and transnational trafficking victims and did not provide financial or in-kind support to such organizations. There was a slight decrease in law enforcement efforts; the government did not report the number of victims it identified in 2014 and lacked a formal system to collect and share data on cases and victims. The government also did not effectively address child prostitution and other forms of internal trafficking through law enforcement, protection, or prevention efforts.



### RECOMMENDATIONS FOR ETHIOPIA:

Complete amendments to the employment exchange proclamation to ensure penalization of illegal recruitment and improved oversight of overseas recruitment agencies; institute regular trafficking awareness training for labor officials who validate employment contracts or regulate employment agencies; strengthen criminal code penalties for sex trafficking and amend criminal code Articles 597 and 635 to include a clear definition of human trafficking that includes the trafficking of male victims and enhanced penalties commensurate with other serious crimes; improve the investigative capacity of police 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, including of complicit officials; partner with local NGOs to increase the level of services available to trafficking victims, including allocating funding to enable the continuous operation of either a government or NGO-run shelter; improve screening procedures in the distribution of national identification cards and passports to ensure children are not fraudulently acquiring these; allocate appropriate funding for the deployment of labor attachés to overseas diplomatic missions and institute regular trafficking awareness training for labor officials who validate employment contracts or regulate employment agencies to ensure the protection of Ethiopians seeking work or employed overseas;



and incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to migrant workers.

## PROSECUTION

The government maintained its anti-trafficking law enforcement efforts, but continued to focus wholly on transnational labor trafficking, with little evidence of investigation or prosecution of sex trafficking or internal labor trafficking cases. 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, 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, which are sufficiently stringent. Articles 597 and 635 lack a clear definition of human trafficking and do not criminalize trafficking against adult male victims. The government does not provide detailed case information on the articles used to prosecute suspected traffickers; however, a local NGO reported the conviction of nine individuals under Article 597 within the reporting period. In general, 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 absence of a clear legal definition of human trafficking impeded the government's ability to investigate and prosecute trafficking cases effectively. Officials continued drafting amendments to the Employment Exchange Services Proclamation No. 632/2009, which governs the work of licensed labor recruitment agencies.

During the reporting period, the Ethiopian Federal Police's (EFP) Human Trafficking and Narcotics Section investigated 99 suspected trafficking cases, compared with 135 cases in 2013. The federal government reported prosecuting 93 cases involving 118 defendants; of these, the Federal High Court convicted 46 individuals, compared with 106 traffickers convicted in the previous reporting period. Officials indicated 58 cases remained ongoing in court. The government did not provide consistent details regarding average sentencing; sporadic NGO reports indicated some sentences ranged from two to 11 years' imprisonment. Courts in the Southern Nations, Nationalities, and Peoples Region (SNNPR) reportedly investigated 468 alleged child trafficking cases at the district level; however, no information was reported on the number of prosecutions or convictions or the details of these cases. In March 2015, the government began an investigation of two Ethiopian smugglers suspected of moving 38,000 Ethiopians to South Africa and the Middle East for unknown purposes, potentially including trafficking victims.

In 2014, the government did not initiate any sex trafficking prosecutions, including for children subjected to prostitution. It also did not demonstrate adequate efforts to investigate and prosecute internal trafficking crimes or support and empower regional authorities to effectively do so. Regional law enforcement entities were trained to identify trafficking victims; however, they continued to lack capacity to properly investigate and document cases, as well as to collect and organize relevant data. During the year, government officials partnered with international organizations to train police and other officials; including 456 police officers, 115 labor inspectors, and 139 judges who received training on child

labor issues, identification, investigation, and reporting of human trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained a significant concern, inhibiting law enforcement action during the year. Reports suggest district-level officials accepted bribes to change the ages on district-issued identification cards, enabling children to receive passports without parental consent; passport issuance authorities did not question the validity of such identification documents or the ages of applicants.

## PROTECTION

The government did not provide adequate assistance to trafficking victims, relying almost exclusively on international organizations and NGOs to provide services to victims without providing funding to these organizations. The government continued its assistance reintegrating over 170,000 Ethiopian returnees resulting from the Saudi Arabian government's closure of its border and massive deportation of migrant workers beginning in late 2013. The anti-trafficking taskforce partnered with international organizations to produce a detailed analysis of the socio-economic status and needs of Ethiopian returnees and began the development of income generation plans to reintegrate deportees; it is unclear when these plans will be implemented. Eighty-one percent of returnees cited local government as their main source of support, including job creation and psychological care; however, many returnees also reported disappointment in their inability to obtain expected microcredit or arable land, due to the government's low capacity and budget in this area.

The government did not report the number of victims it identified and assisted during the year. It remained without standard procedures for front-line responders to guide their identification of trafficking victims and their referral to care. Most victim assistance focused on temporary services to migrants at border crossings including food and water, medical assistance, temporary accommodation and transportation back to their home village; the government continued to jointly operate an emergency response center in the Afar Region with international organizations. One organization in Addis Ababa provided psychological and reintegration assistance to over 400 returnees from Saudi Arabia, while another NGO reported assistance to at least 85 child trafficking victims; however, these organizations did not receive government support for their efforts. Various district-level women and youth departments supported child trafficking victims by providing psycho-social support and placing them in temporary child-safe homes until their families were located. Many NGO-run facilities depended solely on project-based funding for continued operation, which resulted in unpredictable availability of care. At times, the government created additional challenges for these organizations as a result of its 2009 Charities and Societies Proclamation, which prohibits organizations receiving more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights. These restrictions had a negative impact on the ability of some NGOs to adequately provide a full range of protective services, including assistance to victims in filing cases against their traffickers with authorities and conducting family tracing.

The government operated child protection units in the 10 sub-cities of Addis Ababa and six major cities; staff were trained in assisting the needs of vulnerable children, including potential trafficking

victims. While officials reportedly encouraged victims to assist in the investigation and prosecution of their traffickers, there were no protective mechanisms in place to support their active role in these processes. Ethiopian law does not prevent the deportation of foreign victims to countries where they might face hardship or retribution. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2014. Limited consular services provided to Ethiopian workers abroad continued to be a weakness in government efforts. The current Employment Exchange Services Proclamation requires licensed employment agencies to place funds in escrow to provide assistance in the event a worker's contract is broken; however, the Ministry of Foreign Affairs has never used these deposits to pay for victims' transportation back to Ethiopia.

## PREVENTION

The government demonstrated progress in its efforts to prevent human trafficking, particularly through increased organization of both regional and national awareness raising campaigns coordinated by the national taskforce. In addition to the national anti-trafficking taskforce, with officials from federal ministries and agencies, each region has its own technical working group that is scheduled to meet quarterly. In 2014, the national trafficking taskforce collaborated with international organizations to launch a community conversations trafficking awareness program, conducted in over 325 neighborhoods with the participation of 25 to 40 residents in each neighborhood session, including local and district officials. The national trafficking taskforce also conducted two monitoring trips to the four primary regions of the country where the majority of trafficking victims have originated. Nationally owned media companies supported local NGOs in airing a court-based drama series, which portrayed child labor in the agricultural sector. The government, in partnerships with NGOs, distributed 42,000 leaflets outlining causes and consequences of child labor, as well as 6,500 manuals portraying personal stories of victims of child labor. The government participated in the production and broadcast of both a documentary and weekly radio program addressing the causes and consequences of child labor and human trafficking.

Officials continued to acknowledge licensed employment agencies were involved in facilitating both legal and illegal labor migration and, as a result, continued the ban on the legal emigration of low-skilled laborers initiated in 2013. The ban is set to remain in place until draft amendments to the employment exchange proclamation are enacted to allow for greater oversight of private employment agencies, to mandate the placement of labor attachés in Ethiopian embassies, and to establish an independent agency to identify and train migrant workers. The government monitored the activities of labor recruitment agencies by conducting both scheduled and random inspections; the government suspended 10 licenses of recruitment agencies for noncompliance during the reporting period. Due to a lack of employment opportunities within the country and a cultural dependence on overseas remittances, officials acknowledged the ban on overseas migrant labor may encourage illegal migration; as a result, the EFP mobilized resources to monitor Ethiopia's borders. The government completed bilateral labor migration agreements with Djibouti, Sudan, Jordan, Kuwait, Yemen and Qatar and is negotiating new agreements with Saudi Arabia, Lebanon, South Sudan, and the United Arab Emirates. Agreements with neighboring African countries aim to provide joint border management to include repatriation assistance for trafficking victims; however, workers' rights are not explicitly addressed. Agreements with destination countries predominantly in the Middle East require governments to commit to ethical

recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time.

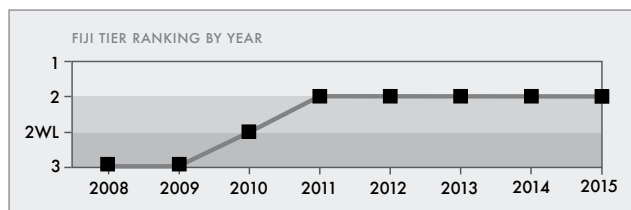
The government continued its efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identification card continued to impede implementation of the law and allowed for the continued issuance of district-level identification cards subject to fraud. The government did not make any efforts to reduce the demand for commercial sex or forced labor during the reporting period. The government provided anti-trafficking training or guidance for its diplomatic personnel as an element of their basic diplomatic training. Ethiopian troops were provided with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.

## Fiji: Tier 2

Fiji is a source country for women and children subjected to sex trafficking and forced labor and a transit and destination country for Asian men and women subjected to forced labor and forced prostitution. Fijian women and children are subjected to trafficking abroad or in cities for sexual exploitation or as domestic workers. Women from China, Thailand, Malaysia, and other East Asian countries are deceptively recruited in their home countries or while visiting Fiji, sometimes by Chinese criminal organizations. These women reportedly are exploited in illegal brothels (posing as massage parlors and spas), local hotels, private homes, small and informal farms and factories, and other rural and urban locations. Fiji's liberal visa requirements—which allow nationals of 132 nations to enter the country without acquiring a visa—coupled with Fiji's role as a regional transportation hub, may contribute to Fiji being a transit area for human trafficking. Workers from Cambodia, the Philippines, Burma, Indonesia, North Korea, China, Singapore, and other Asian countries are deceptively recruited in their home countries and transit through Fiji or board fishing vessels from Fijian ports and waters. They live in poor living conditions, accrue debt larger than promised wages, and work for little or no compensation on foreign fishing vessels, mainly Chinese and Taiwanese, in Pacific waters.

Family members, taxi drivers, foreign tourists, businessmen, 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 as 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 coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Fijian children may also be subjected to forced 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 period, the Fijian government convicted two men in the country's first domestic trafficking case. Authorities, however, continually failed to implement formal procedures to proactively identify victims of trafficking among vulnerable populations; some potential victims may have been deported as law violators.



### RECOMMENDATIONS FOR FIJI:

Continue efforts to investigate and prosecute trafficking offenses and convict and punish traffickers; institute additional trainings for law enforcement and immigration officers on victim identification and protection; develop and strengthen formal procedures to proactively identify trafficking victims, especially among vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and children exploited by local citizens; enhance efforts to provide access to legal, medical, and psychological assistance to victims; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; disseminate more anti-trafficking awareness campaigns directed at individuals purchasing commercial sex; and accede to the 2000 UN Protocol.

### PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The 2009 Crimes Decree includes provisions that prohibit all forms of trafficking. The prescribed penalties of up to 25 years' imprisonment, and possible fines of up to 100,000 Fijian dollars (\$49,100), are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The police anti-trafficking unit investigated two cases, a decline from seven investigations in 2013. The government prosecuted and convicted two traffickers in a 2012 case involving three child victims of domestic sex trafficking. The traffickers were sentenced to 16 and 12 years' imprisonment. Despite Fiji's first two domestic sex trafficking convictions, the government investigated fewer cases and did not initiate any prosecutions. The government continued to fund the Police Human Trafficking Unit's training workshops. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

### PROTECTION

The government decreased efforts to identify and protect trafficking victims. The police anti-trafficking unit did not report identifying any victims, a decline from three in 2013 and six in 2012, continuing a decreasing trend in victim identification. Immigration officials and police reported using guidelines to identify potential trafficking victims, including at the border; however, authorities did not proactively identify victims of trafficking among other vulnerable populations, such as women and girls in prostitution, foreign workers in spas, and crew members who transit through Fiji onboard vessels in Fiji ports. Instead, some potential trafficking victims may have been deported as law violators. The government continued to deport foreign women in prostitution without screening them for vulnerability to trafficking.

The government continued to rely on NGOs and international organizations to supply long-term care facilities and specialized services for trafficking victims; the government did not allocate or provide funding to shelters for trafficking victims in 2014.

Trafficking victims were eligible to apply for government legal aid and receive basic medical care, but no victims applied for this provision during the reporting period. The government made available accommodations, medical care, interpreters, allowances for basic necessities, 24-hour police security, and temporary visas to foreign victims of trafficking; no trafficking victim reported benefitting from these provisions. The government did not offer permanent residency status for foreign victims, including those who participated in criminal trials. Victims had the right to file for civil remedies, but no victims applied for these measures.

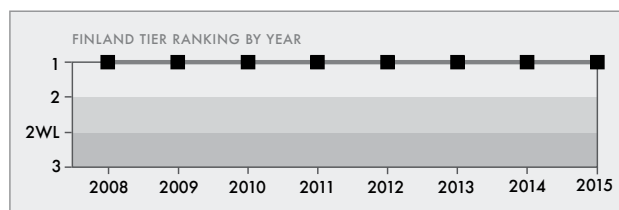
### PREVENTION

The government sustained efforts to prevent trafficking. The police anti-trafficking unit continued a poster campaign to raise public awareness of trafficking and published press releases and advertisements in Mandarin, Hindi, and Thai to publicize available government assistance for potential victims. The government did not make efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism. 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. The government provided anti-trafficking training for its diplomatic personnel. Fiji is not a party to the 2000 UN TIP Protocol.

## FINLAND: Tier I

Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Forced labor victims come from a variety of countries in Eastern Europe and Asia and are exploited in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic servants. Female sex trafficking victims originate in the Czech Republic, Estonia, Latvia, Lithuania, Nigeria, Poland, Romania, Russia, Southeast Asia, and other parts of West Africa. Finnish women and girls are vulnerable to sex trafficking.

The Government of Finland fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government amended the penal code to clarify the difference between procuring commercial sex and committing trafficking offenses, as law enforcement tended to treat sex trafficking cases as procurement, which lead to lesser penalties for convicted traffickers and sex trafficking victims being treated as witnesses rather than victimized individuals. The government appointed the first national coordinator, and the independent rapporteur continued exemplary reporting. A nationwide reorganization of police offices and personnel assignments resulted in fewer trafficking cases reaching prosecution. Finnish courts continued to issue weak sentences for convicted traffickers.





## RECOMMENDATIONS FOR FINLAND:

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute; provide sufficient resources for law enforcement action against trafficking; train and encourage officials to proactively identify potential sex and labor trafficking victims and refer them to services to which they are entitled under Finnish law; offer all victims appropriate housing and specialized care; train investigators, police, border officials, prosecutors, labor inspectors, and judges on applying the trafficking law and respecting the rights of victims; issue proportionate and dissuasive sentences to convicted traffickers; encourage greater victim participation in the criminal process; and develop an updated national strategy against trafficking.

## PROSECUTION

The government demonstrated mixed progress in law enforcement efforts. Law 1889-39 of the Finnish penal code prohibits all forms of trafficking and prescribes sentences of up to 10 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government amended the penal code to clarify the differences between trafficking and procuring offenses. The government reported initiating investigations of 15 sex cases and five labor trafficking cases, compared with 12 sex trafficking and 15 labor trafficking investigations in 2013. Authorities initiated the prosecutions of three suspected traffickers in 2014, compared with 19 in 2013. Finnish courts convicted two traffickers in 2014 and issued sentences of six and 18 months' imprisonment; in 2013, courts convicted two traffickers. Authorities provided training to 160 law enforcement officials, prosecutors, elected and staff members of parliament, and NGO representatives in September 2014. The government designated police officers in each of the 11 regions to serve as local resources and trainers for other officers; the designated officers met twice annually to share best practices. The government designated five prosecutors from different regions in the country to handle trafficking cases. Authorities reported reductions in the number of police officers and changes in officers' duties hampered trafficking investigations. The national rapporteur found law enforcement investigated and prosecuted sex trafficking crimes under the more lenient pimping law. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained protection efforts. The government provided both direct care and funding for third-party care through an asylum reception center that offered shelter, psychological assistance, medical care, and legal consultation to identified victims. 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. However, the available shelter housed a mixed population, which posed risks for the re-victimization of some trafficking victims, particularly victims of sex trafficking. The reception center maintained a hotline and a website in multiple languages exclusively for trafficking victims. Its 2014 budget was 830,000 euro (\$1,010,000) for the care of trafficking victims and operating expenses, compared to 870,000 euro (\$1,058,000) in 2013. Law enforcement referred 16 victims in 2014, compared with 56 in 2013. In total, 50 potential trafficking victims requested assistance in 2014, compared with 128 in 2013, during which there was

one group referral of 50 persons. Unlike previous years, the asylum center assisted more victims of sexual exploitation than victims of labor exploitation. The national rapporteur reported Finnish authorities' efforts to identify sex trafficking victims were insufficient, particularly among Nigerian women exploited in prostitution. The rapporteur also noted victims of sex trafficking were often categorized as witnesses to procuring offenses and thus not categorically treated as victims of a crime and referred to the center providing services to trafficking victims. An NGO receiving some public funding assisted an additional 11 potential trafficking victims.

In 2014, 53 victims assisted law enforcement in pre-trial investigations, 19 of whom participated in the prosecutions of alleged traffickers; 12 victims assisted in 2013. Two appellate courts upheld compensation payments to victims in amounts ranging from 5,000 to 30,000 euro (\$6,080 to \$36,500) per victim. Finnish law allows foreign victims a six-month reflection period during which time they can receive immediate care and assistance while considering whether to assist law enforcement. Authorities estimated they provided less than ten victims with a reflection period in 2014 compared with 12 in 2013. The government offered residence permits to 12 victims in 2014 compared to 12 in 2013. Authorities provided 11 individuals considered to be vulnerable to trafficking with temporary residency permits. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

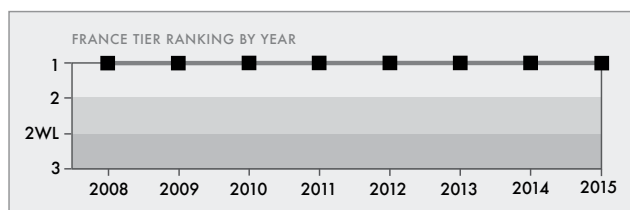
The government made progress in prevention activities. The government appointed a national coordinator to lead development of a comprehensive strategy. The independent rapporteur continued her analysis of the government's anti-trafficking efforts and advocated for specific changes through a public report. The rapporteur found the government did not take adequate preventative measures or evaluate past activities' effectiveness. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government asked berry industry companies to charge lesser recruitment fees and ensure workers receive a daily minimum wage of 30 euro (\$34). The government launched an awareness campaign on child sex tourism in January 2015. The government also made efforts to reduce demand for commercial sex acts in Finland. The government provided anti-trafficking training to Finnish forces prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## FRANCE: Tier I

France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West Africa, and Asia, as well as North Africa and South America, are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Bulgarians, Nigerians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo. The number of children subjected to prostitution, including students and foreigners, has increased in recent years. Reports

indicate children, primarily from Romania, West Africa, and North Africa, are victims of sex trafficking in France. The Government of France estimates the majority of the 20,000 people in France's commercial sex trade, about 90 percent of whom are foreign, are likely trafficking victims. Source countries include Romania, Nigeria, China, Brazil, and Bulgaria. Online-advertised prostitution organized by Russians and Bulgarians has increased along with classified ads posted by organized networks controlled by Romanians, Bulgarians, Nigerians, and Brazilians; trafficking victims are likely involved in activities described in these ads. Women and children from Suriname are victims of sex trafficking in French Guyana. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Women and children are subjected to domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. Trafficking networks have expanded to operate in large towns outside of Paris, including Lille and Nice. In 2014, the French government launched an investigation into allegations that approximately 14 French soldiers stationed in the Central African Republic forced boy refugees to perform sex acts for money and food.

The Government of France fully complies with the minimum standards for the elimination of trafficking. The government adopted a national anti-trafficking action plan for 2014-2016, which outlines prosecution, protection, and prevention activities and a fund to protect and assist trafficking victims. The government significantly increased the number of convictions obtained under the trafficking statute 225-4-2. Robust cooperation with law enforcement in EU and source countries continued, and its success was demonstrated by the prosecution of many members of sex trafficking and forced begging networks. The government continued to protect and provide assistance to a large number of victims and partner with destination countries to address child sex tourism by French nationals. However, the government's efforts to combat labor trafficking were weaker than those undertaken for sex trafficking, and the implementation of victim protection policies remained inconsistent among regions and municipalities.



## RECOMMENDATIONS FOR FRANCE:

Implement the national action plan and establish a national rapporteur as stated in the plan; amplify training on and enforcement of labor trafficking laws; strengthen victim protection for child victims of forced begging and theft; improve victims' access to restitution; continue to increase investigations, prosecutions, and convictions under the trafficking statute, ensuring convicted offenders are sentenced to jail terms; standardize residence permit issuance policies and consider waiving permit fees for trafficking victims; screen women and children arrested for soliciting or theft for trafficking indicators; provide care for all victims regardless of cooperation with law enforcement; and continue to enhance the collection of law enforcement and victim assistance data.

## PROSECUTION

The government improved anti-trafficking law enforcement efforts. 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. In 2014, French authorities conducted 204 criminal investigations for sex trafficking, of which 106 involved aggravated pimping including 17 children. In 2013, the most recent year for which data is available for convictions, French authorities obtained convictions for 127 offenders under Article 225-4-2, a significant increase compared to 17 in 2012. The government also obtained convictions for 23 offenders for the prostitution of children in 2013, compared with 19 in 2012. In addition, the government obtained convictions of eight offenders for forced begging, compared with 19 in 2012. Some trafficking cases may be reflected in the 719 convictions under the aggravated anti-pimping statute; a majority of the original arrests in those cases were for trafficking-specific offenses. The government improved data collection efforts and provided a more detailed disaggregation by type of trafficking, which provided a more nuanced understanding of victims, perpetrators, and the government's efforts to combat trafficking.

Traffickers were sentenced to multiple years of imprisonment. In May 2014, a Paris correctional tribunal sentenced three members of the "Hamidovic network" to between four to seven years' imprisonment for exploiting and forcing children to steal in the Paris metro system. The most stringent penalty, seven years' imprisonment and a 100,000 Euro (\$122,000) fine, was issued *in absentia* for a fourth member and leader of the network who was at large at the end of the reporting period. In July 2014, the Marseille Correctional Tribunal sentenced six members of a Bulgarian family to four to seven years' imprisonment for sex and labor trafficking offenses; the family forced six elderly Bulgarians to beg, among other crimes. In November 2014, 19 Nigerians were sentenced to seven years' imprisonment for operating a prostitution network; approximately 30 women, located in various cities throughout France, were forced into prostitution. The Ministry of Justice continued to offer an annual training session for prosecutors and magistrates on France's anti-trafficking laws. The government trained 19 judicial police on how to conduct investigations. France increased cooperation with international law enforcement agencies in 2014, as well as several cases with Bulgaria, China, and Romania to investigate trafficking cases. The government reported no new prosecutions or convictions of government employees complicit in trafficking offenses. In July 2014, the government launched a preliminary investigation into allegations that French soldiers stationed in the Central African Republic forced boy refugees to perform sex acts for money and food; the investigation was on-going at the close of the reporting period.

## PROTECTION

The government sustained comprehensive protection efforts. The government had a formal procedure for identifying victims and an NGO-run referral mechanism. The government identified 467 victims of aggravated pimping and sex trafficking in 2014—440 females (including 27 girls) and 27 males (including one boy). By comparison, the government identified 912 victims of trafficking and pimping in 2013. This represents a significant decrease in the number of victims identified; however, the government provided more detailed information, including greater disaggregation of

victim statistics by type of crime, which allows for a more accurate understanding of the data. An NGO received 252 reports of trafficking and assisted 180 victims who originated from 12 countries; the majority of victims assisted were females from West Africa, particularly Nigeria.

The Ministry of Social Affairs, the Ministry of Health, and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 50 NGO-run shelters assisting vulnerable adult victims of sex and labor trafficking. Ac-Se assisted 70 trafficking victims in 2014, compared with 68 in 2013, by providing them with shelter, legal, medical, and psychological services. Ac-Se received 205,000 euro (\$222,000), with approximately 90 percent from the central government and ten percent from the City of Paris, in 2014. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. Victims received 350 euro (\$425) as an initial stipend from the government, and the equivalent of approximately 100 euro (\$122) per month thereafter. Victims had to wait an average of seven days for access to a shelter in 2014, and Ac-Se reported it experienced difficulties in its capacity to provide a rapid response to victims. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments external to the Ac-Se system. Child protective services placed child trafficking victims into generalized children's shelters. The government continued to operate a hotline for children in abusive situations, including trafficking. Ac-Se operated a hotline that received an estimated 900 calls in 2014. While French authorities did not report overall funding allocations to NGOs for victims, the central government provided 1.7 million euro (\$1.8 million) to NGOs for victim assistance in 2013.

The government had an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short-term care. The government also provided witness protection services for victims who worked with police to prosecute traffickers. NGOs assessed the referral process worked well when victims were willing to cooperate with law enforcement authorities; however, because victim assistance was based on cooperation with law enforcement, victims unwilling to cooperate did not receive assistance. French law provided for a 30-day reflection period for suspected victims; however, some authorities were reportedly not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, provided they cooperated with police investigations. The permits were typically valid for one year and were renewable every six months. The government issued first-time residency documents to 43 victims and renewals to 155 victims, with waiting periods for permits ranging from 15 days to 18 months. Victims who obtained residency were able to work or leave the country during trial proceedings. These permits were available during the duration of the criminal process and automatically became permanent upon an offender's conviction. In cases in which offenders were not convicted, local prefects had the discretion to grant permanent residence cards to victims. NGOs previously reported highly inconsistent practices among prefects in the issuance of residence permits, particularly if the victims had past convictions for prostitution. Some victims found it easier to apply for and obtain asylum, as the process involved no cost and no requirement to participate in a prosecution. Victims were eligible to receive restitution through the Crime Victims Compensation Program; 361,000 euro (\$392,000) was allocated to victims in 2013 from this fund. The compensation request

process often took several years to complete, and many victims had requests in progress; since its creation in 1985, it provided compensation to two victims—in 2007 and 2009. There were no specific reports of identified victims being penalized for crimes committed as a direct result of their being subjected to trafficking; however, approximately 1,500 individuals in prostitution have been arrested annually for soliciting. The government sponsored trainings for social workers and other government employees, including labor inspectors, on trafficking victim identification.

## PREVENTION

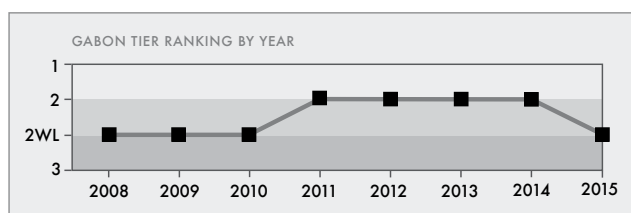
The government increased anti-trafficking prevention efforts. The government adopted a 2014-2016 national anti-trafficking action plan. The implementation of the plan was supported by a fund dedicated to trafficking victims and called for the appointment of a national rapporteur position; however, the rapporteur was not established during the reporting period. The government continued efforts to address child sex tourism committed by French citizens. NGO contacts estimated 15 French nationals were convicted every year for involvement in child sex tourism, mainly in Asia. French police conducted international investigations of child sex tourism. The government funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child prostitution and child sex tourism. Tourism and hospitality students in France were obligated to take coursework on preventing child sex tourism. The government took steps to reduce the demand for commercial sex by passing legislation in March 2015 designed to prevent human trafficking and protect victims by fining those found guilty of soliciting sex, and providing a six-month renewable residence permit for foreigners regardless of whether they cooperate with law enforcement efforts. The government did not implement a national anti-trafficking awareness campaign. The French government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## GABON: Tier 2 Watch List

Gabon is primarily a destination and transit country for women, men, and children from West and Central African countries subjected to forced labor and sex trafficking. Some victims transit Gabon *en route* to Equatorial Guinea. Boys are forced to work as street vendors, mechanics, or in the fishing sector. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. West African women are forced into domestic servitude or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration, but are subsequently subjected to forced labor or prostitution after arriving in Gabon without the proper documents for legal entry. During the reporting period, adult men were reportedly subjected to forced labor on cattle farms in Gabon. Traffickers appear to operate in loose, ethnic-based criminal networks, with female traffickers, some of whom are former trafficking victims, recruiting and facilitating the transportation of victims in countries of origin. In some cases, child victims report their families turned them over to intermediaries promising employment opportunities in Gabon. There is evidence some traffickers operate outside the capital to avoid detection.



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 Ministry of Health and Social Welfare provided assistance to 14 victims identified by local NGOs and assisted in the repatriation of 12 of these victims. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Gabon is placed on Tier 2 Watch List. The government initiated prosecution of only one suspected trafficker during the reporting period and, for the second consecutive year, did not convict a trafficking offender or enact a proposed amendment to criminalize adult trafficking. The government identified three victims in 2014 but did not refer them to care facilities, compared with 50 identified and referred to care during the previous reporting period. It has failed to identify any adult victims since 2009. The Inter-Ministerial Committee to Monitor Child Trafficking remained without sufficient funds to effectively coordinate national efforts and was inactive for much of the year.



## RECOMMENDATIONS FOR GABON:

Increase efforts to prosecute, convict, and punish traffickers, including those involved in adult trafficking; enact provisions criminalizing all forms of adult trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include adult trafficking; develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics; increase financial or in-kind support to government-run shelters and government-supported NGO shelters; train social workers and service providers in best practices of provision of care for trafficking victims; develop an inter-ministerial committee to address adult trafficking or expand the existing inter-ministerial committee's mandate to include adult trafficking; and expand national awareness-raising campaigns to include information on adult trafficking.

## PROSECUTION

The government demonstrated decreased anti-trafficking law enforcement efforts. Existing laws do not prohibit all forms of human trafficking; for example, they do not criminalize bonded labor. Enacted in September 2004, Law 09/04 Concerning the Prevention and the Fight Against the Trafficking of Children in the Gabonese Republic prohibits child trafficking for both labor and sexual exploitation and prescribes penalties of up to a maximum of 40 years' imprisonment, in addition to fines; 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 those 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 I, 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. The government failed to pass its amendment to Law 09/04, drafted in 2013, to prohibit and punish the trafficking of adults.

The government reported at least 16 investigations and initiated prosecution of one suspect during the reporting period, compared with 50 investigations and nine prosecutions from the previous reporting period. Although the government initiated the prosecution of one suspect, the defendant fled the country as a result of case mismanagement and was not apprehended by the close of the reporting period. For the second consecutive year, the government failed to convict a trafficker. The government trained 40 law enforcement and civil society groups on victim identification and referral measures in 2014. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. In 2013, the government investigated a local chief and a prosecutor for alleged complicity in a child labor trafficking case; however, the government did not provide an update on the investigation.

## PROTECTION

The government decreased efforts to identify and refer victims to protective services. Government officials identified three child trafficking victims in 2014 but did not refer these victims to care facilities for assistance—a decrease from 50 victims identified and referred to care in the previous reporting period. Furthermore, in one concerning instance in November 2014, due to the lack of appropriate care for an asthmatic trafficking victim, authorities inadvertently re-trafficked the child by returning him to the custody of his suspected trafficker. Nonetheless, in 2014, the Ministry of Health and Social Welfare provided assistance to 14 children identified by a local NGO and assisted in the repatriation of 12 of these victims.

The government provided an unknown amount of funding to support four centers offering shelter, medical care, education, and psycho-social services to orphans and vulnerable children, including child trafficking victims, in Libreville and Port Gentil. The government funded and ran two shelters, while the two others were NGO-run with partial government support; however, the government decreased funding to one of the government-run shelters in the 2014 budget. During the reporting period, existing shelters in Libreville were unable to accommodate all identified victims and other vulnerable children. Neither the government nor NGO-run transit centers were specifically designated for adult victims but in practice could provide shelter and services to adults; however, no adults were identified during 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; an unknown number of victims availed themselves of this legal alternative during the reporting period. Prosecutors, police, and magistrates routinely took testimony at the time of arrest of the suspected traffickers or rescue of the victim. There were no reports of the government detaining, fining, or jailing victims due to acts committed as a result of their being subjected to trafficking.

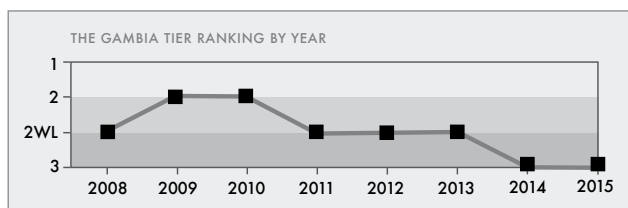
## PREVENTION

The government made minimal efforts to prevent trafficking. The government's Inter-Ministerial Committee to Monitor Child Trafficking—the focal point for coordinating government anti-trafficking activities—remained without sufficient funding and was inactive for most of the year. The committee did not conduct any trafficking awareness campaigns. The government did not make any other discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not provide anti-trafficking training to 500 troops prior to their deployment as part of international peacekeeping missions.

## THE GAMBIA: Tier 3

The Gambia is a source 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. The majority of these victims are subjected to sexual exploitation by European child sex tourists. Observers believe organized sex trafficking 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* force such boys into begging and street vending. Gambian children have been identified as victims of forced labor in neighboring West African countries, including Ghana and Senegal. During the reporting period, approximately 60 Gambian girls were subjected to domestic servitude in Lebanon.

The Government of The Gambia 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 continued to sustain modest prevention efforts, it failed to demonstrate notable law enforcement or protection efforts during the reporting period. The government charged four traffickers, but failed to convict any trafficking offenders and did not provide any specific anti-trafficking training to law enforcement officials. Although the government identified and provided shelter to 19 Gambian victims in Lebanon, it did not identify or provide any trafficking victims with shelter or care within the country. Additionally, the government arrested a journalist for reporting on The Gambia's Tier 3 ranking in the 2014 TIP Report.



## RECOMMENDATIONS FOR THE GAMBIA:

Vigorously investigate and prosecute trafficking offenses and ensure adequate sentencing for convicted trafficking offenders, including complicit government officials; 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; improve data collection and public reporting on victim identification and law enforcement efforts; develop standardized procedures for referring trafficking victims to NGO care services and inform government officials and the NGO community of such procedures; engage with anti-trafficking counterparts in the region to enable the safe repatriation of victims to and from The Gambia; and provide adequate funding and resources to the national coordinating body so it can effectively implement the anti-trafficking national action plan.

## PROSECUTION

The government demonstrated minimal anti-trafficking law enforcement efforts. The Gambia's 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 one trafficking case, but did not prosecute or convict any trafficking offenders in 2014. Law enforcement officials continue to lack adequate training to investigate and prosecute trafficking offenses, yet the government did not provide any specific anti-trafficking training to law enforcement during the reporting period. In March 2015, the Magistrate Court charged four individuals with trafficking 19 Gambian women to Lebanon. Only one suspect appeared before the court; he was released on conditional bail, and a bench warrant was issued for the other three suspects. The case was adjourned pending the arrest of the three at-large suspects, although the trial cannot proceed until the young women are repatriated because their testimony is essential to the case. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, law enforcement officers acting with impunity and corruption was a serious problem throughout the reporting period.

## PROTECTION

The government demonstrated minimal efforts to protect trafficking victims. The government did not identify or provide services to any trafficking victims within the country during the reporting period. However, the government identified 19 Gambian girls who had been subjected to domestic servitude in Lebanon; the Gambian consulate placed the girls in a safe house while the government organized their repatriation. The Department of Social Welfare (DSW) operated a shelter for trafficking victims, abandoned children, and victims of domestic violence, as well as a drop-in center for street children; however, no trafficking victims were cared for in these facilities during the reporting period. The shelter offered 24-hour services to children and adults, but no victims in the shelter were allowed to leave the premises without a chaperone. The government continued to maintain an electronic child protection database, which includes information on trafficking cases, although no cases were identified in 2014. The 2007 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 subjected to trafficking; however, the lack of formal identification procedures likely resulted in victims remaining unidentified in the law enforcement system.

## PREVENTION

The government sustained modest prevention efforts. The National Agency Against Trafficking in Persons (NAATIP)—the coordinating body for governmental anti-trafficking efforts—continued to receive modest funding from the government. Its officials traveled to key border posts to sensitize immigration, police, and customs officers, as well as local community leaders, on human trafficking and the need to report any suspected cases directly to NAATIP. The DSW operated 34 community child protection committees during the reporting period, which held monthly meetings and sensitization activities, some of which covered trafficking. Five neighborhood watch groups established by DSW were also active in monitoring possible cases of child abuse or trafficking. These groups increased surveillance efforts in high traffic tourist areas. The DSW and the Department of Education continued to operate a program providing financial support and resources to 12 Koranic schools on the condition they refrain from forcing their students to beg; more than 1,000 children benefited from the program during the reporting period. The government contributed the equivalent of approximately \$2,300 each month to fund the program in 2014.

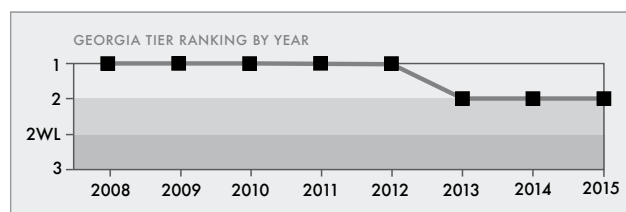
In collaboration with international NGOs, the Gambian Tourism Board held training on child sex tourism for approximately 32 law enforcement officers, tourism industry operators, and members of the public. Authorities continued to enforce the 2005 ban on unattended children in resort areas and the DSW continued to operate five neighborhood watch groups to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation. However, none of these efforts led to the referral of any child trafficking victims to protective services or the apprehension of any suspected traffickers or child sex tourists. Additionally, the government did not make any discernible efforts to decrease the demand for commercial sex acts during the reporting period. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions. The government did not provide any anti-trafficking training or guidance for its diplomatic personnel.

## GEORGIA: Tier 2

Georgia is a source, transit, and destination country for women and girls subjected to sex trafficking and men, women, and children subjected to forced labor. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China, Egypt, Greece, the United Arab Emirates, and Russia. Women from Azerbaijan and Central Asian countries are subjected to forced prostitution in Georgia's commercial sex trade in the tourist areas of Batumi and Gonio in Adjara province. Experts report women are subjected to sex trafficking in saunas, strip clubs, casinos, and hotels. The majority of identified trafficking

victims are young, foreign women seeking employment. Georgian men and women are subjected to forced labor within Georgia and in Turkey, Iraq, Russia, Azerbaijan and other countries. Georgian migrants pursuing employment in agriculture and other low-skilled jobs contact employers or agents directly, only later becoming victims in their destination country. In recent years, foreign nationals have been exploited in agriculture, construction, and domestic service within Georgia. Georgian, Romani, and Kurdish children are subjected to forced begging or coerced into criminality. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia; however, the government and NGOs consider internally displaced persons from these occupied territories to be particularly vulnerable to trafficking.

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. Investigations, prosecutions, and convictions increased during the reporting period. The prime minister signed a decree establishing a labor inspectorate with authority to enforce preventative measures related to labor trafficking. The government increased the number of anti-trafficking mobile units from three to four; providing law enforcement more resources and personnel to conduct trafficking investigations. However, law enforcement's limited investigative capabilities hampered trafficking investigations. Experts reported investigators focused on interrogating victims for evidence gathering, rather than interviewing them to determine whether or not they were potential victims. The government did not outline a strategy to systematically combat street begging; experts reported the police refused to investigate several cases of forced begging, claiming street begging is not a violation of child's rights under current legislation.



## RECOMMENDATIONS FOR GEORGIA:

Increase investigative capacity of law enforcement officers through specialized training and assign police with specialized training in trafficking to participate in trafficking investigations; continue to incorporate victim-witness advocates during the investigative phase; increase efforts to investigate and prosecute suspected traffickers and convict labor and sex traffickers; enable and train the labor inspectorate to investigate potential labor trafficking; employ more effective, proactive methods to detect and identify trafficking victims among vulnerable populations; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

## PROSECUTION

The government increased law enforcement efforts over the previous reporting period, but a lack of law enforcement capacity led to missed investigations. Georgia prohibits all forms of trafficking through the Law on Combating Trafficking in Persons and Article 143 of its criminal code, which prescribes penalties ranging from seven to 20 years' imprisonment. These penalties are sufficiently



stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 16 new cases—12 for sex trafficking and four for labor trafficking—compared with 11 investigations in the previous reporting period. Twelve investigations were ongoing. Authorities prosecuted five defendants for sex trafficking, compared with three in 2013. The government convicted six traffickers, compared with three in the previous reporting period. Of the six traffickers convicted, three received 12-year prison sentences and the remaining three received seven-, 13-, and 14-year prison sentences.

Law enforcement's limited investigative capabilities continued to hamper its capacity to investigate suspected traffickers. Some members assigned to anti-trafficking units in Tbilisi and Batumi continued to lack basic investigative skills. Experts reported investigators focused on interrogating victims for evidence gathering, rather than interviewing them for the purpose of determining whether they were potential victims. The government lacked sufficient well-trained female investigators to interview sex trafficking victims, who are predominantly female. Brothel owners, dance club owners, and taxi drivers involved in sex trafficking were investigated by law enforcement to acquire more information. Experts noted police failed to provide available resources to victim-witnesses, who experienced further trauma during the investigative process. Police fined large numbers of women in prostitution, many of whom were not screened for human trafficking, and potential victims may have been compelled to testify against pimps and brothel owners. The government did not outline a strategy to systematically address street begging; experts report the police refused to investigate several cases of forced begging, claiming street begging is not a violation of child's rights under current legislation. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

The government increased victim identification efforts and sustained efforts to protect trafficking victims. The government identified 17 trafficking victims; 10 females, including one minor, were sex trafficking victims, and seven males were victims of labor trafficking. There was a low level of victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors. In February 2015, the prime minister signed a decree establishing a labor inspectorate, which aimed to increase the government's capacity to identify victims of forced labor. Without the participation of victim assistance service providers, some police raids on brothels did not involve proper screening of potential victims.

The government funded and operated two shelters that provided medical aid, psychological counseling, and legal assistance to 16 trafficking victims in the reporting period, all of whom also received financial assistance from the government. The government reported foreign trafficking victims were eligible for temporary residence permits, but no foreign victims requested them during the reporting period. The government reported victims were encouraged to assist law enforcement with investigations and prosecutions, although their assistance is not required in order to receive government protection or shelter services; ten of the 17 identified victims assisted law enforcement. In one case, information obtained from a victim helped law enforcement identify and assist another victim, as the second victim was discovered while searching the house of the alleged trafficker. Victims of all

ages, genders, and nationalities had access to services on an equal basis. Deportation of trafficking victims was not permitted by law. The government referred all identified victims to care facilities; however, assistance was not always offered at the investigative stage. Investigators often focused on interrogating women for evidence gathering, rather than interviewing them for purposes of determining whether they could be potential trafficking victims.

## PREVENTION

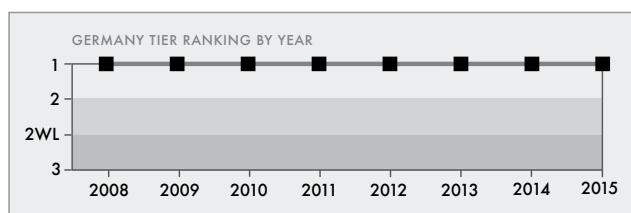
The government sustained trafficking prevention efforts. Government officials participated in television, radio, and print media programs to raise awareness. In August 2014, the government funded a local NGO to discuss the risks of labor trafficking in Turkey in the border town of Adjara. Officials supported an initiative to develop a government-funded system to support the rehabilitation of children living on the street, a demographic vulnerable to trafficking. During the reporting period, the government provided services to 535 vulnerable children *via* three mobile teams, three care facilities, and two shelters. The government, in partnership with an international organization, produced video clips on trafficking, assistance available for victims, and contact information for law enforcement, which were broadcast on the public broadcasting system. The government, in partnership with an international organization, developed and disseminated 40,000 anti-trafficking flyers in five languages throughout Georgia's Tourism Information Centers located in large metro centers as well as the Tbilisi, Kutaisi, and Batumi airports. The government continued to fund an anti-trafficking hotline operated by police within the government's anti-trafficking division, as well as another hotline operated by the state fund that received calls from trafficking victims. During the year the anti-trafficking hotline received calls from 100 persons and the state fund hotline received 171 calls. The government demonstrated efforts to reduce the demand for sex trafficking or forced labor by distributing 40,000 flyers in five languages that warned the public of trafficking and discouraged the use of services of trafficking victims, including a reference to Article 143 of the criminal code. The government provided anti-trafficking training and guidance for its diplomatic personnel.

## GERMANY: Tier I

Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most identified sex trafficking victims in Germany (86 percent in 2013) are European nationals, primarily Bulgarians, Romanians, and Germans. Nationals of Nigeria, other parts of Africa, Asia, and the Western Hemisphere are also subjected to sex trafficking in Germany. Most sex trafficking victims are exploited in bars, brothels, and apartments. A substantial number of identified sex trafficking victims (22 percent in 2013) reported they had initially agreed to engage in prostitution. Approximately half of identified victims are under the age of 21. Asylum seekers are increasingly vulnerable to sex and labor trafficking in Germany and traffickers use asylum shelters to find victims. Labor trafficking victims are predominantly European nationals, including Bulgarians, Poles, and Romanians, but also include nationals from Afghanistan and Pakistan. Identified and suspected victims of forced labor are exploited in agriculture, hotels, construction sites, meat processing plants, seasonal industries, restaurants, and diplomatic households. Roma and foreign unaccompanied minors are particularly vulnerable to trafficking, including forced begging and coerced criminal behavior.

Various governments reported German citizens engaged in sex tourism abroad.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. The government continued to prosecute and convict traffickers, identified and assisted sex trafficking victims, registered 61 labor trafficking victims, and made efforts to assess labor trafficking in Germany. Efforts to hold traffickers accountable continued to be undercut by weak sentences for trafficking convictions. The total number of government-registered victims, investigated cases, and defendants prosecuted and convicted for sex trafficking fell significantly from the previous year; while the number of suspected victims and investigations of labor trafficking rose. Government efforts to identify and assist labor trafficking victims and prosecute and convict labor traffickers remained inadequate given the scope of the problem, partially due to weaknesses in Germany's labor trafficking statute, Section 233 of the criminal code.



## RECOMMENDATIONS FOR GERMANY:

Increase efforts to address labor trafficking, including by revising Section 233 of the criminal code to ensure proof required under the law does not unduly restrict investigations and prosecutions of labor trafficking offenses; increase proactive identification of labor trafficking victims and vigorous investigation and prosecution of labor trafficking crimes, convicting and punishing offenders with sentences commensurate with the severity of the crime; fully integrate labor trafficking into cooperation agreements and provide more consistent and stable funding of sex and labor trafficking victim assistance at the state level; standardize victim assistance measures and government-civil society cooperation across the 16 federal states, and increase the number of victims provided services through counseling centers; expand longer-term residence permit eligibility for victims that is not reliant on victims' willingness to testify at trial; establish policies to encourage victims to self-identify and work with law enforcement including by addressing the requirement that officials report migrants' undocumented status; encourage prosecutors' offices to assign specialized prosecutors to trafficking cases; establish an independent national anti-trafficking rapporteur to produce assessments of the government's anti-trafficking efforts; strengthen awareness campaigns targeting beneficiaries of forced labor and clients of the sex trade, particularly in the most frequented red light districts; and include all convictions for human trafficking in reported conviction data.

## PROSECUTION

The government maintained law enforcement efforts. Germany prohibits all forms of sex and labor trafficking; sex trafficking is criminalized under Section 232 and forced labor under Section 233 of the criminal code. 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. Section 233, however, posed significant challenges for practitioners due to its complex wording and scope of application. As a result, law enforcement officials and prosecutors often pursued prosecutions for offenses that were easier to prove than coercion in labor trafficking. Tracking of trafficking convictions was limited by a record-keeping system that did not record convictions as having involved trafficking when an accompanying criminal charge had a higher statutory sentence than the trafficking statute. Government-reported statistics continued to reveal convicted traffickers frequently avoided imprisonment, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting law enforcement efforts of police and prosecutors.

In 2013, the most recent year for which comprehensive statistics were available, state and federal authorities completed 425 sex trafficking investigations, compared with 491 in 2012. Authorities prosecuted 118 defendants for sex trafficking in 2013, compared with 142 in 2012. Courts convicted 77 sex traffickers in 2013, compared with 115 in 2012, and suspended prison sentences for the vast majority of convicted traffickers. Most convicted traffickers received lenient prison sentences that were suspended due to a provision in the criminal code allowing the suspension of assigned prison terms of less than two years, particularly for first-time offenders. Of the 77 sex traffickers convicted, only 17 were sentenced to prison, receiving sentences between two and 10 years. The government investigated 53 labor trafficking cases in 2013, compared with 11 in 2012. Authorities prosecuted 15 alleged labor traffickers in 2013, compared with 16 in 2012. Fourteen of these offenders were convicted, compared with 10 in 2012. None of the 14 convicted labor traffickers were imprisoned. Whereas sex trafficking cases were frequently led by prosecutors with experience leading victims through trial processes, labor trafficking cases were mostly assigned to financial or economic crime sections with less experience with trafficking or victim-centered prosecutions. NGOs and officials reported mixed experiences with the judiciary; while some judges were sensitive to victims' trauma, others subjected victims to repeated testimonies or made insensitive statements about their experiences. Judges were not required to take training of any kind, including on trafficking crimes and victim-centered procedures. Both the Federal Criminal Police and state-level police collaborated with EUROPOL and several foreign governments, including Romania, Bulgaria, and Nigeria, 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. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained victim protection efforts. Authorities identified 542 sex trafficking victims in 2013, compared with 612 in 2012; counseling centers cared for 30 percent of those identified. The government registered 61 labor trafficking victims, a significant increase from 14 in 2012. Police identified 54 percent of victims. Requirements that officials inform immigration authorities of any undocumented migrants that come to their attention impaired labor trafficking victim identification and led to under-reporting of trafficking crimes. Thirteen of the 16 states had formal cooperation agreements with trafficking counseling centers, but not all of these agreements addressed labor trafficking. NGOs, funded in

part by the government, operated counseling centers in 45 cities, providing or facilitating shelter, medical and psychological care, legal assistance, vocational support, and other services largely for adult female sex trafficking victims. Trade union-affiliated and migrant counseling centers coordinated with trafficking NGOs and the partially federally funded labor alliance to offer support to labor trafficking victims. Many state governments provided significant supplemental funding for the support of victims, but long-term financial funding was scarce.

The government offered undocumented victims a reflection period of three months to decide if they wanted to testify in court, and NGOs confirmed it was applied in practice. Victims who agreed to testify were entitled to live and work in Germany for the duration of the trial. Those who testified were normally repatriated following trials; however, victims who faced personal injury or threats to life or freedom in their countries of origin could apply for long-term residence permits. State interior ministries circulated instructions on the application of humanitarian residence permits for victims. Authorities encouraged victims to participate in investigations and prosecutions of traffickers. German law enables victims to join criminal cases as joint plaintiffs and to pursue civil remedies; however, victims often had difficulty obtaining compensation due to inconsistent case law from higher courts. German law also entitles victims to interpreters and to have a third-party from a counseling center to accompany them to all interviews. The law permits exemption of trafficking victims from criminal prosecution for minor crimes they committed during the course of their trafficking experience; however, German prosecutors anecdotally described issuing small or "suspended" fines to some victims for crimes such as narcotics possession.

## PREVENTION

The government maintained efforts to prevent trafficking. Labor trafficking was not as highly prioritized as sex trafficking, but the government continued to increase steps to assess labor trafficking in the country and improve policy to address forced labor through a partially federally funded labor alliance conducting research, raising awareness, and providing victim identification training. The Federal-State Working Group on Trafficking in Persons reviewed counter-trafficking issues, disseminated best practices, provided input to new laws and directives, and collaborated with a variety of coordination bodies at the state and local levels. The government supported a variety of coordination initiatives. In one such initiative, the North Rhine-Westphalia Roundtable on Prostitution published and provided the government with a report making recommendations to improve legislative requirements for police investigations and protections for people in prostitution. The Federal Agency for Migration and Refugees conducted trainings and created standard operating procedures on handling and reporting suspected trafficking cases in response to the increasing number of trafficking victims within the asylum system. The government in cooperation with one NGO continued to hold informational events and annual in-person interviews with domestic workers employed by embassies in Berlin without the presence of their employers. The government sustained funding for public awareness campaigns in Germany and abroad.

The German Federal Criminal Police continued to publish an annual report on trafficking in Germany, describing law enforcement efforts, victim trends, and challenges in addressing the crime. The government continued to lack a national rapporteur to provide independent, self-critical analysis of the government's efforts

to address trafficking. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government continued to fund a hotline for women affected by violence, including female trafficking victims. A government-funded NGO published a short film to raise awareness about child sex tourism and the government's newly launched online platform for tourists to report suspected crimes. Although law enforcement collaborated with foreign officials to investigate German citizens' participation in child sex tourism, there were no reported prosecutions of German offenders in Germany. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government trained military personnel to recognize and prevent trafficking prior to their deployment abroad on international peacekeeping missions.

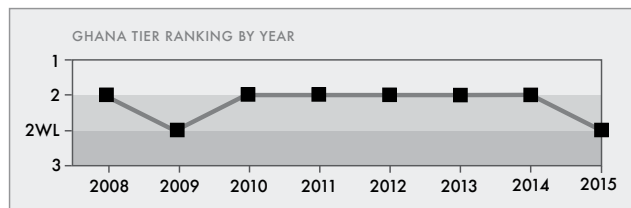
## GHANA: Tier 2 Watch List

Ghana is a source, transit, and destination country 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 forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture. Ghanaian girls, and to a lesser extent boys, are subjected to prostitution within Ghana. Child prostitution is prevalent in the Volta region and is growing in the oil-producing western regions. Ghanaian girls are subjected to a form of forced ritual servitude to atone for sins of a family member, which can last for a few months or several years. There has been an increase in the number of Ghanaian girls and young women from the northern region working as head porters in greater Accra; they are at risk for sex trafficking and forced labor. Ghanaian women and children are recruited and sent to West Africa, the Middle East, and Europe for forced labor and sex trafficking. There was an increase in the number of young Ghanaian women recruited with the promise of domestic or hospitality industry jobs in Kuwait, Qatar, Saudi Arabia, and Lebanon. After their return many of them reported being deceived, overworked, starved, abused, molested, and/or forced into prostitution. Ghanaian men were also recruited under false pretenses to the Middle East and subjected to forced labor in the domestic sector and forced prostitution. In recent years a few Ghanaian men and women were identified as victims of forced labor in the United States. Women and girls voluntarily migrating from Vietnam, China, and neighboring West African countries are subjected to sex trafficking in Ghana. Citizens from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Reports of corruption and bribery in the judicial system continued, stymieing anti-trafficking measures.

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. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Ghana is placed on Tier 2 Watch List. During the reporting period, the failure to provide operating budgets for law enforcement and protection agencies hampered the government's anti-trafficking efforts. Although the Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service (GPS) continued law enforcement efforts



focused primarily on cross-border trafficking cases, it once again relied heavily on foreign donors and NGOs to support these efforts and significantly fewer victims were identified. Additionally, for the fourth year, the government did not provide anti-trafficking training to prosecutors despite acknowledgment that such training was needed. The government supported protective services for foreign national victims, but did not provide any funding for the human trafficking fund for victim services or to its two shelters, which remained in dangerous condition and unable to provide basic services and security to residents. In a positive step, the government reconvened the Human Trafficking Management Board (HTMB).



## RECOMMENDATIONS FOR GHANA:

Continue to investigate and prosecute trafficking offenses—including internal labor and sex trafficking—and convict and punish trafficking offenders; designate an attorney general's prosecutor in each region to lead the prosecution of human trafficking cases; provide the police's AHTU adequate resources to conduct law enforcement efforts; train law enforcement, child labor inspectors, and social welfare personnel to proactively identify trafficking victims among vulnerable populations—such as women in prostitution, migrant workers, and children working in agriculture, mining, fishing, and portering—and refer them to protective services; provide trafficking-specific training to prosecutors and other judicial personnel; adopt the legislative instrument and fully implement the 2005 Human Trafficking Act; provide sufficient government funding for protective services to victims, including to the human trafficking fund; ensure the maintenance of government-operated shelters and training of staff in victim care; improve data collection and reporting on victims identified and assisted; take appropriate measures to regulate the activity of licensed and unlicensed recruitment agencies and investigate agencies suspected of participating in human trafficking of Ghanaian migrant workers; and provide adequate resources for the HTMB to finalize and implement the national plan of action against trafficking.

## PROSECUTION

The government continued anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act—amended in 2009 to align its definition of human trafficking with the 2000 UNTIP Protocol—prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2014, the government conducted 94 investigations, initiated 15 prosecutions, and secured seven convictions, compared with 140 investigations, 20 prosecutions, and six convictions in the previous year. Most of the investigations involved suspected transnational trafficking. One conviction involved forced child labor, while six were for sex trafficking crimes involving adult victims. The convicted traffickers received sentences ranging from five to 10 years' imprisonment. The Attorney General's Department prosecutors did not report prosecuting trafficking cases; the

AHTU and the GPS prosecutors were responsible for the vast majority of the human trafficking investigations, prosecutions, and convictions, but the AHTU did not receive an operating budget during the reporting period and relied on funding and support from international and local donors for operations. As in previous years, AHTU officials were unable to act on many suspected trafficking reports because they lacked resources, such as logistical support, facilities, and equipment to conduct investigations.

Although officials acknowledged prosecutors lacked training and resources to prosecute trafficking cases fully, no prosecutors have received specific anti-trafficking training since 2011. The government did not support any specialized anti-trafficking training for government officials during the reporting period, although new recruits in the Ghana Immigration Service and the GPS received training on trafficking-related topics as part of their basic introductory training. Although government officials have cited the need for parliamentary approval of a "legislative instrument"—akin to implementing regulations—to apply the 2005 Human Trafficking Act more effectively, the draft instrument remained under review after more than three years. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, reports of general corruption and bribery in the judicial system continued during the reporting period, inhibiting law enforcement action.

## PROTECTION

The government demonstrated decreased efforts to protect victims. The government did not keep comprehensive statistics for the number of trafficking victims identified; however, the AHTU and the Human Trafficking Secretariat reported identifying 146 victims, at least 82 of whom were Ghanaian victims returning from trafficking situations in Gulf countries in 2014. This is a decrease from 182 victims reported identified in 2013. Most child victims were referred to NGO-run facilities that offered protective care; the government provided adult foreign national victims with hotel accommodation and food. No information is available regarding assistance to Ghanaian victims returned from the Gulf. The Human Trafficking Fund, which was established by the 2005 Human Trafficking Act to finance protection efforts, was unfunded for the third consecutive year; shelters operated in seriously dilapidated conditions without the resources to make basic repairs, and government officials used donor and their own personal funds to assist victims. The Department of Social Welfare (DSW) was responsible for operating the two government-supported shelters in Ghana—the Shelter for Abused Children in Osu (Osu Shelter), a multipurpose shelter; and the Madina Shelter for Rescued Trafficked Children in Madina (Madina Shelter), the only shelter specifically for trafficking victims; however, the DSW did not provide any funding to these shelters during the reporting period and both shelters were in serious disrepair and lacked security. The Madina Shelter provided shelter to only one child trafficking victim during the reporting period before its use as a shelter was discontinued in mid-2014. Additionally, the Osu Shelter is located on the same compound as a juvenile correctional facility, and there is no structural barrier protecting the victims from criminal offenders. Shelter officials struggled to feed, clothe, and provide general care for trafficking victims, relying primarily on support from international organizations. Both shelters provided short-term care, generally limiting victims' stays to three months, although extensions were granted on a case-by-case basis. The Osu Shelter had a maximum capacity of 30 child victims; the government therefore relied heavily on

NGOs to provide shelter and care to child victims. There were no government-run shelters for adult victims.

The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at work sites; however, law enforcement agencies operating at the border initiated questioning to recognize indicators of trafficking. The government encouraged an unspecified number of victims to assist in the investigation and prosecution of trafficking offenders and provided them with protective escorts and legal counsel during trial proceedings; however, law enforcement officials stated they did not have the means to provide shelter or to effectively protect witnesses. Foreign victims may seek 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 victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, due to a lack of formal victim identification procedures, some unidentified victims may have remained unidentified in the law enforcement system.

## PREVENTION

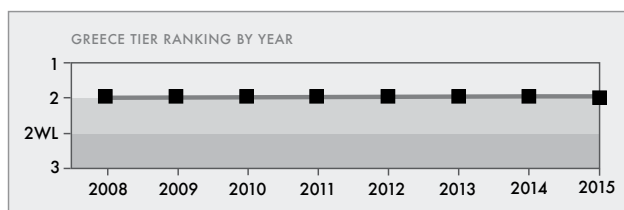
The government demonstrated a modest increase in anti-trafficking prevention efforts. With support of an international organization in 2014, the government reconvened the HTMB, the inter-ministerial committee responsible for advising the Ministry of Gender, Children, and Social Protection (MGCSF) on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. However, the MGCSF did not receive any government funding to fulfill its mandate to conduct monitoring and evaluation, data collection, and research relating to trafficking. With support from an international organization, the MGCSF and members of the HTMB began review of the draft national action plan, which was not finalized or adopted during the reporting period. The government partnered with local administrative bodies, at the district, municipal, and community levels to conduct awareness campaigns on the dangers of child labor and child trafficking and, with donor support, participated and assisted in the organization of similarly focused anti-trafficking information campaigns, including sensitization programs in the Volta region and cocoa-producing communities. State-owned radio and television programs aired anti-trafficking programming and partnered with an NGO to show a documentary on child trafficking on 540 inter-city buses. In response to increasing reports of serious physical abuse and sex and labor trafficking of Ghanaian women recruited for domestic and hospitality jobs in the Middle East, the Ghana Immigration Service issued a warning to Ghanaians regarding the dangers of such travel, and Ghanaian authorities called for the abolition of the visa permitting such employment in Middle Eastern countries. Despite acknowledging the growing number of unlicensed and fraudulent recruitment agencies increasingly facilitating the trafficking of Ghanaian men and women to the Middle East, the government failed to increase its oversight of recruitment agencies or investigate and prosecute those allegedly responsible for fraudulent recruitment. The government took no measures to decrease the demand for forced labor. In an effort to reduce the demand for commercial sex acts, AHTU continued to arrest potential clients. 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. The government

did not provide anti-trafficking training for its diplomatic personnel.

## GREECE: Tier 2

Greece is a transit, destination, and, to a very limited extent, source country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Some women from Eastern Europe (including Bulgaria, Romania, and Albania), Greece, Russia, Nigeria, and China are subjected to sex trafficking in Greece. Victims of forced labor in Greece are primarily children and men from Eastern and Southern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. Most labor trafficking victims reportedly enter Greece through Turkey along irregular migration routes from the Middle East and South Asia. Romani children from Albania, Bulgaria, and Romania are forced by family members to sell goods on the street, beg, or commit petty theft in Greece. The increase in unaccompanied child migrants in Greece has increased the number of children susceptible to exploitation. Some public officials have been investigated for suspected involvement in human trafficking.

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 fewer traffickers and prosecuted fewer suspects compared to the previous reporting period. Police identified fewer trafficking victims and the government failed to make all victim services authorized by law readily accessible to victims. There was no government-run shelter for adult male victims and no emergency shelter easily accessible for victims of trafficking. The government provided limited in-kind support to NGOs providing victim services and shelter.



## RECOMMENDATIONS FOR GREECE:

Vigorously prosecute and convict traffickers, including officials complicit in trafficking; provide training to law enforcement, prosecutors, and judges on a victim-centered approach to prosecutions; train law enforcement officers to improve screening for trafficking victims among asylum seekers, women in prostitution, irregular migrants, and other vulnerable populations; ensure all services available by law for victims are provided, particularly medical care; establish specialized shelters for trafficking victims and provide shelter for adult male victims; employ witness protection provisions already incorporated into law for victims to further encourage their participation in investigations and prosecutions; draft a national action plan for combating trafficking; and integrate messages targeted towards vulnerable minority populations into existing awareness campaigns.

## PROSECUTION

The government sustained law enforcement efforts, yet the number

of dedicated police officers focusing on human trafficking continued to decline due to severe budgetary constraints stemming from Greece's financial crisis. 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. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police investigated 36 human trafficking cases, compared with 37 cases in 2013; six of the investigations were for forced begging or labor. In 2014, the government prosecuted 125 defendants on suspicion of committing trafficking-related crimes, a decrease from 142 in 2013 and 177 in 2012. Of these, 17 defendants were prosecuted for labor exploitation, including forced begging, and 108 defendants for sexual exploitation. Due to limitations in data collection capabilities, conviction information is not available from all courts, and information related to specific charges in prosecutions was available only once convictions were reached; therefore, government data could not disaggregate human trafficking trials from prosecutions of non-trafficking crimes involving sexual and labor exploitation. Only partial data on convictions from approximately half of the courts in Greece was available, as was the case in prior years. This partial data shows that the government convicted 31 traffickers, compared with 46 convictions in 2013. Sentences ranged from five to 32.5 years' imprisonment and fines; two sentences were suspended. In one instance, an NGO reported that a court convicted sex traffickers under pimping laws that carried lesser penalties.

Civil society criticized the outcome of a trial involving labor trafficking charges against three Greek foremen accused of shooting into a crowd of some 200 Bangladeshi migrant workers who had been protesting over six months of unpaid wages at a strawberry farm. In July 2014, a Greek court acquitted the farm owner and his lead foreman and suspended prison sentences against two other alleged offenders pending appeal. A statement issued by an NGO highlighted flaws in the preliminary investigation of the incident, lack of independent interpreters used in victim examinations, and lack of police protection for the victims. There have been no confirmed instances of labor inspections finding similar cases of trafficking in rural areas where seasonal agricultural work occurs, despite reports of their existence from NGOs and journalists.

The anti-trafficking police unit held seminars on trafficking for police cadets and webinars for police directorates. The government did not provide comprehensive trainings for judges or prosecutors on trafficking cases or using a victim-centered approach. Police reported suspending several corrupt police officers involved in bribery, blackmail, and the exploitation of women, although the women in these cases have not been confirmed to be trafficking victims. In May 2014, police arrested members of a criminal ring involved in the sexual exploitation of foreign women; the alleged ringleader was a policeman who was suspended pending further investigation. There is no confirmation that this case was related to trafficking victims, and the case remained pending at the end of the reporting period. In 2013, two police officers were arrested for involvement in a sex trafficking ring and charged with providing internal police information to traffickers; this case remained under investigation with no trial scheduled by the end of the reporting period.

## PROTECTION

The government's protection efforts decreased in some areas, but increased in others. Police identified a total of 64 potential

trafficking victims, compared with 99 in 2013; 48 were victims of sexual exploitation and 16 were victims of forced begging or labor exploitation. Fourteen victims were children. Thirty officially recognized and potential victims received assistance from the government, an increase from 22 in 2013. Eighteen victims received services through government-run shelters, an increase from 15 in 2013. The government was unable to determine how much funding was spent exclusively on victim assistance, and NGOs expressed concerns regarding government funding shortfalls caused by Greece's six-year economic crisis and fiscal measures imposed as part of Greece's international bailout. Trafficking victims could access one state-run emergency shelter for victims of violence prior to their referral to one of 21 state-run shelters for victims of violence regardless of residency status. Only those victims with residence permits or who were EU nationals could access the 21 state-run shelters. NGOs also administer shelters funded by government and private funding where children, including victims of trafficking, are referred to for shelter and support services. The government had cooperation agreements and memoranda of understanding in place with three NGOs to house, protect, and assist children in danger, including underage trafficking victims, and female victims of violence, including trafficking victims. The government provided in-kind donations in the form of rent-free buildings for four NGO shelters that assisted victims of violence. Twenty officially recognized trafficking victims and 10 potential victims received government-funded assistance including psychological support, medical care, and legal aid. Eighteen sex trafficking victims stayed at government-run shelters; NGOs sheltered an additional 13 trafficking victims. A privately funded NGO ran the only shelter exclusively for trafficking victims in Greece, which was also the only shelter that could accommodate male victims. Child victims were served in government-run shelters, NGO shelters, and facilities for unaccompanied minors, but were not housed in specialized facilities for trafficking victims. Reportedly, victims had difficulty obtaining medical care, as some health workers were unaware of victim service provisions. The government trained law enforcement, immigration officers, social service workers, labor inspectors, and health workers in identifying trafficking victims and on following written procedures to identify victims. Police had a screening process to ensure that possible victims of trafficking in custody were not deported or sent to migrant detention centers, and NGOs recommended that formal training should be compulsory for migrant detention center staff. NGOs reported positive cooperation with police anti-trafficking units and noted improvement in victim identification procedures, though efforts were still lagging, particularly at land and maritime borders.

Greek law provides witness protection to victims during trial; however, an NGO reported that no trafficking victims have received full witness protection privileges to date. Greek law provides for the presence of mental health professionals when victims are testifying. The law allows the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources. Foreign nationals identified by a public prosecutor as a victim of trafficking could be granted a one-year residence permit, renewable every two years as long as a criminal investigation was ongoing. The government did not issue any new temporary residence permits to trafficking victims in 2014, compared with 12 issued in 2013. Authorities renewed the temporary residence permits of 32 female trafficking victims, compared with 42 renewed permits in 2013. A procedural change in the issuance and renewal of residence permits requires all



applicants, including trafficking victims, obtain all the relevant documents necessary to verify their status. Greek law exempts victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking. Greek authorities reportedly arrested and detained trafficking victims for prostitution offenses without screening for signs of trafficking.

## PREVENTION

The government sustained efforts to prevent trafficking. The Office of the National Rapporteur on Human Trafficking, which is charged with coordinating anti-trafficking efforts, continued to increase its staffing. There was no national action plan exclusively for anti-trafficking efforts; however, awareness-raising and training on trafficking was included in the national action plan for human rights. To address demand for labor trafficking, the office of the national rapporteur signed a memorandum of cooperation with a network of companies committed to slave-free supply chains. The office of the national rapporteur also supported numerous events to raise public awareness on trafficking-in-persons issues. The government continued a public awareness campaign with a hotline targeting female victims of violence, including trafficking victims, and continued to run an anti-trafficking public awareness campaign on television, radio stations, and social media targeting female victims of violence, including human trafficking. NGOs reported a need to increase trafficking prevention efforts in Greece's border areas where Romani and Muslim minority populations are concentrated. The government ratified the Council of Europe Convention on Action against Trafficking in Human Beings in April 2014. The government made efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking guidance for its diplomatic personnel. New Greek diplomats were provided manuals on identification of trafficking victims to facilitate granting visas.

## 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 and in Mexico, the United States, Belize, and other foreign countries. Foreign child sex tourists, predominantly from Canada, the United States, and Western Europe, and Guatemalan men, exploit children in prostitution. Women and children from other Latin American countries and the United States are exploited in sex trafficking in Guatemala. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service, and in agriculture, the garment industry, small businesses, and domestic service in Mexico, the United States, and other countries; domestic servitude in Guatemala sometimes occurs through forced marriages. Indigenous Guatemalans are particularly vulnerable to labor trafficking. Guatemalan children are exploited in forced labor in begging and street vending, particularly within Guatemala City and along the border area with Mexico. Child victims' family members are often complicit in their exploitation. Criminal organizations, including gangs, exploit girls in sex trafficking and coerce and threaten young males in urban areas to sell or transport drugs, commit extortion, or be hit men. Some Latin American migrants transiting Guatemala *en route* to Mexico and the United States are subjected to sex trafficking or forced labor in Mexico, the United States, or Guatemala. Media sources have reported

allegations of widespread sexual violence committed by staff in a government psychiatric facility; some of this abuse may comprise sex trafficking. Police, military, and elected officials have been investigated for paying children for sex acts, facilitating child sex trafficking, or protecting venues where trafficking occurs.

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. The government increased anti-trafficking law enforcement efforts—convicting more traffickers in 2014 than in 2013 and obtaining the country's first convictions for labor trafficking. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) enhanced government coordination on anti-trafficking initiatives, including through the establishment of department-level networks to raise awareness of trafficking. The government opened and fully funded two specialized shelters and increased funding for services for child sex trafficking victims, but the overall number of victims receiving assistance declined compared with 2013. There remained no shelter options for adults that permitted freedom of movement, and specialized services for male victims and labor trafficking victims were limited. Authorities did not prosecute or convict any government officials for complicity in trafficking crimes, and complicity investigations from previous years languished in the pre-trial phase.



## RECOMMENDATIONS FOR GUATEMALA:

Improve access to specialized services for all victims, including for male victims; increase efforts to hold government officials criminally accountable for complicity in trafficking; pursue legislative changes that would permit adults access to open shelters, witness protection, and non-residential service options; continue efforts to vigorously investigate and prosecute trafficking offenses, especially suspected cases of forced labor and domestic servitude, with the goal of convicting and punishing traffickers; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, to ensure all victims are referred to appropriate care facilities; provide reintegration and witness protection support to victims to increase their security after they leave shelters; sustain funding for specialized victim services, including those administered by NGOs; increase efforts to identify trafficking victims, particularly among vulnerable populations such as working children, returning migrants, individuals in the sex trade, and children apprehended for illicit gang-related activities; sustain existing child sex tourism prevention activities and increase efforts to investigate, prosecute, and convict child sex tourists; target prevention activities toward the most vulnerable populations, including indigenous communities; and continue anti-trafficking training for relevant officials.

## PROSECUTION

The government strengthened efforts to prosecute and convict sex and labor traffickers, but did not prosecute or convict any

public officials complicit in trafficking. The anti-trafficking law of 2009 prohibits all forms of trafficking, although it includes irregular adoption as a form of trafficking, and prescribes penalties from eight to 18 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government initiated investigations of 402 trafficking cases and prosecuted 62 individuals for "trafficking-related" offenses in 2014; the majority of cases involved sex trafficking, while an unknown number involved forced labor. Authorities convicted 20 traffickers, with sentences ranging from eight to 48 years' imprisonment. In comparison, the government prosecuted 67 suspects and convicted 10 traffickers in 2013. Among the traffickers convicted in 2014 were four individuals who forced girls to work in bars, restaurants, and hotels; these represent the first labor trafficking convictions in Guatemala. Anti-trafficking police and prosecutors' ability to conduct investigations outside of the capital, while improved, continued to be limited by a lack of funding. Some members of the judiciary lacked adequate proficiency to correctly apply the country's anti-trafficking law. Local experts reported some prosecutors lacked adequate training, and at times charged suspected traffickers using laws that carry lesser sentences. Officials identified few cases of forced labor or cases that did not involve organized crime elements. Officials did not identify any cases of forced criminal activity. Guatemalan authorities held training sessions for prosecutors, social workers, and other officials. With international support, the government trained 219 labor inspectors, police, and migration officials on trafficking. The government cooperated with officials in Mexico, El Salvador, Honduras, and Nicaragua on trafficking investigations.

Trafficking-related corruption impeded anti-trafficking efforts. Police, military, and elected officials have been investigated for paying children for sex acts, facilitating child sex trafficking, or protecting venues where trafficking occurs. The government investigated one local official for purchasing commercial sex acts from a child in 2014. It did not prosecute or convict any officials for complicity in human trafficking during the reporting period, nor did it report any developments in four criminal investigations of complicit government officials from the previous year. High-profile cases involving officials complicit in trafficking crimes stalled; charges against the son of a late Supreme Court justice implicated in a child sex trafficking ring remained under appeal for more than a year, and there were no developments in cases against 16 other individuals implicated in this ring.

## PROTECTION

The government made limited progress in protecting victims, but the majority of identified victims did not receive services, and the number of victims receiving services declined. Authorities maintained standard operating procedures for identifying sex trafficking victims, and labor officials implemented a protocol to identify potential sex and labor trafficking victims during labor inspections. The government identified 287 victims and NGOs identified an additional 50 victims, a decrease from 570 potential victims identified in 2013. Authorities did not provide complete statistics on the age and gender of victims or the type of trafficking they experienced; at least 90 were girls, 26 were boys, and 16 were women.

In 2014, the government adopted a protocol to guide government agencies in procedures to assist victims. Guatemalan law requires judges to make all referrals to public or private shelters; in 2014, judges referred 132 victims to shelters, a decrease from 196 in

2013. The majority of identified victims, 205, was not referred and therefore did not receive services. In September 2014, the government opened two shelters dedicated to providing short-term accommodation, and medical, psychological, and educational services, to child trafficking victims; these shelters assisted 36 children. The government gave 3.45 million quetzales (\$452,000) to one NGO that provided shelter and specialized services to 34 victims; it also provided funding to an NGO that served female victims of violence, including five trafficking victims. Another NGO provided services for 11 girls. There were few services in the country available for male victims; most boys and some girls were placed in a government shelter that housed child victims of abuse or neglect as well as child offenders. In 2014, 30 children were placed in this facility; there are reports that trafficking victims were not always separated from other residents, and local experts reported concerns with safety and quality of care in this shelter. There were no shelters for men. The sole facility available to women was a government shelter that restricted residents' movements outside the shelter, effectively denying their ability to earn an income or participate in other outside activities while in the shelter. Sixteen women chose to reside in this shelter in 2014; those who did not were not eligible to receive the government's psychological, social, or vocational services for trafficking victims.

NGO shelter operators expressed concern for victims' safety upon being discharged from shelters. They cited insufficient ongoing case management and reintegration services in government shelters, leaving some victims vulnerable to re-trafficking or retaliation from traffickers—particularly those whose cases involved organized crime groups or public officials. NGOs provided the only services to fill this gap, at times sheltering victims on a long-term basis. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members were often complicit in their exploitation. Officials had difficulty recognizing domestic servitude or other types of forced labor not involving criminal networks as human trafficking; victims of these forms of trafficking were unlikely to be referred to protective services.

Authorities encouraged victims to assist with the investigation and prosecution of traffickers, and an unspecified number did so, with legal and psychological support from NGOs. Victims residing in government facilities did not receive adequate legal support or witness protection. Prosecutors cited the lack of appropriate protection options for adult victims as a significant impediment to pursuing prosecutions in cases involving adults. Victims had the right to file civil claims; legal teams in NGO shelters assisted at least 10 victims in obtaining restitution from criminal convictions. There were no reports identified victims were detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. The government, however, did not recognize children forced to engage in criminal activity as trafficking victims; officials and NGOs acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. Repatriated victims could be referred to services, though authorities typically did not screen for indicators of trafficking among the large numbers of Guatemalans returned from abroad, including unaccompanied migrant children. Guatemalan law provided legal alternatives to the removal of foreign victims who may face hardship or retribution upon return to their home countries, but all known foreign victims opted for repatriation.

## PREVENTION

The government continued strong prevention efforts. SVET, which

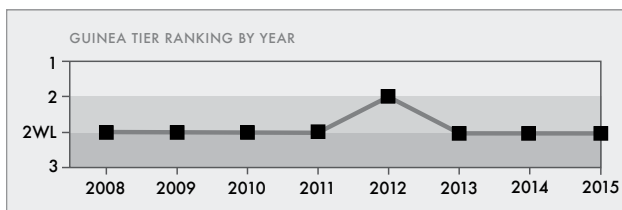
reports directly to the vice president, continued to oversee the interagency anti-trafficking commission and coordinate government efforts against trafficking as well as gender-based violence. In October 2014, the government approved a new 10-year anti-trafficking public policy. The government established 13 additional regional interagency commissions against trafficking and sexual violence, bringing the total to 23. The government conducted numerous awareness campaigns that included information about trafficking and reached more than 127,000 members of the public; some officials expressed concern these were not effective in reaching the most vulnerable segments of the population, including indigenous communities. The government, in partnership with civil society, continued to recruit partners in the tourism industry to sign a code of conduct that encouraged signatories to report potential cases of child sex tourism to authorities, and it implemented an awareness campaign against child sex tourism. However, there were no reported prosecutions or convictions of child sex tourists or other individuals who purchased commercial sex from children. The government provided anti-trafficking training for its diplomatic personnel and for Guatemalan troops prior to their deployment abroad on international peacekeeping missions. The government took no discernible efforts to reduce the demand for forced labor.

## GUINEA: Tier 2 Watch List

Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. The majority of trafficking victims are children, and trafficking is more prevalent among Guinean citizens than foreign migrants in Guinea. Girls are sometimes sent to intermediaries who subject them 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 women, men, and children are subjected to forced labor in agriculture. For example, reports indicate children are sent to the coastal region of Boke for forced labor on farms or 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. Guinea is a transit point for West African children subjected to forced labor in gold mining throughout the region. A small number of girls from neighboring West African countries migrate to Guinea, where they are subjected to domestic servitude and to possible commercial sexual exploitation. Women and girls are subjected to domestic servitude and sex trafficking in various countries in West Africa, Europe, the Middle East, and the United States. During the reporting period, there were increased reports of girls and women exploited in sex trafficking in Europe. Boys are exploited in prostitution in the Netherlands. Thai, Chinese, and Vietnamese women are subjected to forced prostitution in Guinea.

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. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Guinea is placed on Tier 2 Watch List for a third consecutive year. Guinea 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 it has committed to devoting sufficient resources to implement that plan. During the reporting period, an outbreak of Ebola Virus Disease severely affected the country and overwhelmed the government's resources and capacity to effectively address a variety of issues, including trafficking in persons. Although the government prosecuted four alleged traffickers and convicted three traffickers during the reporting period, it imposed inadequate sentences. The government did not provide adequate resources or training to law enforcement and judiciary personnel, identify or provide protective services to victims, provide any funding to support activities of its national anti-trafficking committee, or take any tangible action to prevent trafficking during the reporting period.



### RECOMMENDATIONS FOR GUINEA:

Increase efforts to investigate and prosecute trafficking offenses, and convict and impose adequate sentences on trafficking offenders, including complicit officials; provide specialized anti-trafficking training to law enforcement officials and magistrates; increase prescribed penalties for forced prostitution; provide specialized training to border officials to recognize both adult and child trafficking victims and to refer them to protective services; regularly convene the national anti-trafficking committee and provide adequate resources and training to committee members to support their efforts; develop and implement a national action plan to combat trafficking in persons; develop systemic procedures for the referral of victims to care; strengthen partnerships with NGOs and international organizations to ensure improved care for victims; enhance collaboration 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 maintained modest anti-trafficking law enforcement efforts. Guinean law does not prohibit all forms of trafficking; for example, debt bondage is not criminalized. Article 330 of the 2012 penal code prohibits forced prostitution and prescribes penalties of two to five years' imprisonment; these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious crimes, such as rape. Article 337 of the 2012 penal code prohibits individuals from entering into agreements to 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. These penalties are not, however, generally imposed in practice as Article 49 of the criminal code generally authorizes judges, if they find "mitigating" circumstances, to reduce



imprisonment to less than 16 days and a nominal fine or even simply a maximum fine of two million Guinean francs (\$270).

The government did not initiate any new investigations during the reporting period. However, it concluded an investigation from March 2014, which led to four prosecutions and the conviction of three trafficking offenders for forced child labor; an increase from the previous year, in which the government only prosecuted and convicted one trafficking offender. Nonetheless, the court issued inadequate sentences for the three offenders convicted in 2014, penalizing each trafficker with only four months' imprisonment—the amount of prison time already served at the time of sentencing—rather than the applicable minimum sentence of five years' imprisonment. The Office for the Protection of Gender, Children, and Morals within the Guinea police, responsible for investigating trafficking and child labor, remained severely underfunded. The government did not provide any anti-trafficking law enforcement training during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, general corruption among law enforcement and the judiciary remained an issue.

## PROTECTION

The government demonstrated minimal efforts to protect trafficking victims. The government failed to proactively identify or directly provide services to trafficking victims during the reporting period; furthermore, it did not provide funding or in-kind support to NGOs that assisted victims. The government continued to refer child victims to NGOs on an *ad hoc* basis and, in one case, worked with NGOs to reunite victims with their families. In that case, the government worked with the Government of Senegal to repatriate 12 victims of forced child labor to Guinea and then subsequently worked with an NGO to ensure that the children were ultimately reunited with their families.

Although legally available, the government did not provide temporary or permanent residency to any victims from countries where they would face retribution or hardship. There was no evidence the government encouraged trafficking victims to participate in the investigation or prosecution of their traffickers during the year; reports indicated victims, or victims' parents in cases involving children, were reluctant to file claims against trafficking offenders due to limited access to justice, a lack of confidence in the justice system, corruption, and potential threats of reprisal. There were no reports that the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; however, due to a lack of formal victim identification procedures, some unidentified victims may have been penalized for such crimes.

## PREVENTION

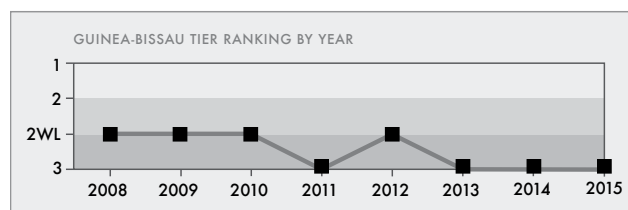
The government demonstrated minimal efforts to prevent trafficking. The national anti-trafficking committee drafted a national action plan in July of 2014; however, this plan was not finalized at the end of the reporting period. Nonetheless, the government adopted an interim written plan. The committee did not receive an operational budget and remained inactive for the majority of the reporting period. The government did not launch any trafficking awareness campaigns. It did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. During the reporting period, the government did not provide anti-trafficking

training or guidance for its diplomatic personnel or peacekeeping troops deployed abroad.

## GUINEA-BISSAU: Tier 3

Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking. The extent to which adults are subjected to forced labor or forced prostitution is unclear. Many Bissau-Guinean boys attend Koranic schools led by religious teachers, known as *marabouts*; some corrupt or unscrupulous *marabouts* force such boys into begging in Guinea Bissau. Some *marabouts* subsequently transport boys to Senegal or, to a lesser extent, Mali or Guinea, for the same purpose. The principal traffickers 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. Bissau-Guinean boys are subjected to forced labor in street vending in Guinea-Bissau and in manual labor in the agriculture sector and mining in Senegal. Bissau-Guinean girls are subjected to forced labor in street vending and domestic servitude in Guinea and Senegal; a smaller number may be subjected to child prostitution in these countries.

The 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. Although an elected constitutional government assumed power in June 2014, it did not demonstrate any progress over the reporting period, compared with the anti-trafficking efforts during the previous transitional government's administration. Despite enacting an anti-trafficking law and finalizing and adopting a national action plan in 2011, the government failed to demonstrate any notable anti-trafficking efforts for a third consecutive year. It did not take law enforcement action against suspected trafficking crimes, identify or provide adequate protection to trafficking victims, conduct any prevention activities, or implement its national action plan in 2014.



## RECOMMENDATIONS FOR GUINEA-BISSAU:

Vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including unscrupulous *marabouts* who use *talibes* for forced begging; provide anti-trafficking training to law enforcement, labor, and social welfare officials on victim identification and referral and case investigation techniques; train judicial personnel about the 2011 anti-trafficking law; reconvene the Inter-Ministerial Steering Committee on Trafficking and allocate specific funds for the implementation of the national action plan; establish a formal victim referral mechanism between the government, NGOs, and international organizations providing care to trafficking victims; improve data collection efforts, including the number of victims identified and referred to protective services; and make efforts to raise public awareness on human trafficking.

## PROSECUTION

The government failed to demonstrate any notable law enforcement efforts. 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. The government, however, did not use these or other existing laws to prosecute trafficking cases during the reporting period. In March 2015, the Judicial Police commenced an investigation of potential child labor trafficking; the investigation was ongoing at the close of the reporting period. Guinea-Bissau's judicial system lacks sufficient human and physical capital to function properly and corruption remains pervasive. The government did not provide any specialized training to law enforcement officials on investigating or prosecuting trafficking crimes. It did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, observers report that some police and border guards might accept bribes from trafficking offenders.

## PROTECTION

The government made inadequate efforts to identify and protect victims, although it provided modest financial assistance to one NGO that cared for trafficking victims. The government did not provide any statistics on the number of victims identified during the reporting period, though an NGO reported it had identified and provided services to 104 Bissau-Guinean child victims in its transit centers in 2014. The government did not make systematic efforts to identify victims proactively and, although it occasionally referred victims to NGOs and international organizations, it continued to rely entirely on these entities to provide all victim assistance. During the reporting period, the government contributed five million West African CFA francs (\$9,280) to an NGO that operated two multipurpose shelters that provided care for an unknown number of victims; these facilities were severely underfunded and understaffed. There was no specialized care available to trafficking victims. While the government did not initiate any prosecutions during the reporting period, officials reported efforts to encourage adult family members and neighbors to participate in legal proceedings against suspected child traffickers. The government does not provide legal alternatives to removal to countries in which victims would face retribution or hardship. There was no evidence the government detained, fined, or jailed trafficking victims for unlawful acts committed as a result of their being subjected to trafficking.

## PREVENTION

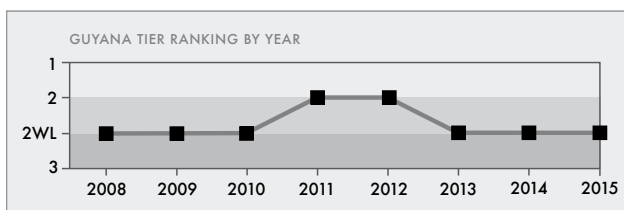
The government did not make any tangible efforts to prevent trafficking in persons. There is no evidence the Inter-Ministerial Steering Committee on Trafficking, established in 2009 to coordinate the government's anti-trafficking efforts, continued to exist or that the government had taken any steps to implement the 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 funds allocated to the aforementioned NGO, no additional funds were dedicated to anti-trafficking efforts in 2014. The government took no discernible measures to reduce the demand for commercial sex acts or forced labor during the

year. The government did not provide anti-trafficking training or guidance for its diplomats prior to their deployment abroad.

## GUYANA: Tier 2 Watch List

Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and children from Guyana, Venezuela, Suriname, Brazil, and the Dominican Republic are subjected to sex trafficking in mining communities in the interior and in urban areas. Victims are subjected to forced labor in the mining, agriculture, and forestry sectors, as well as in domestic service and shops. Children are particularly vulnerable to sex trafficking and forced labor. Limited government presence in the interior renders the full scope of trafficking crimes unknown. Guyanese nationals are subjected to sex and labor trafficking in Suriname, Jamaica, and other countries in the Caribbean region. Some police officers are complicit in trafficking crimes, and corruption impedes anti-trafficking efforts.

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, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Guyana is placed on Tier 2 Watch List for a third consecutive year. Guyana 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 it has committed to devoting sufficient resources to implement that plan. The government released its anti-trafficking action plan in June 2014; however, the government made uneven efforts to implement it during the reporting period. The government convicted only one trafficker—a police officer. The judiciary initially demonstrated positive progress in denying the trafficker's bail request; however, upon the trafficker's appeal of his sentence, it subsequently approved the bail request and released the trafficker. Government efforts to investigate, prosecute, and convict traffickers and identify and assist victims remained limited. The government provided insufficient support to NGOs that identified and assisted a significant number of victims.



## RECOMMENDATIONS FOR GUYANA:

Vigorously investigate and prosecute sex and labor trafficking cases and hold convicted traffickers accountable with time in prison that is commensurate with the severity of the crime; provide increased funding for NGOs to identify and assist victims; investigate, prosecute, and convict government officials complicit in trafficking; make additional efforts to enable victims to appear in court and testify against traffickers in a way that does not further endanger victims; develop child-sensitive investigation procedures and court procedures that protect the privacy of children and

minimize their re-traumatization; in partnership with NGOs, develop and publicize written standard operating procedures to guide and encourage front-line officials—including police, health, immigration, labor, mining, and forestry personnel—to identify and protect victims of forced labor and forced prostitution; do not punish victims for crimes committed as a result of being subjected to human trafficking; and offer increased protection and assistance for victims near mining communities.

## PROSECUTION

Law enforcement efforts remained insufficient. 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 for other serious crimes, such as rape. Weak law enforcement efforts hindered the process of holding traffickers accountable. Between April 2014 and January 2015, the government investigated seven trafficking cases involving an unknown number of suspects and prosecuted four suspected traffickers. Information on the distribution of sex and labor trafficking cases was unavailable. The government convicted one trafficker, compared with three in 2013. The convicted trafficker was a police officer sentenced to four years' imprisonment for child sex trafficking; he was initially denied bail, but ultimately granted bail pending appeal on April 1, 2015. In 2013, the government released three convicted traffickers on bail while their cases were under appeal; these three convicted traffickers were still free on bail and had not had their appeals heard at the end of the reporting period. In 2014 and previous years, Guyanese courts ultimately dismissed the majority of ongoing trafficking prosecutions. The government trained eight police officers on trafficking victim identification and case investigation. Law enforcement cooperated with the Governments of Suriname and Jamaica on four international sex and labor trafficking cases.

## PROTECTION

The government sustained some efforts to identify victims, but victim assistance remained insufficient, and the government penalized some suspected trafficking victims. The Ministry of Labour, Human Services, and Social Security reported referring 16 potential victims to care—largely provided by NGOs—between April 2014 and January 2015. The government did not provide information on how many victims were adults or children, male or female, or sex or labor trafficking victims. In comparison, the government reported identifying 23 victims in 2013, including 10 children, five male labor trafficking victims, and 18 sex trafficking victims. Government resources devoted to victim protection remained inadequate, and authorities did not consistently provide assistance specific to the needs of trafficking survivors. The government provided victims medical assistance, food, and counselling. An NGO—with 10 million Guyanese dollars (\$49,500) in assistance from the government—operated a shelter for victims of domestic violence in Georgetown that assisted 14 victims of sex trafficking. A separate NGO provided housing and assistance to 12 victims of sex trafficking without government support. Donor-funded organizations provided much of the support for victims. In areas outside of the capital, NGOs provided shelter and assistance to victims, often in dangerous conditions, without any government funding. Longer-term shelter and protection was not available in Guyana, putting victims at risk of traffickers' reprisals as the government did not punish most traffickers with incarceration. Reports indicated identified victims were re-trafficked or became

homeless after receiving inadequate protection services from the government. The government reported it was developing standard operating procedures to guide officials in identifying trafficking victims.

Victims often did not testify in court as officials failed to locate and inform them of court dates. Victims also did not testify when they had no transportation to courts or could not afford residency in Guyana in the months before their court date. The government did not adequately address this problem, which contributed to the low number of trafficking convictions. Guyana's law protects victims from punishment for crimes committed as a result of being subjected to human trafficking; however, in November, the government charged, and subsequently placed in police custody, a group of Nepalese suspected to have been subjected to trafficking while illegally present in Guyana. Government officials reported cooperation with NGOs to develop child-sensitive investigation and prosecution procedures; a lack of these procedures put children at risk of reprisal from traffickers. Guyana's law provides relief from deportation for foreign victims; the government did not report extending such relief to foreign victims over the past year.

## PREVENTION

The government sustained efforts to prevent trafficking. The government's ministerial taskforce consisted of representatives from multiple government entities and two NGOs. A leading NGO that has played a significant role in identifying and assisting trafficking victims was not included, despite the organization's critical role in victim protection. The government released an action plan to address trafficking in June 2014; however, it made uneven efforts to implement the plan. It conducted a variety of awareness-raising activities including distribution of posters at checkpoints in the interior, programs at secondary schools, community awareness initiatives, and publication of a newspaper article in observance of trafficking awareness day. The government operated a trafficking hotline, but did not report how many calls it received. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

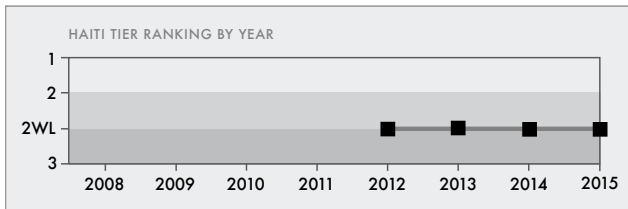
## HAITI: Tier 2 Watch List

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 children in domestic servitude vulnerable to beatings, sexual assaults, and other abuses by individuals in the homes in which they are residing. A significant number of dismissed and runaway child domestic servants end up in prostitution or are forced into begging or street crime. Citizens of the Dominican Republic are exploited in sex trafficking and forced labor in Haiti. Other vulnerable populations include: low-income Haitians; children working in construction, agriculture, fisheries, and street vending; women and children living in camps for internally displaced persons set up as a result of the 2010 earthquake; female-headed or single-parent families; children in unscrupulous private and NGO-sponsored residential care centers; and Haitians without documentation, including those returning from the Dominican Republic or The Bahamas. Haitians are vulnerable to fraudulent labor recruitment abroad. Haitian children are exploited in prostitution, domestic servitude, agriculture,



construction, and forced begging in the Dominican Republic. Haitian adults and children are exploited in forced labor primarily in the Dominican Republic, other Caribbean countries, South America, and the United States. Deficiencies and corruption in the judicial system impair efforts to prosecute criminals, including traffickers.

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, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Haiti is placed on Tier 2 Watch List for a fourth consecutive year. Haiti 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 reported four investigations and prosecuted two suspects under Haiti's 2014 anti-trafficking law and identified 22 potential trafficking victims, a significant increase from the number identified in 2013. The government also developed a new national anti-trafficking action plan. The government has not convicted any traffickers and identified and assisted few victims of forced labor compared to the scope of the problem. The government lacked adequate victim identification and referral procedures and relied on NGOs to assist victims with minimal government support.



## RECOMMENDATIONS FOR HAITI:

Vigorously investigate, prosecute, convict, and sentence traffickers, including those responsible for domestic servitude and child sex trafficking; implement the new national anti-trafficking action plan; increase funding for trafficking victim assistance, including by working with the donor community to develop long-term, sustainable funding mechanisms for trafficking victim service providers; enforce provisions to guarantee victims are not detained or penalized for crimes committed as a direct result of being subjected to human trafficking; continue to train police, prosecutors, and judges on 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 made progress in anti-trafficking law enforcement efforts, but continued to lack any trafficking convictions. In June 2014, authorities enacted Law No. CL/2014-0010, which prohibits all forms of human trafficking and prescribes penalties of seven to 15 years' imprisonment. The law provides for increased penalties of up to life imprisonment for human trafficking committed with aggravating circumstances, such as if the victim is a child or the trafficker is a public official, among other circumstances. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The judiciary's systemic weaknesses and vulnerability to corruption hampered

implementation of the law. Laws criminalizing trafficking-related crimes, such as abuse of children or prostitution, may be used to hold traffickers accountable, although there were no reports that traffickers were ever convicted under these laws. In contrast with the previous three reporting periods, the government reported four investigations and two prosecutions involving two suspected traffickers using the new law. One case involved the attempted labor trafficking of 17 children and the other involved sex trafficking of three foreign girls and two women. One of the two suspects was placed in pre-trial detention, and authorities issued an arrest warrant for the second suspect. After the judge's mandate expired in the first case, the government reassigned the case to ensure the investigation could move forward. At the close of the reporting period, no traffickers had been convicted. Law enforcement pursued a third investigation initially believed to be a human trafficking case, but it was subsequently prosecuted under other charges. In a fourth case, a U.S. citizen was investigated and charged for alleged crimes against children, including potential trafficking; but the charges were later dropped. The government did not report any investigations, prosecutions, or convictions of government employees for alleged complicity in trafficking-related offenses. The government continued efforts to train new police cadets on human rights issues, and to improve the response to crimes, including trafficking, against marginalized groups.

## PROTECTION

The government sustained some efforts to identify and assist trafficking victims. The government did not systematically track data regarding trafficking victim identification, but reported working with NGOs to reunify more than 250 child domestic workers in exploitative situations with their families. Haitian authorities identified five potential foreign victims and 17 potential Haitian victims and worked with an international organization to facilitate the voluntary return of foreign victims. In 2014, Haitian officials removed some children from vulnerable situations and placed them in appropriate care; however, NGOs noted some children placed in transitional homes did not receive adequate assistance. Authorities did not adopt stand-alone, government-wide procedures to guide all front-line responders in the identification and referral of potential victims. Observers noted officials' ability to identify victims, in the absence of such guidelines, varied widely. The government also did not have standard protocols to conduct forced labor inspections. The government improved referral by establishing eight child protection and eight women protection referral networks, which include referral for trafficking victims.

NGOs provided the majority of victim care services without government funds. Labor and social welfare inspectors often lacked basic materials and reliable transport. The budget for the Institute for Social Welfare and Research (IBESR) was insufficient to cover the basic protection needs of children throughout Haiti, including trafficking victims. Two state institutions provided care for vulnerable children, some of whom were at risk of becoming trafficking victims, but authorities did not report if any trafficking victims were housed at these facilities in 2014. The government did not offer any specific services for adult victims. The government did not have a formal program to assist victims who returned to Haiti. In preparation for potential increased migration across the border after the June 15 deadline for registration of migrant workers in the Dominican Republic, the government began coordinating efforts with international organizations and NGOs to receive potential expellees. Concurrently, the government continued to work with the Government of the Dominican Republic to ensure

that any expulsions were conducted in a measured and humane manner. The 2014 anti-trafficking law establishes formal victim protection policies to encourage trafficking victims to assist in the investigation and prosecution of trafficking offenders and prohibits penalizing victims for crimes committed as a direct result of being subjected to human trafficking. However, observers reported law enforcement officials sometimes detained children before they were transferred to social services. The law provides immigration relief for foreign victims of human trafficking; however, authorities had not used the provision because the identified foreign national victims chose to return to their country of origin.

## PREVENTION

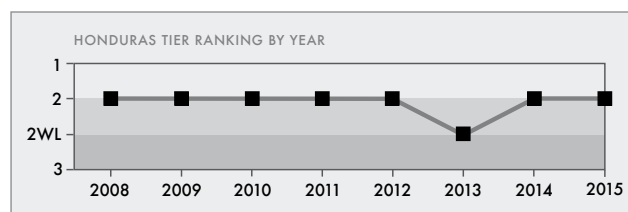
The government sustained efforts to prevent trafficking. Authorities adopted a national anti-trafficking action plan spanning March 2015 through 2017. An informal inter-ministerial working group to coordinate governmental anti-trafficking efforts met during the reporting period, as did the national commission for the elimination of the worst forms of child labor. With foreign government funding, the government launched a national anti-trafficking awareness campaign as a series of radio spots on the 2014 anti-trafficking law, trafficking indicators, and sanctions for traffickers. The government managed a social services hotline, and authorities conducted 52 investigations stemming from hotline calls, including four for potential trafficking. The government also continued a campaign to raise public awareness about child labor, child trafficking, and other child protection concerns. IBESR closed five residential care centers in 2014 that were operating in violation of international standards, and removed children from exploitative situations where they were exposed to a high risk of human trafficking. The government also continued a partnership with community representatives to monitor night clubs for sexual exploitation. The 2014 anti-trafficking law includes sanctions for individuals who knowingly procure commercial sex acts from trafficking victims, but authorities had not used the sanctions to hold purchasers accountable and did not report efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. Authorities did not report any convictions for child sex tourism.

## HONDURAS: Tier 2

Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor; to a much lesser extent, it is a destination for women and girls from neighboring countries subjected to sex trafficking. Honduran women and children are exploited in sex trafficking within the country and in other countries in the region, particularly Mexico, Guatemala, El Salvador, and the United States. LGBT Hondurans are particularly vulnerable to sex trafficking. Honduran men, women, and children are subjected to forced labor in agriculture, street vending, and domestic service in Honduras and forced labor in other countries, particularly in Guatemala, Mexico, and the United States. Indigenous Miskito boys from Honduras are vulnerable to forced labor; there has been at least one case in recent years of forced labor on a fishing vessel. NGOs report criminal organizations, including gangs, exploit girls in sex trafficking, force children into street begging, and coerce and threaten young males in urban areas to transport drugs, commit extortion, or act as hit men. During the year, there were increasing reports of children being subjected to sex trafficking on the streets of large

cities, particularly the economic center of San Pedro Sula, under the guise of street begging. Honduras is a destination for child sex tourists from Canada and the United States. Some migrants to the United States are subjected to forced labor, forced criminal activity, or sex trafficking *en route* or upon arrival. Latin American migrants transit Honduras *en route* to northern Central America and North America; some are subsequently exploited in sex trafficking and forced labor. Prosecutors reported some local police provided protection to brothel owners or tipped them off about impending raids, and security officials have been investigated for purchasing commercial sex acts from child trafficking victims. There was one media report of a child sex trafficking ring in Tegucigalpa that allegedly operated with police and high-level government protection.

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. During the reporting period, the government launched a dedicated helpline for identifying trafficking victims and established an "immediate response" team to refer identified victims to NGOs for services. Authorities continued to prosecute traffickers, though they did not obtain any convictions. Law enforcement efforts were inadequate, with a focus limited primarily to child sex trafficking. The government relied on civil society organizations to provide the vast majority of services to victims and lacked guidelines to identify trafficking victims among vulnerable populations.



## RECOMMENDATIONS FOR HONDURAS:

Increase efforts to prosecute trafficking offenses, and to convict and sentence traffickers, especially for forced labor crimes and sex trafficking of adults; conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking offenses, and convict and sentence complicit officials; improve victim referral mechanisms and provide specialized services and shelter to all victims through increased funding to government entities or civil society organizations; develop and implement formal procedures to identify victims among vulnerable populations, including child workers identified by labor inspections, children apprehended for illicit gang-related activities, and repatriated child migrants and refer them to service providers; develop policies and train officials to protect child victims from re-victimization in the criminal justice system; take measures to increase the number of adult victims identified and assisted, including repatriated Hondurans; enforce laws punishing brokers for illegal practices which facilitate trafficking, such as fraudulent offers of employment or excessive fees for migration or job placement; increase training and resources for the dedicated anti-trafficking police and prosecutorial units, as well as staff on the "immediate response" team; increase the use of the anti-trafficking law in trafficking prosecutions; and finalize the national action plan for 2015-2020.